

# KPMG AEOI Updates & Tracking Service FATCA Alert



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Country:	Germany	Regime:	FATCA

## Germany: Issued FATCA Newsletter on Further Extension of Temporary Relief for US TIN Codes

On 19 November 2024, the Federal Central Tax Office of Germany (BZSt) released FATCA Newsletter 02/2024. The FATCA Newsletter contains the following updates:

— Notice 2024-78, *“Extension of Temporary Relief for Foreign Financial Institutions to Report US Taxpayer Identification Numbers”* [here](#), issued by the Internal Revenue Service (IRS) at the end of October 2024, extends temporary relief for foreign financial institutions (FFIs) regarding missing US Taxpayer Identification Numbers (TINs) for existing accounts. This extension builds on prior guidance from Notice 2023-11, addressing ongoing difficulties in procuring US TINs for FATCA compliance. The recent update now extends the relief through the 2025-2027 reporting periods. The IRS continues to analyze TIN code data and information from FATCA reporting to better understand the challenges FFIs face in obtaining and reporting these US TINs.

Accordingly, the IRS has extended the relief for an additional three years while mandating the inclusion of more detailed reporting data. The relief remains confined to existing accounts, as defined in the FATCA agreement, though FIs are advised to utilize specific TIN codes for new accounts missing US TINs. To align with these requirements, FIs are required to:

- obtain and report the date of birth of each individual account holder and Controlling Person whose US TIN is not reported;
- annually request the missing US TINs from account holders, as specified in section *“3.03 Annual request for*

## Germany Contacts:



**Lisa Wenqian Xu**  
Director  
[wxu@kpmg.com](mailto:wxu@kpmg.com)



**Xin Rieger**  
Senior Manager  
[xrieger@kpmg.com](mailto:xrieger@kpmg.com)



**Maria Suarez Gonzalez**  
Manager  
[msuarezgonzalez@kpmg.com](mailto:msuarezgonzalez@kpmg.com)

*missing required US TINs*" of Notice 2024-78. To comply, they must select the most effective communication method to reach account holders, including either:

- the web address of the State Department's Joint FATCA Frequently Asked Questions (FAQs), [here](#), which provides guidance on obtaining an SSN (US-TIN) and information on relinquishing US citizenship and its tax implications, or
- a copy of the FAQs and either: 1) a copy of the relief procedures published by the IRS for specific former citizens, or 2) the web address, [here](#), for such procedures;
- search electronic records for missing US TINs before submitting FATCA reports;
- use a specific alternative TIN code published by the IRS (found in IRS FAQ6 under the "*Reporting section*", [here](#)) for accounts missing a US TIN;
- provide the foreign taxpayer identification number (FTIN) or equivalent residence country information for account holders or controlling persons missing a US TIN, if found in electronically searchable account information, and
- use the data element group "AddressFix" to provide the address, which requires information on the city and country of residence of the account holder or controlling person missing a US TIN.

Notably, FIs must maintain records of their compliance efforts and strategies for obtaining US TINs as part of the annual request and retain them until the end of 2031 to meet IRS requirements and demonstrate adherence to section 3.03, *Annual request for missing required US TINs*. This retention period also applies to records related to Notice 2023-11 for the 2022-2024 reporting periods.

- The transitional use of the code "AAAAAAA" for uncooperative account holders, as described in Notice 2017-46, has been replaced by "99999999" to indicate the absence of a US TIN. This update reflects enhanced specifications introduced in Notice 2023-11 for reporting periods 2022-2024. Starting from the 2024 reporting period, using "AAAAAAA" will result in the rejection of data records for FATCA submissions.
- To prevent misunderstandings, clarifications on these updates will be incorporated into the FATCA Communication

Manuals Parts 2 and 3 and published on the BZSt website,  
[here](#).

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Reference: [FATCA Newsletter 02/2024](#)

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## Contact us



**Laurie Hatten-Boyd**  
**Principal**  
T: +1 213-206-4001  
E: [lhattenboyd@kpmg.com](mailto:lhattenboyd@kpmg.com)

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**Kelli Wooten**  
**Principal**  
T: +1 404-739-5888  
E: [kwooten@KPMG.com](mailto:kwooten@KPMG.com)