

CHAPTER 2

OVERVIEW OF REQUIRED INFORMATION

Under Part 8A of and Schedule 17C, 17D and 17E to the IRO, a reporting financial institution in Hong Kong is required to conduct due diligence on all financial accounts it maintains. With respect to each of such financial account, the reporting financial institution is required to: (i) determine the tax residence(s) of its account holder and, if the account holder is a passive NFE, the controlling persons of the passive NFE; and (ii) report to the IRD on an annual basis, the particulars and account information of that account holder, and where applicable, the particulars of the controlling persons that are tax residents of jurisdictions with which Hong Kong has activated exchange relationship.

Reportable account

2. Reportable account means a financial account that has been identified as such under the due diligence requirements in Schedule 17D to the IRO and that is held by at least one reportable person, or a passive NFE with at least one controlling person being a reportable person.

Reportable person

3. A reportable person means an individual or entity that is a resident for tax purposes of a reportable jurisdiction; but does not include: (i) a corporation the stock of which is regularly traded on an established securities market; (ii) a corporation that is a related entity of a corporation mentioned in (i); (iii) a government entity; (iv) an international organization; (v) a central bank; or (vi) a financial institution.

4. If the account holder (or the controlling person of the account holder that is a passive NFE) of a financial account is not a tax resident of any reportable jurisdiction, the financial account is not a reportable account and the reporting financial institution is not required to report the information of that account.

Reportable jurisdiction

5. Reportable jurisdictions are specified in column 1 of Part 1 of Schedule 17E to

the IRO. The list of reportable jurisdictions is available at the IRD's webpage as follows:

https://www.ird.gov.hk/eng/tax/aeoi/rpt_jur.htm

6. In general, the IRD will issue electronic notices, through the AEOI Portal, to all registered financial institutions in January annually for filing the Financial Account Information Returns (AEOI Return). The reporting financial institution should furnish the AEOI Return reporting the required information. The AEOI Return furnished must include, among others, the name and identifying number (i.e. AEOI ID) of the reporting financial institution.

7. The AEOI Return furnished must include the following information in relation to each reportable account maintained by the reporting financial institution for years from 2017 onwards (for the financial institution that is not a 2020-covered institution¹) or 2020 onwards (for the financial institution that is a 2020-covered institution¹):

In respect of	Information to be Reported
Each reportable person either holding a reportable account; or as a controlling person of an entity account that is a passive NFE	Name Address Jurisdiction of residence TIN ^{2&3} Date of birth (only for individual) ³ Place of birth (only for individual) ⁴ Account number or functional equivalent Account balance or value

¹ Further details on "2020-covered institution" are provided in Chapter 3 of this Guidance.

² Reporting of TIN is required unless: (i) the TIN is not issued by the relevant jurisdiction of residence; or (ii) the domestic law of the relevant jurisdiction does not require the collection of TIN.

³ For a pre-existing account, TIN or date of birth are reportable unless the TIN or date of birth is not kept in the records of the reporting financial institution and is not otherwise required to be collected under the laws of Hong Kong. Where the TIN and date of birth are not kept in the records of the reporting financial institution, the reporting financial institution is required to use reasonable efforts to obtain the TIN and date of birth by the end of the second calendar year following the year in which pre-existing accounts were identified as reportable accounts.

⁴ The place of birth is required to be reported if: (i) the reporting financial institution is otherwise required to obtain the place of birth and report it under the laws of Hong Kong; and (ii) the place of birth is available in the electronically searchable data maintained by the reporting financial institution. Reporting financial institution is encouraged to collect place of birth as from the experience of Hong Kong's treaty partners, the collection of such information is necessary and proportionate for the purpose of enabling tax administrations to correctly and unequivocally identify the taxpayers concerned.



In respect of	Information to be Reported
Custodial accounts	Total gross amount of interest paid to the account, or in respect of the account Total gross amount of dividends paid to the account, or in respect of the account Total gross amount of other income generated in respect of the financial assets held in the account, and paid to the account, or in respect of the account Total gross proceeds from the sale or redemption of financial assets paid to the account
Depository accounts	Total gross amount of interest paid to the account
Other accounts	Total gross amount paid to the account holder including the aggregate amount of any redemption payments made to the account holder