



KPMG AEOI Updates & Tracking Service FATCA Alert



Date:	26 August 2024	Alert Type:	Document
Country:	Germany	Regime:	FATCA
Document Type:	Other Guidance		

Germany: Issued Updated Communication Manual Part 3

On 23 July 2024, the Federal Central Tax Office of Germany (BZSt) issued an updated version of the FATCA Technical Communication Manual Part 3 (v2.12) for transmission of data via the BZSt Online portal (BOP) and Electronic Mass Data Interface (ELMA) for FATCA purposes.

The updates to the manual are as follows:

- Chapter 5.5.6.5.4 has been updated to provide reporting requirements for U.S account holders with a missing Tax Identification Number (TIN). In accordance with the Internal Revenue Service (IRS) Notice 2023-11, [here](#), Financial Institutions (FIs) are required to perform the following steps:
 - Obtain and report the date of birth of each individual account holder and controlling person whose TIN cannot be reported,
 - Starting with the 2023 reporting period, annually request a TIN from each account holder with a missing US TIN,
 - Starting with the 2023 reporting period, annually search the electronic data maintained for any missing US TIN, and,
 - For the 2022 reporting period, FIs should report each account that is missing a US TIN, using either the TIN codes provided by the IRS in May 2021 or the updated TIN codes issued by the IRS in 2023. For the 2023 and 2024 reporting periods, FIs must use the latest TIN codes published by the IRS. FIs can refer to Q.6 in the reporting

Germany Contacts:



Lisa Wenqian Xu
Director
wxu@kpmg.com



Xin Rieger
Senior Manager
xrieger@kpmg.com



Maria Suarez Gonzalez
Manager
msuarezgonzalez@kpmg.com

section of the Frequently Asked Questions (FAQs), [here](#), for more details.

- Use of the alternative TIN codes for reporting periods 2022-2024 is limited to the reporting of “preexisting accounts” (opened before December 31, 2013).

FIs should annually request the missing US TIN through proper methods of communication that are likely to reach each account holder. The communication must include either:

- The web address of the State Department’s Joint FATCA Frequently Asked Questions (FAQs), [here](#), or
- A copy of the FAQs mentioned above and either a copy of the relief procedures published by the IRS for specific former citizens or the web address, [here](#), for such procedures.

FIs should maintain and retain appropriate records to prove adherence to these policies and procedures until the end of calendar year 2028. Notably, the relief procedures apply only to eligible Model 1 IGA jurisdictions.

- Subsection 2.1 was added to chapter 2. Per the guidelines of the Federal Office for Security in the Information technology (BSI), ELMA users must transition from the RSA cryptographic algorithm to the ECDSA algorithm for SFTP data transmission starting from 23 July 2024. However, users who completed their ELMA activation before 23 July 2024 may continue using the RSA algorithm. ELMA users transmitting data via BOP through an XML upload should distinguish the transmission, as the transition is completed after submitting a new activation request.

Reference: [Communication Manual Part 3](#) [PDF 2,030KB]

For information on KPMG’s global AEOI network professionals, please email [GO-FM AEOI Program Support](#).

For more information on KPMG AEOI Updates & Tracking Service, please see [here](#).

For additional summaries of the latest AEOI developments, please visit KPMG’s TaxNewsFlash-FATCA/IGA/CRS Insights page, [here](#).

Contact us



Cyrus Daftary
Principal
T: +1 212 954 6096
E: cdaftary@kpmg.com



Laurie Hatten-Boyd
Principal
T: +1 206 213 4001
E: lhattenboyd@kpmg.com

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