

## Portugal: Change of web address for official forms

Effective

**immediately**

the Portuguese Tax Authorities have reorganised their web site and, as a consequence you can retrieve the official forms required for the current tax relief procedure via the following new web links:

- **Mod 19-RFI**

[http://info.portaldasfinancas.gov.pt/pt/apoio\\_contribuinte/modelos\\_formularios/regime\\_especial\\_tribut\\_divida/](http://info.portaldasfinancas.gov.pt/pt/apoio_contribuinte/modelos_formularios/regime_especial_tribut_divida/)

- **Mod 21-RFI and Mod 22-RFI**

[http://info.portaldasfinancas.gov.pt/pt/apoio\\_contribuinte/modelos\\_formularios/double\\_tax\\_conventions/](http://info.portaldasfinancas.gov.pt/pt/apoio_contribuinte/modelos_formularios/double_tax_conventions/)

The web address has not changed in the case of the following tax forms, for Spanish residents:

- **Mod 8-RFI**

[http://www.dgci.min-financas.pt/NR/rdonlyres/65FFD702-C809-42D1-8F98-F82023A8AB15/0/RFI-%20Modelo%2008\\_Pr-div-a3.pdf](http://www.dgci.min-financas.pt/NR/rdonlyres/65FFD702-C809-42D1-8F98-F82023A8AB15/0/RFI-%20Modelo%2008_Pr-div-a3.pdf)

- **Mod 14-RFI**

[http://www.dgci.min-financas.pt/NR/rdonlyres/E39BDB4A-D276-42BD-BEB9-C1DA36A3014F/0/RFI-%20Modelo%2014\\_Re-div-a2.pdf](http://www.dgci.min-financas.pt/NR/rdonlyres/E39BDB4A-D276-42BD-BEB9-C1DA36A3014F/0/RFI-%20Modelo%2014_Re-div-a2.pdf)

### Further information

For further information, please contact our Tax Help Desk:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

or Clearstream Banking Customer Service or your Relationship Officer.

For more general information regarding our products and services, please visit [www.clearstream.com](http://www.clearstream.com).

## Portugal: Additional Declaration for non-resident trusts and funds

Following confirmation received from our depository, Banco Santander de Negócios Portugal, we confirm that, from

**1 January 2010**

non-resident collective investment vehicles (that is, trusts and funds) will be required to submit additional documentation in order to benefit from the reduced tax rates granted by the conventions for the avoidance of double taxation on income from Portuguese securities.

### Background

The Portuguese Tax Authorities have clarified, in Circular Letter 6/2009, the treaty eligibility criteria for trusts and funds as follows:

- Trusts, as such, do not benefit from the regime established in a Double Taxation Treaty (DTT) signed between Portugal and the country of residence of the trust unless the respective DTT (for example, Canada and the U.S.A.) expressly mentions that it applies to trusts.  
In such cases and so that the trust may benefit from the DTT, proof must be provided that the trust is the beneficial owner of the income received and has fulfilled the requirements and conditions set out in the respective treaty.
- For funds (investment funds and pension funds), the fund must be:
  - The beneficial owner of the income received;
  - Considered a “person” for the purposes of the respective DTT; and
  - Subject to tax imposed on a personal and unlimited basis in its country of residence (independently of the taxation that may occur at the level of the fund participants).

### Impact on customers

**N.B.:** The requirements stated in Circular Letter 6/2009 are related exclusively to DTT eligibility criteria. There is no impact on the tax procedure we currently have in place for Portuguese debt securities that is based on the Portuguese domestic law (Decree-Law 193/2005).

To prove their eligibility, the trusts or funds applying for the DTT tax rate on dividends from Portuguese equities must provide, annually and in addition to the current certification requirements, a Declaration issued by their local tax authorities certifying that the respective trust or fund is liable to tax in its own country of residence and is not transparent for tax purposes.

As yet, no clear guidance could be obtained from the Portuguese Tax Authorities regarding the content of this additional Declaration. The market participants have sent a letter, through the Portuguese Settlement and Securities Committee, to the Portuguese Tax Authorities requesting their approval for proposed templates to be used by U.S. trusts, Canadian trusts and Dutch pension funds.

We are closely monitoring developments and will provide you with updates upon receipt of further information related to the new Declaration.

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## Portugal: Official forms for Spanish resident beneficial owners

Further to our Announcement A08056, dated 14 March 2008, the Portuguese Tax Authorities have published the new official forms Mod. 21-RFI and Mod. 22-RFI to be used for obtaining reduced rates of withholding tax under the convention for the avoidance of double taxation between Portugal and Spain.

These new forms replace the Spanish versions of the previous forms Mod. 7-RFI, Mod. 8-RFI, Mod. 13-RFI and Mod. 14-RFI. Copies of the newly revised Spanish versions of the forms are included, for information purposes only, in "[Appendix 1](#)" on page 2 and "[Appendix 2](#)" on page 3 of this Announcement.

### Impact on customers

From now on and according to Clearstream Banking's current tax procedure for Portuguese securities, final beneficial owners who are residents of Spain and qualify for the benefit of a reduced rate of withholding tax in accordance with a Double Taxation Treaty (DTT) between Spain and Portugal should complete and submit the Spanish versions of the following forms:

- Mod. 21-RFI for obtaining relief at source or quick refund on dividend payments; or
- Mod. 22-RFI for applying for standard refund of withholding tax on dividend payments.

Each of these forms consists of a set of three similar pages and a fourth page that must be printed on the reverse side of each of the three first pages. The respective recipient is shown in the bottom right-hand corner, as follows:

- Portuguese Tax Authorities - via Clearstream Banking (Page 1 with Page 4);
- The tax authorities of the country of residence of the beneficial owner (Page 2 with Page 4);
- The beneficial owner (Page 3 with Page 4).

**Important note:** Failure to follow these instructions will be sufficient reason for the Portuguese Tax Authorities to refuse the documentation.

The new official forms must be submitted in addition to the tax certification required for obtaining relief at source or refund of withholding tax on dividends as explained in the Customer Tax Guide (Portugal).

### Transition period

The Spanish versions of the old official tax forms Mod. 7-RFI, Mod. 8-RFI, Mod. 13-RFI and Mod. 14-RFI will be accepted by the Portuguese Tax Authorities until 30 September 2009.

### Availability of the new official forms

The amended forms are now available on the web site of the Portuguese Tax Authorities at:

[http://info.portaldasfinancas.gov.pt/pt/informacao\\_fiscal/convencoes\\_evitar\\_dupla\\_tributacao/formularios\\_espanha\\_doelib/](http://info.portaldasfinancas.gov.pt/pt/informacao_fiscal/convencoes_evitar_dupla_tributacao/formularios_espanha_doelib/)

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## Appendix 1. Mod. 21-RFI Claim for total or partial exemption from Portuguese withholding tax

A copy of the Spanish version of form Mod. 21-RFI is presented - **for information purposes only** - over the following pages.

PEDIDO DE DISPENSA TOTAL OU PARCIAL DE RETENÇÃO NA FONTE DO IMPOSTO PORTUGUÊS, EFECTUADO AO ABRIGO DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO ENTRE PORTUGAL E:

SOLICITUD DE EXENCIÓN TOTAL O PARCIAL DE RETENCIÓN EN LA FUENTE DEL IMPUESTO PORTUGUÊS EN LOS TÉRMINOS DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN CELEBRADO ENTRE PORTUGAL Y:

\_\_\_\_\_

**I IDENTIFICAÇÃO DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS**  
**IDENTIFICACIÓN DEL BENEFICIARIO EFECTIVO DE LOS RENDIMIENTOS**

NOME / DENOMINAÇÃO SOCIAL NOMBRE/DENOMINACIÓN SOCIAL		Número de Identificação Fiscal (NIF) no país de residência Numero De Identificación Fiscal del País de Residencia	
DOMICÍLIO FISCAL (Rua, número e andar) Domicilio fiscal (Calle, numero y piso)		NIF PORTUGUÊS (Ver instruções) NIF PORTUGUÊS (Véanse instrucciones)	
CÓDIGO POSTAL CÓDIGO POSTAL	LOCALIDADE LOCALIDAD	PAÍS PAÍS	
CORREIO ELECTRÓNICO: CORREO ELECTRÓNICO:			

**II IDENTIFICAÇÃO DOS RENDIMENTOS**  
**DESCRIPCIÓN DE LOS RENDIMIENTOS**

1 - DIVIDENDOS 1 - DIVIDENDOS   
1.1 - DE ACÇÕES 1.1 - DE ACCIONES

QUANTIDADE CANTIDAD	ENTIDADE EMITENTE OU CÓDIGO ISIN ENTIDAD EMISORA/CÓDIGO ISIN

1.2 - RESTANTES DIVIDENDOS 1.2 - OTROS DIVIDENDOS

VALOR DA PARTICIPAÇÃO SOCIAL IMPORTE DE LA PARTICIPACIÓN SOCIAL	ENTIDADE PARTICIPADA ENTIDAD PARTICIPADA

2 - JUROS 2 - INTERESES   
2.1 - DE VALORES MOBILIÁRIOS REPRESENTATIVOS DA DÍVIDA 2.1 - DEL VALOR MOBILIARIO REPRESENTATIVO DE LA DEUDA

VALOR NOMINAL VALOR NOMINAL	DESIGNAÇÃO DO VALOR MOBILIÁRIO OU CÓDIGO ISIN DESIGNACIÓN DEL VALOR MOBILIARIO CODIGO ISIN	DATA DE AQUISIÇÃO (aaaa/mm/dd) FECHA DE ADQUISICIÓN (aaaa/mm/dd)	ENTIDADE EMITENTE ENTIDAD EMISORA

2.2 - RESTANTES JUROS 2.2 - OTROS INTERESES

NATUREZA DOS CRÉDITOS NATURALEZA DE LOS CRÉDITOS	DATA DA CONSTITUIÇÃO (aaaa/mm/dd) FECHA DE CONSTITUCIÓN (aaaa/mm/dd)	VALOR DOS CRÉDITOS IMPORTE DE LOS CRÉDITOS

3 - ROYALTIES 3 - CÁNONES

NATUREZA DAS ROYALTIES NATURALEZA DE LOS CÁNONES	DATA DA CELEBRAÇÃO DO CONTRATO (aaaa/mm/dd) FECHA DEL CONTRATO (aaaa/mm/dd)

4 - TRABALHO INDEPENDENTE 4 - TRABAJO INDEPENDIENTE  5 - TRABALHO DEPENDENTE 5 - TRABAJO DEPENDIENTE   
6 - PENSÕES 6 - PENSIONES  6.2 - DE NATUREZA PÚBLICA 6.2 - DE NATURALEZA PÚBLICA   
6.1 - DE NATUREZA PRIVADA 6.1 - DE NATURALEZA PRIVADA  
7 - REMUNERAÇÕES PÚBLICAS 7 - REMUNERACIONES PÚBLICAS   
8 - PRESTAÇÕES DE SERVIÇOS 8 - PRESTACIONES DE SERVICIOS

Comissões  Outras  Especifique   
Comisiones  Otras  Especificar

9 - RESTANTES RENDIMENTOS 9 - OTROS RENDIMIENTOS

Identifique a natureza do rendimento  
Describe la naturaleza del rendimiento \_\_\_\_\_

**III CERTIFICAÇÃO DAS AUTORIDADES FISCAIS COMPETENTES DO ESTADO DE RESIDÊNCIA DO BENEFICIÁRIO EFECTIVO**  
**CERTIFICACIÓN DE LAS AUTORIDADES FISCALES COMPETENTES DEL ESTADO DE RESIDENCIA DEL BENEFICIARIO EFECTIVO**

CERTIFICA-SE QUE A ENTIDADE IDENTIFICADA NO QUADRO I É/FOI RESIDENTE FISCAL, NOS TERMOS DO ARTº 4º DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO, EM \_\_\_\_\_, NO(S) ANO(S) \_\_\_\_\_ A \_\_\_\_\_ ESTANDO SUJEITA A IMPOSTO SOBRE O RENDIMENTO.

SE CERTIFICA QUE EL CONTRIBUYENTE IDENTIFICADO EN EL CUADRO "I" ES/HA SIDO RESIDENTE FISCAL EN LOS TÉRMINOS DEL ARTº 4º DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN EN \_\_\_\_\_ DURANTE EL/LOS AÑOS \_\_\_\_\_ A \_\_\_\_\_ DONDE SE ENCUENTRA SUJETO AL IMPUESTO SOBRE LOS RENDIMIENTOS.

LOCAL LOCALIDAD	DATA (AAAA/MM/DD) FECHA (AAAA/MM/DD)	ASSINATURA E SELO OFICIAL FIRMA Y SELLO FISCAL
ENTIDADE ENTIDAD		



PEDIDO DE DISPENSA TOTAL OU PARCIAL DE RETENÇÃO NA FONTE DO IMPOSTO PORTUGUÊS, EFECTUADO AO ABRIGO DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO ENTRE PORTUGAL E:

**SOLICITUD DE EXENCIÓN TOTAL O PARCIAL DE RETENCIÓN EN LA FUENTE DEL IMPUESTO PORTUGUÊS EN LOS TÉRMINOS DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN CELEBRADO ENTRE PORTUGAL Y:**

**I IDENTIFICAÇÃO DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS**

**IDENTIFICACIÓN DEL BENEFICIARIO EFECTIVO DE LOS RENDIMIENTOS**

NOME / DENOMINAÇÃO SOCIAL  
NOMBRE/DENOMINACIÓN SOCIAL

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CÓDIGO POSTAL  
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LOCALIDADE  
LOCALIDAD

PAÍS  
PAÍS

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NIF PORTUGUÊS (Véanse instrucciones)

CORREIO ELECTRÓNICO:  
CORREO ELECTRÓNICO:

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**DESCRIPCIÓN DE LOS RENDIMIENTOS**

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1.1 - DE ACÇÕES 1.1 - DE ACCIONES

QUANTIDADE  
CANTIDAD

ENTIDADE EMITENTE OU CÓDIGO ISIN  
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1.2 - RESTANTES DIVIDENDOS 1.2 - OTROS DIVIDENDOS

VALOR DA PARTICIPAÇÃO SOCIAL  
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2.2 - RESTANTES JUROS 2.2 - OTROS INTERESES

NATUREZA DOS CRÉDITOS  
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Comissões  
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Outras  
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Especifique  
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1.1 - DE ACÇÕES *1.1 - DE ACCIONES*

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*CANTIDAD*

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*ENTIDAD EMISORA/CÓDIGO ISIN*

1.2 - RESTANTES DIVIDENDOS *1.2 - OTROS DIVIDENDOS*

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*IMPORTE DE LA PARTICIPACIÓN SOCIAL*

ENTIDADE PARTICIPADA  
*ENTIDAD PARTICIPADA*

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(aaaa/mm/dd)*

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*NATURALEZA DE LOS CÁNONES*

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*FECHA DEL CONTRATO (aaaa/mm/dd)*

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8 - PRESTAÇÕES DE SERVIÇOS *8 - PRESTACIONES DE SERVICIOS*

5 - TRABALHO DEPENDENTE *5 - TRABAJO DEPENDIENTE*   
 6.2 - DE NATUREZA PÚBLICA *6.2 - DE NATURALEZA PÚBLICA*

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*Comisiones*

Outras  
*Otras*

Especifique  
*Especificar*

9 - RESTANTES RENDIMENTOS *9 - OTROS RENDIMIENTOS*

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*Describe la naturaleza del rendimiento*

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LOCAL  
*LOCALIDAD*

DATA (AAAA/MM/DD)  
*FECHA (AAAA/MM/DD)*

ASSINATURA E SELO OFICIAL  
*FIRMA Y SELLO FISCAL*

ENTIDADE  
*ENTIDAD*

**IV QUESTIONÁRIO (A RESPONDER PELO BENEFICIÁRIO DO RENDIMENTO)**  
**CUESTIONARIO (A CUMPLIMENTAR POR EL BENEFICIARIO DEL RENDIMIENTO)**

A - A PREENCHER POR PESSOAS SINGULARES E POR PESSOAS COLECTIVAS

A - A CUMPLIMENTAR POR PERSONAS FÍSICAS Y PERSONAS JURÍDICAS

1 - Dispõe de estabelecimento estável ou instalação fixa em Portugal ?

1 - ¿Dispone de un establecimiento permanente o base fija en Portugal?

Sim Si  Não No

2 - Participa no capital social da(s) entidade(s) devedora(s) dos rendimentos em percentagem igual ou superior a 10% ?

2 - ¿Participa en el capital social de la entidad deudora de la renta, en una porcentaje igual o superior al 10%?

Sim Si  Não No

Em caso afirmativo, indique a(s) entidade(s) e a(s) percentagem(ns) correspondente(s)

En caso afirmativo, indique la entidad y el porcentaje correspondiente

3 - Pertence aos órgãos sociais da(s) entidade(s) devedora(s) dos rendimentos ?

3 - ¿Pertenece a los órganos sociales de la entidad deudora de los rendimientos?

Sim Si  Não No

Em caso afirmativo especifique

En caso afirmativo especifique

B - A PREENCHER SOMENTE POR PESSOAS SINGULARES

B - A CUMPLIMENTAR SOLAMENTE POR PERSONAS FÍSICAS

1 - No(s) ano(s) civil(is) em que os rendimentos vão ser pagos ou colocados à sua disposição, vai residir em Portugal ?

1 - ¿En el año en que la renta será pagada o puesta a su disposición, va a residir en Portugal?

Sim Si  Não No

Em caso afirmativo, indique a estimativa do número de dias de permanência

En caso afirmativo, indique el numero de días de permanencia

2 - Dispõe de habitação permanente em Portugal ?

2 - ¿Tiene domicilio permanente en Portugal?

Sim Si  Não No

Em caso afirmativo, indique o endereço

En caso afirmativo, indique su domicilio

3 - Indique a sua data de nascimento (AAAA/MM/DD)

3 - Indique su fecha de nacimiento(AAAA/MM/DD)

e a nacionalidade

y su nacionalidad

**V IDENTIFICAÇÃO DO INTERMEDIÁRIO FINANCEIRO NÃO RESIDENTE EM PORTUGAL**

**IDENTIFICACIÓN DEL INTERMEDIARIO FINANCIERO NO RESIDENTE EN PORTUGAL**

NOME/DENOMINAÇÃO SOCIAL

NOMBRE/ DENOMINACIÓN SOCIAL

DOMICÍLIO FISCAL

DOMICILIO FISCAL

NIF no país de residência

NIF del país de residencia

CÓDIGO POSTAL

CÓDIGO POSTAL

LOCALIDADE

LOCALIDAD

PAÍS

PAÍS

**VI IDENTIFICAÇÃO DA ENTIDADE RESIDENTE EM PORTUGAL QUE SE ENCONTRA OBRIGADA A EFECTUAR A RETENÇÃO NA FONTE**

**IDENTIFICACIÓN DE LA ENTIDAD RESIDENTE EN PORTUGAL OBLIGADA A EFECTUAR LA RETENCIÓN DEL IMPUESTO EN LA FUENTE**

NOME/DENOMINAÇÃO SOCIAL

NOMBRE/DENOMINACIÓN SOCIAL

Número de Identificação Fiscal (NIF)

Numero de Identificación Fiscal (NIF)

**VII IDENTIFICAÇÃO DO REPRESENTANTE LEGAL DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS**

**IDENTIFICACIÓN DEL REPRESENTANTE LEGAL DEL BENEFICIARIO EFECTIVO DE LOS RENDIMIENTOS**

NOME/DENOMINAÇÃO SOCIAL

NOMBRE/DENOMINACIÓN SOCIAL

Número de Identificação Fiscal (NIF)

Numero de Identificación Fiscal (NIF)

**VIII DECLARAÇÃO DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS OU DO SEU REPRESENTANTE LEGAL**

**DECLARACIÓN DEL BENEFICIARIO EFECTIVO DE LOS RENDIMIENTOS O DE SU REPRESENTANTE LEGAL**

Declaro que sou (a entidade identificada no Quadro I é) o beneficiário efectivo dos rendimentos mencionados no presente formulário e que estão correctos todos os elementos nele indicados. Mais declaro que estes rendimentos não estão efectivamente conexos com qualquer estabelecimento estável ou instalação fixa localizados em Portugal.

Declaro que soy (la entidad señalada en el cuadro I es) el beneficiario efectivo de los rendimientos contenidos en el formulario, siendo correctos todos los elementos contenidos en él. Declaro además que dichos rendimientos no están afectos a ningún establecimiento permanente o base fija en Portugal.

Local

Localidad

Data (AAAA/MM/DD)

Fecha (AAAA/MM/DD)

Assinatura:

Firma:

Signatário Autorizado:

Nome

Signatario autorizado:

Nombre

Função:

En calidad de:



## INSTRUÇÕES DE PREENCHIMENTO

### OBSERVAÇÕES PRÉVIAS

O presente formulário destina-se a solicitar a **dispensa total ou parcial de retenção na fonte** do imposto português, quando o beneficiário do rendimento seja residente em país com o qual Portugal tenha celebrado Convenção para Evitar a Dupla Tributação.

Deve ser preenchido, em triplicado, pelo beneficiário efectivo dos rendimentos obtidos em território português (ou pelo seu representante legal em Portugal) destinando-se cada um dos exemplares, depois de certificados pela autoridade fiscal competente do Estado da residência do beneficiário efectivo dos rendimentos, à entidade indicada na parte inferior direita das páginas que o compõem. **O formulário é válido pelo prazo máximo de um ano.** O beneficiário dos rendimentos deverá informar imediatamente a entidade devedora ou pagadora caso se verifiquem alterações nos pressupostos de que depende a dispensa total ou parcial de retenção na fonte. No caso de dividendos de acções e juros de valores mobiliários representativos de dívida, o formulário deverá ser entregue ao intermediário financeiro junto do qual o beneficiário efectivo tem a conta de valores mobiliários que, por sua vez, o reencaminhará para a entidade residente em Portugal obrigada a efectuar a retenção na fonte.

Qualquer que seja a natureza dos rendimentos indicados no quadro II a entrega do formulário junto da entidade portuguesa obrigada a efectuar a retenção na fonte deverá verificar-se até ao termo do prazo estabelecido para a entrega do respectivo imposto. Essa entidade conservará o exemplar que lhe foi remetido, devendo apresentá-lo apenas quando solicitado e no prazo que for fixado.

O pedido de dispensa de retenção na fonte só se considera entregue quando o formulário estiver integral e correctamente preenchido.

Este formulário pode ser obtido junto das autoridades fiscais competentes dos Estados com os quais Portugal celebrou Convenção para Evitar Dupla Tributação, e ainda via Internet, na página [www.dgci.min-financas.pt](http://www.dgci.min-financas.pt), devendo, neste último caso, a quarta página ser impressa em triplicado no verso das três primeiras.

### QUADRO I

Destina-se à identificação do beneficiário efectivo dos rendimentos. O nome/denominação social, bem como a morada, devem estar completos e, quando preenchidos manualmente, devem ser inscritos com letra maiúscula. O primeiro Número de Identificação Fiscal (NIF) a inscrever corresponde ao do país de residência do beneficiário dos rendimentos. Deverá ainda ser preenchido o NIF português que, caso não exista, será obrigatoriamente requerido pela entidade obrigada a efectuar a retenção na fonte de imposto. A indicação do endereço de correio electrónico (e-mail) é facultativa.

### QUADRO II

Neste quadro, destinado à identificação dos rendimentos, deve assinalar-se a natureza dos rendimentos que vão ser obtidos em Portugal de acordo com as definições e/ou âmbito de aplicação dos artigos da Convenção Para Evitar a Dupla Tributação aplicável. Em particular, o campo 8 (prestações de serviços) deve ser assinalado relativamente aos casos que caíam no âmbito do artº 7º da Convenção, isto é, quando se trate de rendimentos de prestações de serviços a incluir no lucro das empresas.

No campo 1.1, o código ISIN é de preenchimento obrigatório, quando exista, dispensando a indicação da entidade emitente.

Deverá ser entregue um único formulário a cada entidade residente em Portugal obrigada a efectuar a retenção na fonte de imposto sobre rendimentos obtidos em território português.

No caso de as linhas serem insuficientes, deverão ser utilizados os formulários que forem necessários.

### QUADRO III

Este quadro é reservado à certificação pelas autoridades fiscais competentes do Estado da residência do beneficiário dos rendimentos.

### QUADRO IV

Responder SIM ou NÃO às questões colocadas, especificando quando aplicável.

### QUADRO V

Este quadro só deve ser preenchido nos casos em que o beneficiário detém acções ou valores mobiliários representativos de dívida em conta aberta junto de um intermediário financeiro não residente em Portugal.

Como se referiu em "observações prévias", será esta entidade que reencaminhará o formulário, depois de devidamente preenchido e certificado, para a entidade residente em Portugal obrigada a efectuar a retenção na fonte.

### QUADRO VI

Quadro destinado à identificação da entidade residente em Portugal que se encontra obrigada a efectuar a retenção na fonte do imposto.

### QUADRO VII

Destina-se à identificação do representante legal do beneficiário dos rendimentos, a identificar obrigatoriamente apenas nos casos em que este pretenda que seja o seu representante legal a solicitar a dispensa total ou parcial da retenção na fonte do imposto devido em Portugal.

### QUADRO VIII

A declaração constante deste quadro deve ser assinada pelo beneficiário efectivo, ou pelo seu representante legal em Portugal.

## INSTRUCCIONES

### OBSERVACIONES PREVIAS:

*Este impreso se destina a solicitar la exención total o parcial de retención en la fuente del impuesto portugués, cuando el beneficiario de la renta resida en estados con los que Portugal tenga suscrito Convenio para evitar la doble imposición.*

*Debe ser cumplimentado, por triplicado, por el beneficiario efectivo de los rendimientos obtenidos en Portugal (o por su representante legal en Portugal) remitiendo cada uno de los ejemplares, tras ser certificado por las autoridades fiscales competentes del estado de residencia del beneficiario efectivo de los rendimientos, a la entidad que se indica en el extremo inferior derecho de la página. **La solicitud es válida por un plazo máximo de un año.** El beneficiario deberá, de inmediato, informar a la entidad deudora o pagadora, en el caso de producirse variaciones que afecten a la exención total o parcial de la retención en la fuente. En el caso de dividendos de acciones e intereses del valor mobiliario representativo de la deuda, la solicitud deberá ser entregada al intermediario financiero donde el beneficiario efectivo tenga la cuenta de valores mobiliarios, que lo remitirá a la entidad residente en Portugal que se encuentra obligada a efectuar la retención en la fuente.*

*Cualquiera que sea la naturaleza de los rendimientos señalados en el cuadro "II" la presentación de la solicitud se realizará a la entidad portuguesa que se encuentra obligada a efectuar la retención en la fuente, en el momento en que la obligación ocurre. Tal entidad conservará el ejemplar que le fue destinado, y solo deberá presentarlo cuando le sea solicitado y en el plazo fijado.*

*La falta o la incorrecta cumplimentación de cualquiera de los campos de los cuadros invalida la solicitud. El impreso puede ser obtenido ante las autoridades fiscales de los Estados con los cuales Portugal tenga suscrito Convenio para evitar la doble imposición. También puede ser obtenido vía Internet, en la página [www.dgci.min-financas.pt](http://www.dgci.min-financas.pt), debiendo ser impresa la cuarta página por triplicado, en el reverso de las tres primeras páginas.*

### CUADRO I

*Se destina a la identificación del beneficiario efectivo de los rendimientos. El nombre /denominación social, así como el domicilio, deberá cumplimentarse a máquina o utilizando bolígrafo sobre superficie dura y con letra mayúscula. El primer número que debe indicar el solicitante es el Número de Identificación Fiscal asignado por su país de residencia. Debe cumplimentarse también el NIF portugués que, en caso de no existir, será solicitado por la entidad que se encuentra obligada a efectuar la retención en la fuente del impuesto. La dirección de correo electrónico es opcional.*

### CUADRO II

*El cuadro II está reservado a la identificación de los rendimientos. Debe indicarse la naturaleza de los rendimientos obtenidos en Portugal según los tipos previstos en el Convenio para evitar la doble imposición aplicable. En particular, el campo 8 (prestación de servicios) deberá marcarse en los casos previstos en el artículo 7º del convenio, o sea, cuando se trate de rendimientos de prestaciones de servicios a incluir en los beneficios de las empresas.*

*El código ISIN es de cumplimentación obligatoria. Cuando exista, es dispensable la descripción de la entidad emisora. Debe ser presentado un solo impreso por cada entidad residente en Portugal que se encuentra obligada a efectuar la retención en la fuente del impuesto de rendimientos obtenidos en territorio portugués.*

*En el caso de que las líneas no sean suficientes, deben utilizarse tantos formularios como sean necesarios.*

### CUADRO III

*Este cuadro está reservado para la certificación por las autoridades fiscales competentes del Estado de residencia del beneficiario de la renta.*

### CUADRO IV

*Contestar "SI" o "No" a las cuestiones formuladas y especificar cuando proceda.*

### CUADRO V

*Este cuadro debe cumplimentarse solo en el caso de que el beneficiario tenga las acciones o valores mobiliarios representativos de la deuda en cuenta ante un intermediario financiero no residente en Portugal.*

*Según lo dispuesto en las "observaciones previas", ésta será la entidad que debe presentar el formulario, después de cumplimentado y certificado, a la entidad residente en Portugal obligada a efectuar la retención en la fuente.*

### CUADRO VI

*Se destina a la identificación de la entidad residente en Portugal que está obligada a efectuar la retención del impuesto en la fuente.*

### CUADRO VII

*Se destina a la identificación del representante legal del beneficiario de los rendimientos. Su cumplimentación es obligatoria en el caso que éste desee que sea su representante legal quien solicite la exención total o parcial de retención del impuesto en la fuente.*

### CUADRO VIII

*La declaración deberá ser firmada por el beneficiario efectivo o por su representante legal en Portugal.*

## Appendix 2. **Mod. 22-RFI Claim for repayment of Portuguese tax on dividends from shares and interest from debt securities**

A copy of the Spanish version of form Mod. 22-RFI is presented - **for information purposes only** - over the following pages.

PEDIDO DE REEMBOLSO DO IMPOSTO PORTUGUÊS SOBRE DIVIDENDOS DE ACÇÕES E JUROS DE VALORES MOBILIÁRIOS REPRESENTATIVOS DE DÍVIDA, EFECTUADO AO ABRIGO DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO ENTRE PORTUGAL E:

**SOLICITUD DE DEVOLUCIÓN DEL IMPUESTO PORTUGUÉS SOBRE DIVIDENDOS DE ACCIONES E INTERESES DE VALORES MOBILIARIOS REPRESENTATIVOS DE LA DEUDA EN LOS TERMINOS DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN CELEBRADO ENTRE PORTUGAL Y:**

ANO A QUE RESPEITAM OS RENDIMENTOS  
AÑO DEL RENDIMIENTO

**I IDENTIFICAÇÃO DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS**  
**IDENTIFICACIÓN DEL BENEFICIARIO EFECTIVO DE LOS RENDIMIENTOS**

NOME / DENOMINAÇÃO SOCIAL  
NOMBRE/DENOMINACIÓN SOCIAL

Número de Identificação Fiscal (NIF) no país de residência  
Numero Identificación Fiscal (NIF) del país de residencia

DOMICÍLIO FISCAL (Rua, número e andar)  
DOMICILIO FISCAL (calle, numero y piso)

PAÍS  
PAIS

NIF PORTUGUÊS (Ver instruções)  
NIF Portugués (véanse instrucciones)

CÓDIGO POSTAL  
CODIGO POSTAL

LOCALIDADE  
LOCALIDAD

CORREIO ELECTRÓNICO:  
CORREO ELECTRÓNICO:

**II IDENTIFICAÇÃO DOS RENDIMENTOS E DOS VALORES DE IMPOSTO**  
**IDENTIFICACIÓN DE LOS RENDIMIENTOS Y DE LOS IMPORTES DEL IMPUESTO**

A - DIVIDENDOS  
A - DIVIDENDOS

NIF DA ENTIDADE EMITENTE NIF DE LA ENTIDAD EMISORA (1)	CÓDIGO DO VALOR MOBILIÁRIO OU DESIGNAÇÃO CÓDIGO DEL VALOR MOBILIARIO O DENOMINACIÓN (2)	QUANTIDADE CANTIDAD (3)	DATA DE AQUISIÇÃO (aaaa/mm/dd) FECHA DE ADQUISICIÓN (aaaa/mm/dd) (4)	DATA COLOCAÇÃO À DISPOSIÇÃO (aaaa/mm/dd) FECHA DE PERCEPCIÓN (aaaa/mm/dd) (5)	VALOR BRUTO DOS DIVIDENDOS IMPORTE ÍNTEGRO DE LOS DIVIDENDOS (6)	VALOR DO IMPOSTO RETIDO IMPORTE DEL IMPUESTO RETENIDO (7)	VALOR DO IMPOSTO A REEMBOLSAR IMPORTE DEL IMPUESTO A DEVOLVER (8)

B - JUROS  
B - INTERESES

NIF DA ENTIDADE EMITENTE NIF DE LA ENTIDAD EMISORA (1)	CÓDIGO DO VALOR MOBILIÁRIO OU DESIGNAÇÃO CÓDIGO DEL VALOR MOBILIARIO O DENOMINACIÓN (2)	VALOR NOMINAL VALOR NOMINAL (3)	DATA DE AQUISIÇÃO (aaaa/mm/dd) FECHA DE ADQUISICIÓN (aaaa/mm/dd) (4)	DATA DE VENCIMENTO DOS JUROS (aaaa/mm/dd) FECHA DE VENCIMIENTO DE LOS INTERESES (aaaa/mm/dd) (5)	VALOR BRUTO DOS JUROS IMPORTE ÍNTEGRO DE LOS INTERESES (6)	VALOR DO IMPOSTO RETIDO IMPORTE DEL IMPUESTO RETENIDO (7)	VALOR DO IMPOSTO A REEMBOLSAR IMPORTE DEL IMPUESTO A DEVOLVER (8)

**III DECLARAÇÃO DO INTERMEDIÁRIO FINANCEIRO RESIDENTE EM PORTUGAL**  
**DECLARACIÓN DEL INTERMEDIARIO FINANCIERO RESIDENTE EN PORTUGAL**

DECLARAMOS QUE A ENTIDADE IDENTIFICADA NO QUADRO I DE TEVE AS ACÇÕES / VALORES MOBILIÁRIOS REPRESENTATIVOS DE DÍVIDA IDENTIFICADOS NO QUADRO II NO PERÍODO NELE REFERIDO. MAIS DECLARAMOS QUE OS MONTANTES DO IMPOSTO RETIDO INDICADOS NO QUADRO II FORAM ENTREGUES PELA GUIA N.º \_\_\_\_\_ DE \_\_\_\_/\_\_\_\_/\_\_\_\_.

SE DECLARA QUE LA ENTIDAD IDENTIFICADA EN EL CUADRO I ES TENERODRA DE LAS ACCIONES / VALORES MOBILIARIOS REPRESENTATIVOS DE LA DEUDA CONTENIDOS EN EL CUADRO II, EN EL PERÍODO AL QUE SE REFIERE. ASÍMISMO SE DECLARA QUE LOS IMPORTES DEL IMPUESTO CONTENIDOS EN EL CUADRO "II" HAN SIDO INGRESADOS CON EL IMPRESO NUMERO \_\_\_\_\_ DE FECHA \_\_\_\_/\_\_\_\_/\_\_\_\_.

Nome/Denominação social  
Nombre/denominación social:

Local  
Localidad:

Data (AAAA/MM/DD)  
Fecha (AAAA/MM/DD)

NIF:  
NIF:

Signatário Autorizado: Nome  
Signatario Autorizado: Nombre

Função:  
En calidad de:

Assinatura:  
Firma:

**IV CERTIFICAÇÃO DAS AUTORIDADES FISCAIS COMPETENTES DO ESTADO DE RESIDÊNCIA DO BENEFICIÁRIO EFECTIVO**  
**CERTIFICACIÓN DE LAS AUTORIDADES FISCALES COMPETENTES DEL ESTADO DE RESIDENCIA DEL BENEFICIARIO EFECTIVO**

CERTIFICA-SE QUE A ENTIDADE IDENTIFICADA NO QUADRO I FOI RESIDENTE FISCAL, NOS TERMOS DO ARTº 4º DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO, EM \_\_\_\_\_, NO ANO \_\_\_\_\_, ESTANDO SUJEITA A IMPOSTO SOBRE O RENDIMENTO.

SE CERTIFICA QUE LA ENTIDAD IDENTIFICADA EN EL CUADRO "I" ES RESIDENTE FISCAL EN LOS TÉRMINOS DEL ARTÍCULO 4º DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN CON \_\_\_\_\_, EN EL AÑO \_\_\_\_\_, DONDE SE ENCUENTRA SUJETO AL IMPUESTO SOBRE LOS RENDIMIENTOS.

Local  
Localidad

Data  
Fecha

Entidade  
Entidad

Assinatura e selo oficial  
Firma y sello fiscal

**PEDIDO DE REEMBOLSO DO IMPOSTO PORTUGUÊS SOBRE DIVIDENDOS DE ACÇÕES E JUROS DE VALORES MOBILIÁRIOS REPRESENTATIVOS DE DÍVIDA, EFECTUADO AO ABRIGO DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO ENTRE PORTUGAL E:**

**SOLICITUD DE DEVOLUCIÓN DEL IMPUESTO PORTUGUÉS SOBRE DIVIDENDOS DE ACCIONES E INTERESES DE VALORES MOBILIARIOS REPRESENTATIVOS DE LA DEUDA EN LOS TERMINOS DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN CELEBRADO ENTRE PORTUGAL Y:**

ANO A QUE RESPEITAM OS RENDIMENTOS     
 AÑO DEL RENDIMIENTO

**I IDENTIFICAÇÃO DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS**  
**IDENTIFICACIÓN DEL BENEFICIARIO EFECTIVO DE LOS RENDIMIENTOS**

NOME / DENOMINAÇÃO SOCIAL  
 NOMBRE/DENOMINACIÓN SOCIAL

Número de Identificação Fiscal (NIF) no país de residência  
 Numero Identificación Fiscal (NIF) del país de residencia

DOMICÍLIO FISCAL (Rua, número e andar)  
 DOMICILIO FISCAL (calle, numero y piso)

PAÍS  
 PAIS

NIF PORTUGUÊS (Ver instruções)  
 NIF Portugués (véanse instrucciones)

CÓDIGO POSTAL  
 CODIGO POSTAL

LOCALIDADE  
 LOCALIDAD

CORREIO ELECTRÓNICO:  
 CORREO ELECTRÓNICO:

**II IDENTIFICAÇÃO DOS RENDIMENTOS E DOS VALORES DE IMPOSTO**  
**IDENTIFICACIÓN DE LOS RENDIMIENTOS Y DE LOS IMPORTES DEL IMPUESTO**

A - DIVIDENDOS  
 A - DIVIDENDOS

NIF DA ENTIDADE EMITENTE NIF DE LA ENTIDAD EMISORA (1)	CÓDIGO DO VALOR MOBILIÁRIO OU DESIGNAÇÃO CÓDIGO DEL VALOR MOBILIARIO O DENOMINACIÓN (2)	QUANTIDADE CANTIDAD (3)	DATA DE AQUISIÇÃO (aaaa/mm/dd) FECHA DE ADQUISICIÓN (aaaa/mm/dd) (4)	DATA COLOCAÇÃO À DISPOSIÇÃO (aaaa/mm/dd) FECHA DE PERCEPCIÓN (aaaa/mm/dd) (5)	VALOR BRUTO DOS DIVIDENDOS IMPORTE ÍNTEGRO DE LOS DIVIDENDOS (6)	VALOR DO IMPOSTO RETIDO IMPORTE DEL IMPUESTO RETENIDO (7)	VALOR DO IMPOSTO A REEMBOLSAR IMPORTE DEL IMPUESTO A DEVOLVER (8)

B - JUROS  
 B - INTERESES

NIF DA ENTIDADE EMITENTE NIF DE LA ENTIDAD EMISORA (1)	CÓDIGO DO VALOR MOBILIÁRIO OU DESIGNAÇÃO CÓDIGO DEL VALOR MOBILIARIO O DENOMINACIÓN (2)	VALOR NOMINAL VALOR NOMINAL (3)	DATA DE AQUISIÇÃO (aaaa/mm/dd) FECHA DE ADQUISICIÓN (aaaa/mm/dd) (4)	DATA DE VENCIMENTO DOS JUROS (aaaa/mm/dd) FECHA DE VENCIMIENTO DE LOS INTERESES (aaaa/mm/dd) (5)	VALOR BRUTO DOS JUROS IMPORTE ÍNTEGRO DE LOS INTERESES (6)	VALOR DO IMPOSTO RETIDO IMPORTE DEL IMPUESTO RETENIDO (7)	VALOR DO IMPOSTO A REEMBOLSAR IMPORTE DEL IMPUESTO A DEVOLVER (8)

**III DECLARAÇÃO DO INTERMEDIÁRIO FINANCEIRO RESIDENTE EM PORTUGAL**  
**DECLARACIÓN DEL INTERMEDIARIO FINANCIERO RESIDENTE EN PORTUGAL**

DECLARAMOS QUE A ENTIDADE IDENTIFICADA NO QUADRO I DE TEVE AS ACÇÕES / VALORES MOBILIÁRIOS REPRESENTATIVOS DE DÍVIDA IDENTIFICADOS NO QUADRO II NO PERÍODO NELE REFERIDO. MAIS DECLARAMOS QUE OS MONTANTES DO IMPOSTO RETIDO INDICADOS NO QUADRO II FORAM ENTREGUES PELA GUIA N.º \_\_\_\_\_, DE \_\_\_\_/\_\_\_\_/\_\_\_\_.  
 SE DECLARA QUE LA ENTIDAD IDENTIFICADA EN EL CUADRO I ES TENEDORA DE LAS ACCIONES / VALORES MOBILIARIOS REPRESENTATIVOS DE LA DEUDA CONTENIDOS EN EL CUADRO II, EN EL PERÍODO AL QUE SE REFIERE. ASÍMISMO SE DECLARA QUE LOS IMPORTES DEL IMPUESTO CONTENIDOS EN EL CUADRO "II" HAN SIDO INGRESADOS CON EL IMPRESO NUMERO \_\_\_\_\_, DE FECHA \_\_\_\_/\_\_\_\_/\_\_\_\_.

Nome/Denominação social  
 Nombre/denominación social:

Local  
 Localidad:

Data (AAAA/MM/DD)  
 Fecha (AAAA/MM/DD)

NIF:  
 NIF:

Signatário Autorizado: Nome  
 Signatario Autorizado: Nombre

Função:  
 En calidad de:

Assinatura:  
 Firma:

**IV CERTIFICAÇÃO DAS AUTORIDADES FISCAIS COMPETENTES DO ESTADO DE RESIDÊNCIA DO BENEFICIÁRIO EFECTIVO**  
**CERTIFICACIÓN DE LAS AUTORIDADES FISCALES COMPETENTES DEL ESTADO DE RESIDENCIA DEL BENEFICIARIO EFECTIVO**

CERTIFICA-SE QUE A ENTIDADE IDENTIFICADA NO QUADRO I FOI RESIDENTE FISCAL, NOS TERMOS DO ART.º 4º DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO, EM \_\_\_\_\_, NO ANO \_\_\_\_\_, ESTANDO SUJEITA A IMPOSTO SOBRE O RENDIMENTO.

SE CERTIFICA QUE LA ENTIDAD IDENTIFICADA EN EL CUADRO "I" ES RESIDENTE FISCAL EN LOS TÉRMINOS DEL ARTÍCULO 4º DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN CON \_\_\_\_\_, EN EL AÑO \_\_\_\_\_, DONDE SE ENCUENTRA SUJETO AL IMPUESTO SOBRE LOS RENDIMIENTOS.

Local  
 Localidad

Data  
 Fecha

Entidade  
 Entidad

Assinatura e selo oficial  
 Firma y sello fiscal

PEDIDO DE REEMBOLSO DO IMPOSTO PORTUGUÊS SOBRE DIVIDENDOS DE ACÇÕES E JUROS DE VALORES MOBILIÁRIOS REPRESENTATIVOS DE DÍVIDA, EFECTUADO AO ABRIGO DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO ENTRE PORTUGAL E:

**SOLICITUD DE DEVOLUCIÓN DEL IMPUESTO PORTUGUÉS SOBRE DIVIDENDOS DE ACCIONES E INTERESES DE VALORES MOBILIARIOS REPRESENTATIVOS DE LA DEUDA EN LOS TERMINOS DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN CELEBRADO ENTRE PORTUGAL Y:**

ANO A QUE RESPEITAM OS RENDIMENTOS  
AÑO DEL RENDIMIENTO

**I IDENTIFICAÇÃO DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS**  
**IDENTIFICACIÓN DEL BENEFICIARIO EFECTIVO DE LOS RENDIMIENTOS**

NOME / DENOMINAÇÃO SOCIAL  
NOMBRE/DENOMINACIÓN SOCIAL

Número de Identificação Fiscal (NIF) no país de residência  
Numero Identificación Fiscal (NIF) del país de residencia

DOMICÍLIO FISCAL (Rua, número e andar)  
DOMICILIO FISCAL (calle, número y piso)

PAÍS  
PAIS

NIF PORTUGUÊS (Ver instruções)  
NIF Portugués (véanse instrucciones)

CÓDIGO POSTAL  
CODIGO POSTAL

LOCALIDADE  
LOCALIDAD

CORREIO ELECTRÓNICO:  
CORREO ELECTRÓNICO:

**II IDENTIFICAÇÃO DOS RENDIMENTOS E DOS VALORES DE IMPOSTO**  
**IDENTIFICACIÓN DE LOS RENDIMIENTOS Y DE LOS IMPORTES DEL IMPUESTO**

A - DIVIDENDOS  
A - DIVIDENDOS

NIF DA ENTIDADE EMITENTE NIF DE LA ENTIDAD EMISORA (1)	CÓDIGO DO VALOR MOBILIÁRIO OU DESIGNAÇÃO CÓDIGO DEL VALOR MOBILIARIO O DENOMINACIÓN (2)	QUANTIDADE CANTIDAD (3)	DATA DE AQUISIÇÃO (aaaa/mm/dd) FECHA DE ADQUISICIÓN (aaaa/mm/dd) (4)	DATA COLOCAÇÃO À DISPOSIÇÃO (aaaa/mm/dd) FECHA DE PERCEPCIÓN (aaaa/mm/dd) (5)	VALOR BRUTO DOS DIVIDENDOS IMPORTE ÍNTEGRO DE LOS DIVIDENDOS (6)	VALOR DO IMPOSTO RETIDO IMPORTE DEL IMPUESTO RETENIDO (7)	VALOR DO IMPOSTO A REEMBOLSAR IMPORTE DEL IMPUESTO A DEVOLVER (8)

B - JUROS  
B - INTERESES

NIF DA ENTIDADE EMITENTE NIF DE LA ENTIDAD EMISORA (1)	CÓDIGO DO VALOR MOBILIÁRIO OU DESIGNAÇÃO CÓDIGO DEL VALOR MOBILIARIO O DENOMINACIÓN (2)	VALOR NOMINAL VALOR NOMINAL (3)	DATA DE AQUISIÇÃO (aaaa/mm/dd) FECHA DE ADQUISICIÓN (aaaa/mm/dd) (4)	DATA DE VENCIMENTO DOS JUROS (aaaa/mm/dd) FECHA DE VENCIMIENTO DE LOS INTERESES (aaaa/mm/dd) (5)	VALOR BRUTO DOS JUROS IMPORTE ÍNTEGRO DE LOS INTERESES (6)	VALOR DO IMPOSTO RETIDO IMPORTE DEL IMPUESTO RETENIDO (7)	VALOR DO IMPOSTO A REEMBOLSAR IMPORTE DEL IMPUESTO A DEVOLVER (8)

**III DECLARAÇÃO DO INTERMEDIÁRIO FINANCEIRO RESIDENTE EM PORTUGAL**  
**DECLARACIÓN DEL INTERMEDIARIO FINANCIERO RESIDENTE EN PORTUGAL**

DECLARAMOS QUE A ENTIDADE IDENTIFICADA NO QUADRO I DE TEVE AS ACÇÕES / VALORES MOBILIÁRIOS REPRESENTATIVOS DE DÍVIDA IDENTIFICADOS NO QUADRO II NO PERÍODO NELE REFERIDO. MAIS DECLARAMOS QUE OS MONTANTES DO IMPOSTO RETIDO INDICADOS NO QUADRO II FORAM ENTREGUES PELA GUIA N.º \_\_\_\_\_, DE \_\_\_\_/\_\_\_\_/\_\_\_\_.  
SE DECLARA QUE LA ENTIDAD IDENTIFICADA EN EL CUADRO I ES TENEDORA DE LAS ACCIONES / VALORES MOBILIARIOS REPRESENTATIVOS DE LA DEUDA CONTENIDOS EN EL CUADRO II, EN EL PERÍODO AL QUE SE REFIERE. ASÍMISMO SE DECLARA QUE LOS IMPORTES DEL IMPUESTO CONTENIDOS EN EL CUADRO "II" HAN SIDO INGRESADOS CON EL IMPRESO NUMERO \_\_\_\_\_, DE FECHA \_\_\_\_/\_\_\_\_/\_\_\_\_.

Nome/Denominação social  
Nombre/denominación social:

Local  
Localidad:

Data (AAAA/MM/DD)  
Fecha (AAAA/MM/DD)

NIF  
NIF:

Signatário Autorizado: Nome  
Signatario Autorizado : Nombre

Função:  
En calidad de:

Assinatura:  
Firma:

**IV CERTIFICAÇÃO DAS AUTORIDADES FISCAIS COMPETENTES DO ESTADO DE RESIDÊNCIA DO BENEFICIÁRIO EFECTIVO**  
**CERTIFICACIÓN DE LAS AUTORIDADES FISCALES COMPETENTES DEL ESTADO DE RESIDENCIA DEL BENEFICIARIO EFECTIVO**

CERTIFICA-SE QUE A ENTIDADE IDENTIFICADA NO QUADRO I FOI RESIDENTE FISCAL, NOS TERMOS DO ARTº 4º DA CONVENÇÃO PARA EVITAR A DUPLA TRIBUTAÇÃO, EM \_\_\_\_\_, NO ANO \_\_\_\_\_, ESTANDO SUJEITA A IMPOSTO SOBRE O RENDIMENTO.

SE CERTIFICA QUE LA ENTIDAD IDENTIFICADA EN EL CUADRO "I" ES RESIDENTE FISCAL EN LOS TÉRMINOS DEL ARTÍCULO 4º DEL CONVENIO PARA EVITAR LA DOBLE IMPOSICIÓN CON \_\_\_\_\_, EN EL AÑO \_\_\_\_\_, DONDE SE ENCUENTRA SUJETO AL IMPUESTO SOBRE LOS RENDIMIENTOS.

Local  
Localidad

Data  
Fecha

Entidade  
Entidad

Assinatura e selo oficial  
Firma y sello fiscal

**V QUESTIONÁRIO (A RESPONDER PELO BENEFICIÁRIO DO RENDIMENTO)**  
**CUESTIONARIO (A CUMPLIMENTAR POR EL BENEFICIARIO DEL RENDIMIENTO)**

A - A PREENCHER POR PESSOAS SINGULARES E POR PESSOAS COLECTIVAS

A - A CUMPLIMENTAR POR PERSONAS FÍSICAS Y PERSONAS JURÍDICAS

1 - Dispõe de estabelecimento estável ou instalação fixa em Portugal? Sim  Não

1 - ¿Dispone de un establecimiento permanente o base fija en Portugal?

2 - Participa no capital social da(s) entidade(s) devedora(s) dos rendimentos em percentagem igual ou superior a 10%? Sim  Não

2 - ¿Participa en el capital social de la entidad deudora de la renta, en una porcentaje igual o superior al 10%?

Em caso afirmativo, indique a(s) entidade(s) e a(s) percentagem(ns) correspondente(s)

En el caso afirmativo, indique la entidad y el porcentaje correspondiente

3 - Pertence aos órgãos sociais da(s) entidade(s) devedora(s) dos rendimentos? Sim  Não

3 - ¿Pertenece a los órganos sociales de la entidad deudora de los rendimientos?

Em caso afirmativo, especifique

En caso afirmativo, especifique

B - A PREENCHER SOMENTE POR PESSOAS SINGULARES

B - A CUMPLIMENTAR SÓLO POR PERSONAS FÍSICAS

1 - No ano civil em que os rendimentos foram pagos ou colocados à sua disposição, residiu em Portugal? Sim  Não

1 - ¿En el año en que la renta fue pagada o puesta a su disposición, residió en Portugal?

Em caso afirmativo, indique o número de dias de permanência

En caso afirmativo, indique el numero de días de permanencia

2 - Dispõe de habitação permanente em Portugal? Sim  Não

2 - ¿Tiene domicilio permanente en Portugal?

Em caso afirmativo, indique o endereço

En caso afirmativo, señalar su domicilio

3 - Indique a sua data de nascimento (AAAA/MM/DD)  /  /  e a nacionalidade

3 - Indique su fecha de nacimiento (AAAA/MM/DD)  /  /  y su nacionalidad

**VI IDENTIFICAÇÃO DO INTERMEDIÁRIO FINANCEIRO NÃO RESIDENTE EM PORTUGAL**  
**IDENTIFICACIÓN DEL INTERMEDIARIO FINANCIERO NO RESIDENTE EN PORTUGAL**

NOME/DENOMINAÇÃO SOCIAL  
NOMBRE/DENOMINACIÓN SOCIAL

DOMICÍLIO FISCAL  
DOMICILIO FISCAL

CÓDIGO POSTAL  
CÓDIGO POSTAL

LOCALIDADE  
LOCALIDAD

NIF no país de residência  
NIF del país de residencia

PAÍS  
PAÍS

**VII DECLARAÇÃO DA ENTIDADE RESIDENTE EM PORTUGAL QUE SE ENCONTRA OBRIGADA A EFECTUAR A RETENÇÃO NA FONTE**  
**DECLARACIÓN DE LA ENTIDAD RESIDENTE EN PORTUGAL OBLIGADA A EFECTUAR LA RETENCIÓN DE IMPUESTO EN LA FUENTE**

Declaramos que a entidade identificada no Quadro I auferiu os rendimentos mencionados no Quadro II e que os montantes do imposto retido indicados no mesmo Quadro foram entregues pela guia n.º , de /

Se declara que la entidad identificada en el cuadro "I" ha obtenido los rendimientos que constan en el cuadro II y que los importes del impuesto retenido indicados en el mismo cuadro han sido ingresados con el impreso numero , de fecha /

NOME / DENOMINAÇÃO SOCIAL  
NOMBRE/DENOMINACIÓN SOCIAL

LOCAL  
LOCALIDAD

DATA

NIF

SIGNATÁRIO AUTORIZADO

FECHA

NIF

SIGNATARIO AUTORIZADO

FUNÇÃO

EN CALIDAD DE

ASSINATURA

FIRMA

**VIII IDENTIFICAÇÃO DO REPRESENTANTE LEGAL DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS**  
**IDENTIFICACIÓN DEL REPRESENTANTE LEGAL DEL BENEFICIARIO EFECTIVO DE LOS RENDIMIENTOS**

NOME / DENOMINAÇÃO SOCIAL  
NOMBRE/DENOMINACIÓN SOCIAL

Número de Identificação Fiscal (NIF)  
NIF

**IX DECLARAÇÃO DO BENEFICIÁRIO EFECTIVO DOS RENDIMENTOS OU DO SEU REPRESENTANTE LEGAL**  
**DECLARACIÓN DEL BENEFICIARIO DE LOS RENDIMIENTOS O DE SU REPRESENTANTE LEGAL**

1. Solicito por este meio o reembolso do imposto português retido na fonte e o seu depósito na seguinte conta bancária, da qual sou titular:

1. Solicito por este medio la devolución del impuesto portugués retenido en la fuente y su ingreso en la siguiente cuenta bancaria, de la que soy titular:

IBAN

SWIFT/BIC CODE

2. Declaro que sou (a entidade identificada no Quadro I é) o beneficiário efectivo dos rendimentos a que respeita este formulário, estando correctos todos os elementos nele indicados. Mais declaro que estes rendimentos não estão efectivamente conexos com qualquer estabelecimento estável ou instalação fixa localizados em Portugal.

2. Declaro que soy (la entidad señalada en el cuadro I es) el beneficiario efectivo de los rendimientos contenidos en el formulario, siendo correctos todos los elementos contenidos en él. Declaro además que dichos rendimientos no están afectos a ningún establecimiento permanente o base fija en Portugal.

3. Declaro que fico ciente de que com o depósito na conta indicada no ponto 1. a DGCI se considera desonerada de qualquer responsabilidade quanto ao destino posterior da respectiva importância. Caso não seja indicada conta bancária, o reembolso será efectuado através de cheque remetido para o endereço constante do Quadro I

3. Declaro que soy conocedor de que, después de efectuado el depósito en la cuenta bancaria, la DGCI queda exonerada de cualquier responsabilidad en cuanto al destino del importe. En caso de no indicar ninguna cuenta bancaria, la devolución se hará por cheque remitido a la dirección indicada en el cuadro "I".

Local  
Localidad

Data (AAAA/MM/DD)  
Fecha (AAAA/MM/DD)

Assinatura  
Firma

Signatário Autorizado  
Signatario autorizado

Nome  
Nombre

Função  
En calidad de



## INSTRUÇÕES DE PREENCHIMENTO

### OBSERVAÇÕES PRÉVIAS

O presente formulário destina-se a solicitar o **reembolso do imposto português sobre dividendos de acções e juros de valores mobiliários representativos de dívida**, quando o beneficiário do rendimento seja residente em país com o qual Portugal tenha celebrado Convenção para Evitar a Dupla Tributação.

O presente formulário deve ser preenchido, em triplicado, pelo beneficiário efectivo dos rendimentos, ou pelo seu representante legal em Portugal, destinando-se cada um dos exemplares, depois de certificados pela autoridade fiscal competente do Estado de residência do beneficiário dos rendimentos, à entidade indicada na parte inferior direita das páginas que o compõem.

O formulário destinado à administração fiscal portuguesa deve ser enviado para a Direcção de Serviços das Relações Internacionais (DSRI), para a morada nele indicada, **no prazo máximo de dois anos, contados a partir do termo do ano em que se verificou o facto gerador do imposto, salvo se prazo mais dilatado estiver previsto na Convenção.**

O pedido de reembolso só se considerará entregue quando o formulário estiver integral e correctamente preenchido. Este formulário pode ser obtido junto das autoridades tributárias competentes dos Estados com os quais Portugal celebrou Convenção para Evitar a Dupla Tributação e ainda via Internet, na página [www.dgci.min-financas.pt](http://www.dgci.min-financas.pt), devendo neste último caso a quarta página ser impressa em triplicado, no verso das três primeiras.

### QUADRO I

Destina-se à identificação do beneficiário efectivo dos rendimentos. O nome/denominação social, bem como a morada, devem estar completos e, quando preenchidos manualmente, devem ser inscritos com letra maiúscula. O primeiro Número de Identificação Fiscal (NIF) a inscrever corresponde ao do país de residência do beneficiário dos rendimentos. Deve ainda ser preenchido o NIF português, que foi prévia e obrigatoriamente requerido pela entidade obrigada a efectuar a retenção na fonte de imposto, excepto se o formulário for directamente remetido à DSRI pelo beneficiário efectivo do rendimento, caso em que é dispensado o seu preenchimento. A indicação do endereço de correio electrónico (e-mail) é facultativa.

### QUADRO II

Depois de assinalada com "X" a natureza do rendimento a que se refere o pedido de reembolso, devem ser preenchidas todas as colunas do respectivo quadro, em conformidade com o solicitado. Na coluna (2) deve inscrever-se obrigatoriamente o código ISIN. Quando não exista código ISIN, e apenas nesse caso, deverá indicar-se a designação do valor mobiliário (exemplo: "acções ao portador da sociedade ...").

Todos os valores inscritos devem ser expressos em euros, calculados à taxa de câmbio que tenha sido utilizada para efeitos de retenção na fonte.

No caso de as linhas serem insuficientes, deverão ser utilizados os formulários que forem necessários.

### QUADRO III

Este quadro deve ser preenchido, assinado e devidamente autenticado pelo intermediário financeiro residente em Portugal (ou pelo representante legal em Portugal de entidade registadora ou depositária de quaisquer valores mobiliários que não seja considerada residente em território português). Se o intermediário financeiro residente em Portugal for a entidade que se encontra obrigada a proceder à retenção na fonte do imposto, deverá indicar o número e a data da guia pela qual o imposto retido foi entregue, não sendo necessário preencher o quadro VII. Caso contrário, o Quadro VII é de preenchimento obrigatório.

Este quadro não deverá ser preenchido quando não se verifique a intervenção de qualquer intermediário financeiro residente em Portugal nem de representante legal em Portugal de entidade registadora ou depositária de quaisquer valores mobiliários que não seja considerada residente em território português (por exemplo se os valores mobiliários, nos termos do Código dos Valores Mobiliários, estiverem registados ou depositados junto da entidade emitente).

### QUADRO IV

Este quadro é reservado à certificação pelas autoridades fiscais competentes do Estado de residência do beneficiário efectivo dos rendimentos.

### QUADRO V

Responder SIM ou NÃO às questões colocadas, especificando quando aplicável.

### QUADRO VI

Este quadro só deve ser preenchido nos casos em que o beneficiário efectivo dos rendimentos detém acções ou valores mobiliários representativos de dívida em conta aberta junto de um intermediário financeiro não residente em Portugal.

### QUADRO VII

Quadro destinado à identificação da entidade residente em Portugal que se encontra obrigada a efectuar a retenção na fonte do imposto, devendo os elementos dele constantes estar correcta e completamente preenchidos.

### QUADRO VIII

Destina-se à identificação do representante legal do beneficiário efectivo dos rendimentos, sendo de preenchimento obrigatório apenas nos casos em que este pretenda que seja o seu representante legal a solicitar o reembolso do imposto português.

### QUADRO IX

As declarações constantes deste quadro devem ser assinadas pelo beneficiário efectivo dos rendimentos ou pelo seu representante legal em Portugal, os quais ficam responsáveis pela veracidade das mesmas.



## INSTRUCCIONES

### OBSERVACIONES PREVIAS:

Este impreso se destina a solicitar la **devolución del impuesto portugués sobre dividendos de acciones e intereses de valores mobiliarios representativos de la deuda**, cuando el beneficiario del rendimiento sea residente en un país con el que Portugal tenga suscrito Convenio para evitar la doble imposición.

Este impreso debe ser cumplimentado, por triplicado, por el beneficiario efectivo de los rendimientos o por su representante legal en Portugal, remitiendo cada uno de los ejemplares, tras ser certificados por las autoridades competentes del Estado de residencia del beneficiario de los rendimientos, a la entidad señalada en el extremo inferior derecho de cada página.

El impreso destinado a la administración tributaria portuguesa debe ser remitido a la Direcção de Serviços das Relações Internacionais (DSRI), a la dirección indicada en el impreso, en **el plazo máximo de dos años a contar desde la fecha de verificación del hecho generador de impuesto, a menos que se haya previsto otro plazo en el Convenio.**

La falta o la incorrecta cumplimentación de cualquiera de los campos de los cuadros invalida la solicitud. Este impreso puede ser obtenido ante las autoridades fiscales competentes de los Estados con los que Portugal tenga suscrito Convenio para evitar la doble imposición. También puede ser obtenido vía Internet en la página [www.dgci.min-financas.pt](http://www.dgci.min-financas.pt), debiendo, en este último caso, ser impresa la cuarta página por triplicado en el reverso de las tres primeras páginas.

### CUADRO I

Se destina a la identificación del beneficiario efectivo de los rendimientos. El nombre, la denominación social, así como el domicilio, deberá cumplimentarse a máquina o utilizando bolígrafo sobre superficie dura y con letra mayúscula. El primer número que debe indicar el solicitante es el Número de Identificación Fiscal asignado por su país de residencia. Debe cumplimentarse también el NIF portugués, previa y obligatoriamente requerido por el retenedor, excepto si el formulario es directamente remitido a la DSRI por el beneficiario efectivo de los rendimientos estando, en este caso, dispensado de cumplimentarlo. La dirección de correo electrónico es opcional.

### CUADRO II

Después de señalar con una "X" la naturaleza del rendimiento a que se refiere la solicitud de devolución, deben cumplimentarse todas las columnas del cuadro correspondiente, conforme a la solicitud. En la columna (2) debe indicarse obligatoriamente el código ISIN. Cuando no exista código ISIN, y sólo en este caso, debe indicarse la designación del valor mobiliario (por ejemplo: "acciones al portador"). Todos los importes deben expresarse en euros, calculados al tipo de cambio que haya sido aplicado para la retención en la fuente. En caso de que las líneas no sean suficientes, deben utilizarse tantos formularios como fueran necesarios.

### CUADRO III

Este cuadro debe ser cumplimentado, firmado y correctamente autenticado por el intermediario financiero residente en Portugal (o por el representante en Portugal de la entidad registradora o depositaria de cualquier valor mobiliario que no sea considerada como residente en territorio portugués). Si el intermediario financiero residente en Portugal fuese la entidad que se encuentra obligada a efectuar la retención del impuesto en la fuente, debe consignar el número y fecha del impreso en el que el impuesto fue ingresado, no siendo necesario cumplimentar el cuadro VII.

En caso contrario, el cuadro VII es de cumplimentación obligatoria.

Este cuadro no debe ser cumplimentado cuando no se verifique la intervención de cualquier intermediario financiero residente en Portugal, ni de representante legal en Portugal de la entidad registradora o depositaria de cualquier valor mobiliario que no sea considerado residente en territorio portugués (por ejemplo: si los valores mobiliarios, en los términos del Código de los Valores Mobiliarios, estuvieran registrados o depositados ante la entidad emisora).

### CUADRO IV

Este cuadro está reservado para la certificación por las autoridades fiscales del Estado de residencia, del beneficiario efectivo de los rendimientos.

### CUADRO V

Contestar "Si" o "No" a las cuestiones formuladas y especificar cuando proceda.

### CUADRO VI

Este cuadro sólo debe ser cumplimentado en caso de que el beneficiario efectivo de los rendimientos sea tenedor de acciones o valores mobiliarios que representen la deuda en cuenta abierta ante un intermediario financiero no residente en Portugal.

### CUADRO VII

Cuadro que se destina a la identificación de la entidad residente en Portugal obligada a efectuar la retención del impuesto en la fuente. Todos sus elementos deben estar cumplimentados correctamente y en su totalidad.

### CUADRO VIII

Se destina a la identificación del representante legal del beneficiario efectivo de los rendimientos. Su cumplimentación es obligatoria sólo en caso de que éste quiera que sea su representante legal quien solicite la devolución del impuesto portugués.

### CUADRO IX

Las declaraciones de este cuadro deberán ser firmadas por el beneficiario efectivo de los rendimientos o su representante legal en Portugal, los cuales son responsables de la veracidad de las mismas.

## Portugal: Certificate of Residence can in some cases replace sections of RFI certification

Effective

**immediately**

a Certificate of Residence may replace the sections of the official RFI forms designated for completion by the local tax authorities of the beneficial owner.

### Background

The Portuguese Minister of Finance published, on 14 October 2009, Despacho 22600/2009 clarifying that a Certificate of Residence issued by the local tax authorities of the final beneficial owner can be accepted instead of the respective sections of Forms RFI (21-RFI to 24-RFI<sup>1</sup>) duly completed, signed and stamped by the beneficial owner's tax authorities.

Beneficial owners are required to prove their eligibility to obtain the reduced tax rate granted in accordance with Article 4<sup>o</sup> of the Double Taxation Treaty (DTT) signed between their country of residence and Portugal.

The certification of their tax residence as foreseen in section III of the Form 21-RFI and section IV of the form 22-RFI can, according to Despacho 22600/2009, be replaced by a valid Certificate of Residence.

### Impact on customers

A Certificate of Residence issued by the beneficial owner's local tax authorities is considered valid provided that:

1. The **beneficial owner's local tax authorities**:
  - a) Have delivered a one-time communication, by official or formal means directly to the Portuguese Tax Authorities, confirming that they are unable to certify the RFI forms; and
  - b) Issue, upon each beneficial owner request, a Certificate of Residence that includes:
    - Identification of the beneficial owner of the income;
    - Confirmation that the beneficial owner is/was resident in that country for tax purposes, under Article 4<sup>o</sup> of the applicable DTT;
    - The year(s) in which the beneficial owner is/was so resident;
    - Confirmation that the beneficial owner is/was subject to income tax;
    - Identification of the entity that certifies the document;
    - Date, signature and official stamp.
2. The **beneficial owner** submits this specific Certificate of Residence together with the RFI form duly filled and signed, but with the section designated for completion by the beneficial owner's local tax authorities left blank, as it is replaced by the Certificate of Residence.

According to information so far received from the Portuguese Tax Authorities, only Mexico and Turkey have duly communicated that they are unable to certify the RFI forms.

As we consider that the possibility to submit a Certificate of Residence is limited due to the obligation to have in place the required official one-time communication delivered by the beneficial owner's local tax authorities, we are, together with our local custodian, continuing to encourage the Portuguese Tax Authorities to clarify such requirement. We will inform you as soon as we have further clarification.

1. For the tax procedures for Portugal as conducted through Clearstream Banking, this concerns Forms Mod. 21-RFI and Mod. 22-RFI.

## Further information

For further information, please contact our Tax Help Desk:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

or Clearstream Banking Customer Service or your Relationship Officer.

For more general information regarding our products and services, please visit [www.clearstream.com](http://www.clearstream.com).

As a registered customer, [subscribe](#) to our free email alerts service to receive immediate, daily and/or weekly notification of the latest customer publications on our web site. Unsubscribe at any time; we respect your email privacy.

## Portugal: Important reminder: Renewal of the Statement for Exemption from Portuguese Withholding Tax on Income from Debt Securities

Please be reminded that, for those of you who hold Portuguese debt securities, the validity of the Statement for Exemption from Portuguese Withholding Tax on Income from Debt Securities dated 2009 **will expire on 31 December 2009**.

In order to comply with the holding restriction established by Paragraph 2 of Article 17 of the Special Tax Regime approved by the Decree-Law 193/2005 on 7 November, and to benefit from exemption at source during the period between 1 January 2010 and 31 December 2010, **you must provide a new "Statement for Exemption from Portuguese Withholding Tax on Income from Debt Securities"** (see ["Appendix 1"](#) on page 2), **dated 2010**, no later than

**15 January 2010**

The statement, among other items, certifies that the final beneficial owners of Portuguese debt securities do **not** fall into any of the following categories:

- Residents for tax purposes in a country or territory considered as a tax haven by Portuguese legislation (see ["Appendix 2"](#) on page 3), except central banks and government agencies resident in those countries; or
- Residents of Portugal subject to Portuguese withholding tax and not eligible for exemption at source; or
- Non-resident institutions more than 20% owned by entities resident in Portugal;

and that they are therefore entitled to exemption from Portuguese withholding tax.

The original of each completed and duly signed Statement for Exemption must be sent to:

Clearstream Banking  
Attn: OTL - PORTUGUESE TAX  
42, avenue J.F. Kennedy  
L-1855 Luxembourg  
Luxembourg

### Further information

For further information, please contact our Tax Help Desk on:

	Luxembourg	Frankfurt
<b>E-mail:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

or Clearstream Banking Customer Service or your Relationship Officer.

For more general information regarding our products and services, please visit [www.clearstream.com](http://www.clearstream.com).

## Appendix 1. Statement for Exemption from Portuguese Withholding Tax on Income from Debt Securities (Paragraph 2 of Article 17 of the Special Tax Regime approved by Decree-Law 193/2005 of 7 November)

*(This document must be completed under the customer's letterhead and sent to Clearstream Banking by mail.)*

The undersigned Participant hereby declares that he holds or will hold debt securities covered by the special tax regime approved by the Decree-Law no. 193/2005 of 7 November (the "Securities"), in the following securities account number \_\_\_\_\_ (the "Account") with Clearstream Banking S.A., 42 avenue J.F. Kennedy, L-1855 Luxembourg, Luxembourg.

We hold or will hold these Securities in our capacity of beneficial owner or in our capacity of intermediary, holding Securities on behalf of one or more beneficial owners, including ourselves, if applicable, all of whom are eligible for exemption at source from Portuguese withholding tax according to Portuguese legislation.

1. We are:

Name: \_\_\_\_\_

Residence for tax purposes (*full address*): \_\_\_\_\_

\_\_\_\_\_

Tax ID Number: \_\_\_\_\_

2. We hereby undertake to provide Clearstream Banking S.A. with a list of Beneficial Owners at each relevant record date containing the name, residence for tax purposes, Tax Identification Number and nominal position of Portuguese debt Securities for each Beneficial Owner, including ourselves if relevant, on behalf of which we hold or will hold Portuguese debt securities in the Account.
3. We hereby undertake to notify Clearstream Banking S.A. promptly in the event that any information contained in this certificate becomes untrue or incomplete.
4. We acknowledge that certification is required in connection with Portuguese law and we irrevocably authorise Clearstream Banking S.A. and its Depository to collect and forward this statement or a copy hereof, any attachments and any information relating to it, to the Portuguese authorities, including tax authorities.
5. This statement is valid for a period of twelve months as from the date of signature.

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Place

\_\_\_\_\_  
Date

## Appendix 2. Countries defined as tax havens under Portuguese legislation

Andorra	Guam	Pitcairn
Anguilla	Guiana	Puerto Rico
Antigua and Barbuda	Honduras	Qatar
Antilles, Netherlands	Hong Kong	San Marino
Aruba	Isle of Man	Santa Lucia
Ascension	Jamaica	Seychelles
Bahamas	Jordan	Solomon Islands
Bahrain	Keslim Islands	St. Christopher and Nevis
Barbados	Kiribati Island	St. Helena
Belize	Kuwait	St. Pierre and Miquelon
Bermuda	Labuan	St. Vincent and Grenadines
Bolivia	Lebanon	Samoa, American
Brunei	Liberia	Samoa, Western
Cayman islands	Liechtenstein	Svalbard Islands
Christmas Island	Luxembourg (1929 holdings only)	Swaziland
Cocos (Keeling) Islands	Maldives	Tokelau Islands
Cook Islands	Mariana Islands	Tonga
Costa Rica	Marshall Islands	Trinidad and Tobago
Cyprus	Mauritius	Tristan da Cunha
Djibuti	Monaco	Turks and Caicos
Dominica	Montserrat	Tuvalu Island
English Channel Islands <sup>a</sup>	Nauru	United Arab Emirates
Falkland islands	Niue Island	Uruguay
Fiji	Norfolk Island	Vanuatu
French Polynesia	Oman	Virgin Islands, British
Gambia	Pacific Islands (Trust Territory of the)	Virgin Islands, United States
Gibraltar	Palau Islands	Yemen
Grenada	Panama	

a. including Jersey, Guernsey, Alderney, Sark, Herm, Brecqhou, Jethou and Lihou.

## Portugal: Reminder: Renewal of Mod. 21-RFI

Please be reminded that Mod 21-RFI, duly completed, signed and including BOX III completed, stamped and signed by the beneficial owner's local tax authorities, remains valid for all dividend payments (irrespective of ISIN) made during one year from the date of the local tax authorities' certification.

In order to provide more flexibility in investment, to avoid an uncertified period and thereby to ensure relief at source on dividend payments made during 2010 for all certified beneficial owners, we strongly recommend that you provide a renewed Mod 21-RFI by

**31 January 2010**

### Availability of form Mod. 21-RFI

The official form is available on the web site of the Portuguese Tax Authorities as follows:

[http://info.portaldasfinancas.gov.pt/pt/apoio\\_contribuinte/modelos\\_formularios/double\\_tax\\_conventions/](http://info.portaldasfinancas.gov.pt/pt/apoio_contribuinte/modelos_formularios/double_tax_conventions/)

### Further information

For further information, please contact the Clearstream Banking Tax Help Desk:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

or Clearstream Banking Customer Service or your Relationship Officer.

For more general information regarding Clearstream Banking products and services, please visit the Clearstream Banking web site at [www.clearstream.com](http://www.clearstream.com).

## Portugal: Declaration templates for non-resident trusts and funds

Following our Announcement A09100, dated 28 July 2009, and effective

### **immediately**

final beneficial owners who are non-resident funds or trusts applying for the DTT tax rate on dividends from Portuguese equities through relief at source, quick refund or standard refund procedures must provide, annually and in addition to the current certification requirements<sup>1</sup>, a Declaration, issued by their local tax authorities, certifying that the respective trust or fund is liable to tax in its own country of residence and is not transparent for tax purposes.

### Background

Following Circular Letter 6/2009 and in order to benefit from the reduced tax rates granted by Double Taxation Treaties (DTTs), non-resident collective investment vehicles (that is, funds and trusts) must comply with the following eligibility criteria:

- Non-resident trusts can benefit from the application of the regime established in the DTT signed between their country of residence and Portugal only if such application is expressly mentioned in the respective DTT (for example, the treaties concluded by Portugal with the U.S.A. and Canada). In such cases, proof must be provided of the fulfilment of the requirements and conditions set out in the respective treaty, including proof that the trust is the beneficial owner of the income.
- For non-resident investment funds and pension funds, the application of the DTT depends on the fulfilment of all of the following requirements:
  - The fund is considered a “person” for the purposes of the respective DTT; and
  - The fund is subject to tax imposed on a personal and unlimited basis and is not treated as fiscally transparent (that is, it must be subject to tax in its country of residence, independently of the taxation that may occur at the level of the fund participants); and
  - The fund is the beneficial owner of the income received.

### Important reminder

The requirements included in Circular Letter 6/2009 are exclusively related to the eligibility criteria of the respective DTTs and therefore have no impact on the tax procedure currently in place for Portuguese debt securities (based on Portuguese domestic Decree Law 193/2005)<sup>1</sup>.

### Declaration templates

The different Declaration templates for the non-resident trusts and funds are distinguished as follows:

- For Collective Investment Vehicles / Pension Funds;
- For Dutch Pension Funds;
- For U.S. Trust;
- For Canadian Trusts.

Versions of the Declaration templates are provided for use at the end of this Announcement.

1. As described in Clearstream Banking's Market Taxation Guide (Portugal).



If it proves impossible to deliver the required certification to Clearstream Banking before the relief at source deadline, the maximum rate of withholding tax will be applied. However, the eligible beneficial owner may reclaim the tax withheld at source through the quick refund or standard refund procedures and submit the required certification, including the appropriate Declaration(s), by the prescribed deadlines.

Furthermore, we strongly recommend you to provide such additional Declarations for any pending tax refund applications made by non-resident funds or trusts. In order to validate the outstanding tax reclaims, the Portuguese Tax Authorities may contact the beneficial owners, directly or through Clearstream Banking, to request further information. Failure to provide this extra information may lead to tax reclaims being rejected.

## Important note

As yet, the Portuguese Tax Authorities have published no official template for the additional Declaration.

The templates attached to this Announcement have been provided by Clearstream Banking's local custodian and represent the common approach of market participants, including the Portuguese Settlement and Securities Committee, based on informal confirmations obtained from the Portuguese Tax Authorities.

Clearstream Banking and its local custodian will process relief applications based on these templates but accept no responsibility for their acceptance or non-acceptance by the Portuguese Tax Authorities. Customers warrant the completeness and accuracy of the information they supply to Clearstream Banking.

We are closely monitoring developments and will provide you with updates when further information related to the additional Declaration becomes available.

## Further information

For further information, please contact the Clearstream Banking Tax Help Desk on:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

or Clearstream Banking Customer Service or your Relationship Officer.

For more general information regarding our products and services, please visit [www.clearstream.com](http://www.clearstream.com).

As a registered customer, [subscribe](#) to our free email alerts service to receive immediate, daily and/or weekly notification of the latest customer publications on our web site. Unsubscribe at any time; we respect your email privacy.

Attn. Direcção de Serviços das  
Relações Internacionais  
Direcção Geral dos Impostos - Portugal  
International Relationship Department  
Portugal Tax Authorities

Subject: **Collective Investment Vehicles / Pension Funds Certification**

Dear Sir or Madam:

We certify that the below-mentioned entity is a Collective Investment Vehicle (CIV) or a Pension Fund and is liable to tax on a personal and unlimited basis in its country of residency and is not "transparent" for tax purposes; that is, the fund is taxable independently of the taxation that may occur at the level of their underlying subscribers.

Beneficiary name/Business name: \_\_\_\_\_

Address/Tax residence): \_\_\_\_\_  
(Street, number and floor)

Country of residence of beneficiary: \_\_\_\_\_  
(Postcode, city and country)

Tax identification Number (TIN)  
in the country of residence: \_\_\_\_\_

Portuguese Tax ID (NIF) \_\_\_\_\_

**Tax authority's signature and official stamp:**

Certified at (place and date): \_\_\_\_\_

Attn. Direcção de Serviços das  
Relações Internacionais  
Direcção Geral dos Impostos - Portugal  
International Relationship Department  
Portugal Tax Authorities

Subject: **Dutch Pension Funds Certification**

Dear Sir or Madam:

We certify that the below-mentioned entity is a recognised and regulated Pension Fund under Dutch Law and is a resident within the meaning of Article 4 of the Convention for the avoidance of double taxation between the Netherlands and Portugal, as per Article II.2. of the Protocol for the avoidance of double taxation between the Netherlands and Portugal.

Beneficiary name/Business name: \_\_\_\_\_

Address/Tax residence): \_\_\_\_\_  
(Street, number and floor)

Country of residence of beneficiary: \_\_\_\_\_  
(Postcode, city and country)

Tax identification Number (TIN)  
in the country of residence: \_\_\_\_\_

Portuguese Tax ID (NIF) \_\_\_\_\_

**Tax authority's signature and official stamp:**

Certified at (place and date): \_\_\_\_\_

Attn. Direcção de Serviços das  
Relações Internacionais  
Direcção Geral dos Impostos - Portugal  
International Relationship Department  
Portugal Tax Authorities

Subject: **U.S. Trusts Certification**

Dear Sir or Madam:

We certify that the below-mentioned entity is a recognised and regulated U.S. Trust and qualifies under the meaning of Article 17 and Sub-article 3 of the Convention for the avoidance of double taxation between the United States of America and Portugal and Article 3 of the Protocol for the avoidance of double taxation between the United States of America and Portugal; that is, at least 50% of the beneficiary owners of the Trusts are U.S. residents for tax purposes.

Beneficiary name/Business name: \_\_\_\_\_

Address/Tax residence): \_\_\_\_\_  
(Street, number and floor)

Country of residence of beneficiary: \_\_\_\_\_  
(Postcode, city and country)

Tax identification Number (TIN)  
in the country of residence: \_\_\_\_\_

Portuguese Tax ID (NIF) \_\_\_\_\_

**Tax authority's signature and official stamp:**

Certified at (place and date): \_\_\_\_\_

Attn. Direcção de Serviços das  
Relações Internacionais  
Direcção Geral dos Impostos - Portugal  
International Relationship Department  
Portugal Tax Authorities

Subject: **Canadian Trusts Certification**

Dear Sir or Madam:

We certify that the below-mentioned entity is a Canadian Trust that is liable to tax on a personal and unlimited basis in its country of residency and is not "transparent" for tax purposes; that is, the fund is taxable independently of the taxation that may occur at the level of their underlying subscribers.

Beneficiary name/Business name: \_\_\_\_\_

Address/Tax residence): \_\_\_\_\_  
(Street, number and floor)

\_\_\_\_\_  
\_\_\_\_\_

Country of residence of beneficiary: \_\_\_\_\_  
(Postcode, city and country)

\_\_\_\_\_  
\_\_\_\_\_

Tax identification Number (TIN)  
in the country of residence: \_\_\_\_\_

Portuguese Tax ID (NIF) \_\_\_\_\_

**Tax authority's signature and official stamp:**

Certified at (place and date): \_\_\_\_\_

## Portugal: Simplified procedure for foreign central banks and government organisations

Effective

**immediately**

a simplified procedure to obtain exemption from withholding tax on interest from Portuguese debt securities is available for beneficial owners who are foreign central banks or government organisations<sup>1</sup>.

### Background

According to Decree Law 193/2005 as amended, central banks and government organisations, resident or not for tax purposes in a country or territory recognised as a tax haven under Portuguese legislation, are considered eligible for exemption from withholding tax on interest from Portuguese debt securities.

Articles 15 and 18 of the Special Taxation Regime included in Decree Law 193/2005 clarify the type and frequency of certification required from beneficial owners who are Financial and Public Law Institutions and International Bodies in order to benefit from tax exemption on interest payments.

### Impact on customers

In order to obtain tax exemption from interest on Portuguese debt securities, you are required to:

- Have the status of a central bank or government organisation; and
- Hold the Portuguese debt securities for yourself as sole beneficial owner; and
- Submit the required certification to us by the prescribed deadlines.

The documentation requirements vary depending on whether or not you are domiciled either in an OECD Member State or in a country with which Portugal has a Double Tax Treaty (DTT).

### Central banks or governmental organisations resident in an OECD or DTT country

For the simplified procedure, you must submit to us, **once** and at the latest two business days before the record date of the **first** interest payment by 10:00 CET, the following documentation:

- Portuguese Debt Securities - Standing Instruction for Foreign Central Banks and Government Organisations (see "[Appendix 1](#)" on page 3) certifying, among other things, that you hold the Portuguese securities exclusively as proprietary assets;

together with one of the following:

- Your identification for tax purposes (full name, full address and Tax ID number); or
- A Certificate of Residence or equivalent document issued by your local tax authorities; or
- A declaration of beneficial ownership, duly signed and authenticated by yourselves.

### Central banks or governmental organisations not resident in an OECD or DTT country

For the simplified procedure, you must submit to us, at the latest two business days before the record date of the **relevant** interest payment by 10:00 CET, the following documentation:

- Portuguese Debt Securities - Standing Instruction for Foreign Central Banks and Government Organisations (see "[Appendix 1](#)" on page 3), to be provided **once**, certifying, among other things, that you hold the Portuguese securities exclusively as proprietary assets;

<sup>1</sup>. This simplified procedure is not applicable for beneficial owners who have in Portugal their residence, head-office, effective management or permanent establishment to which such income is attributable.

and one of the following, to be provided **every three years**:

- A Certificate of Residence or equivalent document issued by your local tax authorities; or
- A document issued by the Portuguese consulate proving your residence abroad; or
- A document that must be issued, specifically to certify your residency, by an official entity that forms part of the central public or regional administration of your country of residence.

**Note:** After expiration of the validity of the proof of residence mentioned above, you must, in order to continue receiving interest payments without deduction of Portuguese withholding tax, submit to us a new proof of residence.

## Refunds of withholding tax

If you missed the deadline for relief at source, you can use the quick refund procedure to apply for a refund of withholding tax on interest from Portuguese debt securities, submitting the same documentation as listed above for the simplified procedure.

The deadline for reclaiming withholding tax on Portuguese debt securities via the quick refund procedure is at the latest by 10:00 CET 80 calendar days after the date of the relevant interest payment.

**Note:** A full standard refund of withholding tax on interest from Portuguese debt securities is not available through Clearstream Banking.

## Important note

We will act on the information contained in the Standing Instruction for Foreign Central Banks and Government Organisations, duly completed, signed and submitted by you, and will consider by default the entire holding as being beneficially owned exclusively by yourselves.

It is the customer's obligation to notify us, promptly in writing, of any changes to the data provided or of any information that would render any statement in the Standing Instruction untrue or incomplete.

## Further information

For further information, please contact our Tax Help Desk:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

or Clearstream Banking Customer Service or your Relationship Officer.

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## Appendix 1. Portuguese Debt Securities - Standing Instruction for Foreign Central Banks and Governmental Organisations

*(Under customer's letterhead)*

Clearstream Banking  
Attn: OTL - Tax Services  
42, avenue J.F. Kennedy  
L-1855 Luxembourg  
Luxembourg

Clearstream Banking account(s): \_\_\_\_\_ (the "Account")

We, the undersigned customer of Clearstream Banking, may hold, from time to time in our Account, Portuguese debt securities (the "Securities").

We hereby certify that we hold or will hold these Securities exclusively in our capacity as beneficial owner and that we are eligible for exemption at source from Portuguese withholding tax according to Portuguese legislation.

For the purposes of ensuring that we receive interest payments gross, without deduction of withholding tax on the Securities in the Account, we hereby certify that *(tick the appropriate boxes only)*:

- We are a central bank or government organisation that **is domiciled** in an OECD Member State or in a country with which Portugal has a Double Tax Treaty (DTT) and we provide Clearstream Banking once, before the first relevant interest payment with one of the following, as indicated:
- Our identification for tax purposes (complete name, address and Tax ID number) as per above;
  - OR
  - A Certificate of Residence or an equivalent document issued by our local tax authorities;
  - OR
  - A declaration of beneficial ownership, duly signed and authenticated by ourselves.
- OR
- We are a central bank or a government organisation that **is not domiciled** in an OECD Member State or in a country that has a DTT with Portugal and we hereby accept to provide Clearstream Banking with one of the following, as indicated:
- A Certificate of Residence or an equivalent document issued by our local tax authorities;
  - OR
  - A document, issued by the Portuguese consulate, proving the residence abroad;
  - OR
  - A document that must be issued, specifically to certify your residency, by an official entity that forms part of the central public or regional administration of your country of residence.

Furthermore, we hereby acknowledge that any proof of residence mentioned above is for valid three years. After expiration of its validity, we acknowledge and agree to submit to Clearstream Banking new proof of residence in order to continue receiving interest payments without deduction of Portuguese withholding tax.

We irrevocably authorise Clearstream Banking to act on the information contained in this Standing Instruction and to consider by default the entire holding as being beneficially owned exclusively by ourselves.



We hereby undertake to notify Clearstream Banking promptly in writing of any changes to the data provided herein or of any information that would render any statement in this Standing Instruction untrue or incomplete.

We hereby appoint Clearstream Banking and Clearstream Banking's depository for the Securities as our attorneys-in-fact with authority to collect and forward this Standing Instruction, or a copy hereof, any attachments and any information relating to it, to the Portuguese authorities if these prove relevant to any administrative or legal proceedings or official inquiries undertaken or threatened.

We accept full responsibility in the event of any claims or additional taxes, interest thereon or penalties levied by tax authorities in connection with any payments made in reliance upon this Standing Instruction including any additional information provided in connection to it.

We hereby certify that the above information is true, correct and complete and that I am (we are) authorised representative(s) of the customer named above.

**For and on behalf of:**

Full name of customer: \_\_\_\_\_

Full address for tax purposes: \_\_\_\_\_  
\_\_\_\_\_

Tax ID Number (if available): \_\_\_\_\_

**By (authorised signature/s):**

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Place*

\_\_\_\_\_  
*Date*

## Portugal: Increase of withholding tax rate for certain beneficial owners

**Note:** This updated version supersedes the version published on 2 July 2010 and provides expanded and explicit details of the impact of the rate increase.

Effective

**1 July 2010**

following the austerity tax measures included in Law 12-A/2010 of 30 June 2010, Portuguese withholding tax on interest and dividends paid to beneficial owners who are **residents of Portugal (individuals or legal entities) or non-resident individuals** is increased from 20% to **21.5%**.

### Impact on customers

The new standard tax rate does not affect the current procedure (including the holding restriction for domestic debt securities) to be used for obtaining relief from withholding tax on Portuguese securities in accordance with domestic legislation or Double Taxation Treaty.

However, the following additional implications should be taken into consideration:

- Non-Portuguese corporations<sup>1</sup> can apply for the 20% tax rate (instead of the new 21.5% rate) by submitting the following data via SWIFT MT599 or CreationOnline free-format message:
  - Clearstream Banking account number;
  - Security name and ISIN;
  - Payment date;
  - Full name of beneficial owner;
  - Full address and country;
  - Local Tax Identification Number (TIN);
  - Holding;
  - Type of beneficial owner (fund, trust, corporation etc.);
  - Reduced tax rate to be applied (20%).<sup>2</sup>
- For undisclosed positions, the maximum rate of 21.5% will be applied.

### Deadlines for applying for the 20% tax rate

Eligible beneficial owners can apply for the 20% tax rate according to the following deadlines:

**Before payment date:** Two business days before the record date of the relevant income payment by 10:00 CET; or

**After payment date:** At the latest 10:00 CET on the 10th calendar of the month (or the last business day before this if the 10th is not a business day) following the month in which the income payment was made.

On income payments made since 1 July 2010 for which the new 21.5% rate has been withheld at source, eligible beneficial owners can apply for the 20% tax rate by submitting the above-mentioned information by, at the latest, 10:00 Central European Time (CET) on 10 August 2010.

1. A non-resident corporation is, for these purposes, any legal entity, with or without legal personality, not subject to personal income tax, that neither has its seat or place of effective management nor a permanent establishment located within Portuguese territory (to which such income would be attributable).

2. Instructions received by Clearstream Banking without a clear indication of the tax rate to be applied will be considered invalid and rejected without pre-notice to the respective customer.

## Further information

For further information, please contact our Tax Help Desk:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

or Clearstream Banking Customer Service or your Relationship Officer.

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## Portugal: Simplified procedure to apply for the 20% tax rate

Following our Announcement A10109, dated 2 July 2010, and effective

### immediately

beneficial owners that are non-resident corporations can obtain the 20% withholding tax based on a "simplified" procedure.

### Background

As part of our efforts to improve our tax service to customers, we have negotiated with our local depository a simplified procedure for obtaining the 20% withholding tax rate on income paid to beneficial owners that are non-resident corporations without having to disclose their identity and holdings before each payment date.

### Impact on customers

In order to obtain the 20% tax rate for eligible beneficial owners, you need to submit to us the following documentation:

- A Comfort Letter (attached at the end of this Announcement), completed and duly signed by the customer, once for each account, valid until revoked. The original must be received by registered mail before the first income payment.
- A Breakdown including:
  - The total holding to be taxed at 21.5%;
  - The total holding to be taxed at 20%;
  - The certified positions to be tax exempt or to obtain treaty rates (for which the appropriate tax certificates must be provided as in the procedure currently in place).

**Note:** The deadlines are as stated in our Announcement [A10109](#), dated 2 July 2010.

The 20% rate will not be applied if:

- We receive the request for the 20% rate through the breakdown before the respective payment date but no "Comfort Letter" was submitted by the customer for the respective account; or
- The "Comfort Letter" is in place but a breakdown has either not been submitted before the respective payment date or it does not include details for the 20% rate.

In such cases, we must consider by default, on each relevant income/redemption payment date, that your holding must be taxed at the maximum 21.5% rate.

### Further information

For further information, please contact our Tax Help Desk:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
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or Clearstream Banking Customer Service or your Relationship Officer.

For more general information regarding our products and services, please visit [www.clearstream.com](http://www.clearstream.com).

## Comfort Letter

Clearstream Banking  
Attn: OTL - Tax Services  
42, avenue J.F. Kennedy  
L-1855 Luxembourg  
Luxembourg

Subject: Income accruing on securities accounts held in Portugal

Clearstream Banking account: \_\_\_\_\_ (the "Account")

We, the undersigned customer of Clearstream Banking may hold from time to time in our securities Account with Clearstream Banking Portuguese securities (bonds, shares or other securities, referred to below as "Securities").

We acknowledge that under Portuguese law certain income paid for the Securities is subject to withholding tax rates as follows:

- 21.5% if payable to Portuguese residents and non-resident individuals; or
- 20% if payable to non-resident corporate entities.

We hereby declare that:

1. We act as a financial intermediary and, in that quality, we receive, on behalf of our clients, income from the Securities that accrues to the Account.
2. In order to apply for the 20% tax rate, we will notify Clearstream Banking, before each income/redemption payment, about the tax rates to be applied and submit a breakdown including the total holdings to be taxed at 21.5% and 20% respectively. In the absence of such notification, we irrevocably authorise Clearstream Banking to consider by default, on each relevant income/redemption payment date, that our entire holding must be taxed at the 21.5% maximum rate.
3. The beneficial owner of holdings for which we will require the application of the 20% tax rate is a corporate entity whose tax residence, according to the provisions of Portuguese law, is not located in Portugal and who, to the best of our knowledge, does not have a permanent establishment in Portugal to which the income would be attributable.
4. If the beneficial owner is an individual or Portuguese resident corporate entity who cannot or does not certify us to apply for relief of withholding tax at source, we will require the application of the 21.5% tax rate in our breakdown submitted to you as per clause 2 above of this Comfort Letter.
5. We shall, if solicited by Clearstream Banking, namely whenever such request is based on a formal request by the Portuguese Tax Authorities or the Portuguese issuer directed to Clearstream Banking's local depository, submit documentation attesting the corporate status of the beneficial owner.
6. We shall be fully liable to Clearstream Banking for any and all obligations created on our behalf pursuant to the authority of this Comfort Letter and undertake to ratify whatever Clearstream Banking causes to be done under the authority or purported authority of this Comfort Letter. We agree to reimburse, compensate or otherwise assume civil liability for any tax, compensatory interest, late payment interest, penalties/fines paid or borne by Clearstream Banking or/and Clearstream Banking's local depository due to a mischaracterisation or insufficient evidence of the corporate nature of the beneficial owner of the income accrued to the securities Account or whenever that evidence is not provided to the tax authorities in a timely manner.

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*(continued on next page)*

## Comfort Letter (cont)

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*(continued from previous page)*

We irrevocably authorise Clearstream Banking to act on the information contained in this Comfort Letter. We hereby appoint Clearstream Banking and Clearstream Banking's depository for the Securities as our attorneys-in-fact with authority to collect and forward this Comfort Letter, any attachments and any information relating to it to the Portuguese authorities if these prove relevant to any administrative or legal proceedings or official inquiries undertaken or threatened.

This Comfort Letter is irrevocable and shall remain valid until notice of termination or amendment is received by Clearstream Banking by registered letter or other authenticated means of communication. Any such revocation or amendment shall take effect on the second business day after the receipt of notice by Clearstream Banking or such other later date specified in the notice accordingly.

We hereby certify that the above information is true, correct and complete and that I am (we are) authorised representative(s) of the customer named below.

**For and on behalf of:**

Name of Clearstream Banking customer: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**By (authorised signature/s):**

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Place*

\_\_\_\_\_  
*Date*

## Portugal: Standard refund procedure for debt securities

Effective

**immediately**

a standard procedure for reclaiming tax withheld on interest from Portuguese debt securities is now available to non-resident beneficial owners.

### Background

The Portuguese Tax Authorities have issued a Circular Letter (7/2010) addressing formal procedures for the refund of tax withheld under Decree-Law 193/2005 applicable to Portuguese debt securities. In particular, they provide clarifications regarding the possibility for non-residents to benefit from a simplified refund request.

### Impact on customers

A simplified procedure enabling eligible beneficial owners to reclaim full tax withheld on interest from Portuguese debt securities is now available if the deadline for the quick refund has been missed<sup>1</sup>.

Provided that neither exemption at source from tax has been obtained nor quick reclaim requested, eligible beneficial owners can reclaim withholding tax on interest payments on Portuguese debt securities by applying for a simplified refund with the procedure described in the following sections.

### Eligible beneficial owners

We remind you that, according to Article 17 of Decree-Law 193/2005, the following types of investor are not entitled to hold Portuguese debt securities through Clearstream Banking:

- Residents for tax purposes in a country or territory considered as a tax haven<sup>2</sup> under Portuguese legislation, except central banks and government agencies resident in those countries;
- Residents of Portugal subject to Portuguese withholding tax; and
- Non-resident institutions of which more than 20% is owned by entities resident in Portugal.

To be allowed to hold Portuguese debt securities, customers must provide a One-Time Declaration of Beneficial Ownership certifying that the final beneficial owners do not fall into any of the above categories and are therefore entitled to exemption from Portuguese withholding tax.

Furthermore, residents of Portugal cannot apply for a standard refund through Clearstream Banking, regardless of whether they are or are not subject to Portuguese withholding tax.

Consequently, final beneficial owners are eligible to apply for a full standard refund if they are non-residents of Portugal and:

- Residents of a country or territory not considered as a tax haven<sup>2</sup> under Portuguese legislation, including institutions of which no more than 20% is owned by entities resident in Portugal; or
- Central banks or government agencies resident in a country or territory considered as a tax haven<sup>2</sup> under Portuguese legislation.

1. The quick refund procedure remains in place and unchanged.

2. Countries/territories considered as tax havens under Portuguese legislation are listed in our [Market Taxation Guide - Portugal](#).

## Documentation requirements

Customers must provide us with the following original documents per standard reclaim request:

- Letter of Request to Clearstream Banking for Reclaim of Portuguese Withholding Tax withheld on Portuguese Debt Securities (Decree-Law 193/2005) - a version is attached at the end of this Announcement;
- Modelo 22-RFI completed by the beneficial owner (or its legal representative under a power of attorney) as follows:
  - The top part, mentioning the application of a double taxation treaty, must be left blank.
  - Boxes I, II, V, VIII and IX must be filled.
  - The remaining boxes must be left empty; they will be filled in by ourselves or by our Portuguese custodian.

The official form can be found on the web site of the Portuguese Tax Authorities:

[http://info.portaldasfinancas.gov.pt/pt/apoio\\_contribuinte/modelos\\_formularios/double\\_tax\\_conventions/](http://info.portaldasfinancas.gov.pt/pt/apoio_contribuinte/modelos_formularios/double_tax_conventions/)

- Power of Attorney (if the Modelo 22-RFI has been completed by the legal representative on behalf of the beneficiary).
- Proof of Residence depending upon the status of the beneficial owner, as follows:
  - a) If the beneficial owner is a financial institution, pension fund or insurance company resident in a member country of the Organisation for Economic Co-operation and Development (OECD) or in a country that has a DTT in place with Portugal:
    - A certificate from the entity responsible for registration or supervision of the financial institution, certifying the legal existence of the holder and its residence; or
    - One of the forms of proof listed under d) below.
  - b) If the beneficial owner is a central bank or a government agency that integrates central public or regional administrators or peripheral, indirect or state-related administration in an OECD country or in a country that has a DTT in place with Portugal or an international body:
    - A declaration of its legal status, duly signed and authenticated.
  - c) If the beneficial owner is a collective investment vehicle (CIV), such as an investment fund, resident in an OECD country or in a country that has a DTT in place with Portugal:
    - A statement issued by the public entity responsible for registering or supervision of such entities by the tax authorities, in either case certifying the legal existence of such entity, the law under which it was incorporated and the place it is domiciled; or
    - One of the forms of proof listed under d) below.
  - d) In all other cases, one of the following is accepted as proof of residence:
    - A certificate of residence or an equivalent document issued by the tax authorities; or
    - A document issued by the Portuguese consulate, proving the residence abroad; or
    - A document issued specifically to certify residency, which must be issued by an official entity that forms part of the central public or regional administrations of the country of residence.

The Proof of Residence must cover the interest payment date(s) and is valid for three years after the date of the signature (unless there are any changes to the underlying facts). The proof of exemption for a central bank or government agency is valid until revoked.



## Deadlines

The statutory deadline for reclaiming withholding tax is two years after the end of the calendar year in which the interest is paid.

The deadline by which Clearstream Banking must receive the documentation for a standard reclaim application is at the latest three months before the statutory deadline.

With respect to tax reclaims in general, customers are reminded that Clearstream Banking accepts no responsibility for their acceptance or non-acceptance by the tax authorities of the respective country. It is the customer's responsibility to determine any entitlement to a refund of tax withheld and to complete the forms required correctly and calculate the amount due.

## Further information

Our Market Taxation Guide - Portugal will be updated in due course to reflect the new procedure.

For further information, please contact our Tax Help Desk:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

or Clearstream Banking Customer Service or your Relationship Officer.

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**Letter of Request to Clearstream Banking for Reclaim of  
Withholding Tax on Portuguese Debt Securities (Decree-Law 193/2005)**

Clearstream Banking  
Attn: OTL - Tax Services  
42, avenue J.F. Kennedy  
L-1855 Luxembourg  
Luxembourg

Clearstream Banking account number(s): \_\_\_\_\_ (the "Account")

Dear Sir/Madam,

We refer to the following interest payment on the following security:

Type of security: \_\_\_\_\_

Issuer of the security: \_\_\_\_\_

Security code (ISIN or Common Code): \_\_\_\_\_

Interest payment date: \_\_\_\_\_

Our Account with Clearstream Banking was credited with interest as indicated, under deduction at the domestic Portuguese withholding tax rate, on the following quantity of securities beneficially owned by the following beneficial owner:

Name of beneficial owner: \_\_\_\_\_

Residence of beneficial owner (full address): \_\_\_\_\_

Quantity of securities: \_\_\_\_\_

Total interest amount received, net of withholding tax: \_\_\_\_\_

We hereby request that Clearstream Banking:

- Forward our application to Clearstream Banking's Portuguese depository for onward delivery to the Portuguese Tax Authorities for a refund of EUR \_\_\_\_\_ of withholding tax, to which the beneficial owner is entitled by virtue of Decree-Law 193/2005 and Circular Letter 7/2010; and
- Perform any act (including but not limited to providing declarations as required by the Portuguese Tax Authorities) in the name of the final beneficial owner as may be necessary to collect such refunded taxes; and
- Transfer the withholding tax refunded in the name of the final beneficial owner to the Account, with reference \_\_\_\_\_, upon receipt from the Portuguese Tax Authorities.

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*(continued on next page)*

## Letter of Request to Clearstream Banking for Reclaim of Withholding Tax on Portuguese Debt Securities (Decree-Law 193/2005) (cont)

*(continued from previous page)*

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In order to apply for a full refund based on Decree-Law 193/2005 and Circular Letter 7/2010, we provide Clearstream Banking, within the prescribed deadlines, with all required documentation, including but not limited to the official form Mod. 22-RFI, duly completed by the beneficial owner, and a valid proof of residence.

Furthermore, we hereby accept that neither Clearstream Banking nor its local custodian accepts any responsibility for the acceptance or non-acceptance, by the Portuguese Tax Authorities, of reclaim applications, nor for the reimbursement of taxes paid.

We hereby warrant the completeness and accuracy of the information supplied to Clearstream Banking and, on a continuing basis, that each of the signatories hereto and with respect to all documents submitted from time to time in relation to this tax reclaim application has full power and authority to sign on behalf of the Clearstream Banking customer mentioned below.

**For and on behalf of:**

Name of Clearstream Banking customer: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

**By (authorised signature/s):**

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Place*

\_\_\_\_\_  
*Date*

We attach any other documentation as required by Clearstream Banking.

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## Portugal: New withholding tax rates in 2011

Effective

**1 January 2011**

a maximum withholding tax rate of 30% may, under certain circumstances, be applied on investment income derived by undisclosed investors from Portuguese securities.

### Background

The Portuguese Parliament approved<sup>1</sup>, on 26 November 2010, the State Budget Law for 2011 introducing the following main changes:

- 30% tax rate will be applied to investment income derived by undisclosed investors through omnibus accounts.
- 21.5% tax rate will be applied to all disclosed beneficial owners that do not want to apply for a reduced tax rate based on a Double Taxation Treaty (DTT) between their country of residence and Portugal or based on the Portuguese domestic law.

The 20% tax rate applicable today for non-resident legal entities will be abolished.

- 0% tax rate will be applied to European Union or European Economic Area (EU/EEA)<sup>2</sup> corporate beneficial owners, subject to submission of the required certification within the prescribed deadlines, if they hold a minimum of 10% of the issuer's capital for a period of at least one year. Shareholdings below the 10% threshold but acquired for EUR 20 million or more and held by EU/EEA companies will no longer qualify for an exemption from withholding tax.
- The currently applicable domestic tax exemption on capital gains realised by non-resident corporate entities will be available to entities qualifying as residents of a country or territory that has entered into a tax treaty or an exchange of information agreement with Portugal. This measure does not impact the position of individual investors.

### Impact on customers

Details of the procedure to be followed in order to avoid the application of the 30% tax rate are not yet defined. Market participants, including our local custodian, Banco Santander Totta (BST), are waiting for the Portuguese Tax Authorities to clarify the procedures and certification requirements in order to comply with what has been approved. We will keep you up to date with the expected developments regarding this issue.

Regarding capital gains taxation, we remind you that, in Portugal, capital gains are not taxed via the withholding mechanism. According to confirmation received from Portuguese advisors, non-resident investors deriving capital gains from the sale of equities in Portugal, when taxable, must register directly with the Portuguese Tax Authorities and submit a tax return to pay the income tax due on such income (in those cases where the exemption does not apply). As such, neither Clearstream Banking nor BST have any tax obligations regarding capital gains derived by our customers.

1. The State Budget Law for 2011 has not yet been published in the Official Journal. Although we are not aware of any relevant changes to the Budget bill, we advise that the information contained in this Announcement may not be regarded as official. Our advisors still do not have access to the final version of the text since it is still pending final ratification from the President of the Republic. Normally, the text is made available on the web site of the parliament within one or two weeks following approval and the final text of the law is published in the Official Journal only on the last day of December.

2. Liechtenstein is excluded from the framework of these provisions because it does not have an exchange of information agreement with Portugal.

It remains the responsibility of investors to comply with all legal and regulatory requirements imposed by the Portuguese legislation (including any forms to be submitted when deriving Portuguese source income or capital gains). Clearstream Banking has no direct or indirect liability towards the respective tax authorities, including those of Portugal, if such obligations are not respected by investors.

## Further information

Our Market Taxation Guide - Portugal will be updated in due course to reflect the new procedure.

For further information, please contact our Tax Help Desk:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
<b>Fax:</b>	+352-243-632835	+49-(0) 69-2 11-61 3821

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## Portugal: Important reminder: Renewal of the Statement for Exemption from Portuguese Withholding Tax on Income from Debt Securities

Please be reminded that, for those of you who hold Portuguese debt securities, the validity of the Statement for Exemption from Portuguese Withholding Tax on Income from Debt Securities dated 2010 **will expire on 31 December 2010**.

In order to comply with the holding restriction established by Paragraph 2 of Article 17 of the Special Tax Regime approved by the Decree-Law 193/2005 on 7 November, and to benefit from exemption at source during the period between 1 January 2011 and 31 December 2011, **you must provide a new "Statement for Exemption from Portuguese Withholding Tax on Income from Debt Securities"** (see ["Appendix 1"](#) on page 2), **dated 2011**, no later than

**14 January 2011**

The statement, among other items, certifies that the final beneficial owners of Portuguese debt securities do **not** fall into any of the following categories:

- Residents for tax purposes in a country or territory considered as a tax haven by Portuguese legislation (see ["Appendix 2"](#) on page 3), except central banks and government agencies resident in those countries; or
- Residents of Portugal subject to Portuguese withholding tax and not eligible for exemption at source; or
- Non-resident institutions more than 20% owned by entities resident in Portugal;

and that they are therefore entitled to exemption from Portuguese withholding tax.

The original of each completed and duly signed Statement for Exemption must be sent to:

Clearstream Banking  
Attn: OTL - PORTUGUESE TAX  
42, avenue J.F. Kennedy  
L-1855 Luxembourg  
Luxembourg

### Further information

For further information, please contact our Tax Help Desk on:

	Luxembourg	Frankfurt
<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
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## Appendix 1. Statement for Exemption from Portuguese Withholding Tax on Income from Debt Securities (Paragraph 2 of Article 17 of the Special Tax Regime approved by Decree-Law 193/2005 of 7 November)

(This document must be completed under the customer's letterhead and sent to Clearstream Banking by mail.)

The undersigned Participant hereby declares that he holds or will hold debt securities covered by the special tax regime approved by the Decree-Law no. 193/2005 of 7 November (the "Securities"), in the following securities account number \_\_\_\_\_ (the "Account") with Clearstream Banking S.A., 42 avenue J.F. Kennedy, L-1855 Luxembourg, Luxembourg.

We hold or will hold these Securities in our capacity of beneficial owner or in our capacity of intermediary, holding Securities on behalf of one or more beneficial owners, including ourselves, if applicable, all of whom are eligible for exemption at source from Portuguese withholding tax according to Portuguese legislation.

1. We are:

Name: \_\_\_\_\_

Residence for tax purposes (*full address*): \_\_\_\_\_

\_\_\_\_\_

Tax ID Number: \_\_\_\_\_

2. We hereby undertake to provide Clearstream Banking S.A. with a list of Beneficial Owners at each relevant record date containing the name, residence for tax purposes, Tax Identification Number and nominal position of Portuguese debt Securities for each Beneficial Owner, including ourselves if relevant, on behalf of which we hold or will hold Portuguese debt securities in the Account.
3. We hereby undertake to notify Clearstream Banking S.A. promptly in the event that any information contained in this certificate becomes untrue or incomplete.
4. We acknowledge that certification is required in connection with Portuguese law and we irrevocably authorise Clearstream Banking S.A. and its Depository to collect and forward this statement or a copy hereof, any attachments and any information relating to it, to the Portuguese authorities, including tax authorities.
5. This statement is valid for a period of twelve months as from the date of signature.

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
*Authorised Signature*

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Place

\_\_\_\_\_  
Date

## Appendix 2. Countries defined as tax havens under Portuguese legislation

Andorra	Guam	Pitcairn
Anguilla	Guiana	Puerto Rico
Antigua and Barbuda	Honduras	Qatar
Antilles, Netherlands	Hong Kong	San Marino
Aruba	Isle of Man	Santa Lucia
Ascension	Jamaica	Seychelles
Bahamas	Jordan	Solomon Islands
Bahrain	Keslim Islands	St. Christopher and Nevis
Barbados	Kiribati Island	St. Helena
Belize	Kuwait	St. Pierre and Miquelon
Bermuda	Labuan	St. Vincent and Grenadines
Bolivia	Lebanon	Samoa, American
Brunei	Liberia	Samoa, Western
Cayman islands	Liechtenstein	Svalbard Islands
Christmas Island	Luxembourg (1929 holdings only)	Swaziland
Cocos (Keeling) Islands	Maldives	Tokelau Islands
Cook Islands	Mariana Islands	Tonga
Costa Rica	Marshall Islands	Trinidad and Tobago
Cyprus	Mauritius	Tristan da Cunha
Djibuti	Monaco	Turks and Caicos
Dominica	Montserrat	Tuvalu Island
English Channel Islands <sup>a</sup>	Nauru	United Arab Emirates
Falkland islands	Niue Island	Uruguay
Fiji	Norfolk Island	Vanuatu
French Polynesia	Oman	Virgin Islands, British
Gambia	Pacific Islands (Trust Territory of the)	Virgin Islands, United States
Gibraltar	Palau Islands	Yemen
Grenada	Panama	

a. including Alderney, Brecqhou, Guernsey, Herm, Jersey, Jethou, Lihou and Sark.



## Portugal: Reminder: Renewal of Mod. 21-RFI

Please be reminded that Mod. 21-RFI, duly completed, signed and including BOX III completed, stamped and signed by the beneficial owner's local tax authorities, remains valid for all dividend payments (irrespective of ISIN) made during one year from the date of the local tax authorities' certification.

In order to provide more flexibility in investment, to avoid an uncertified period and thereby to ensure relief at source on dividend payments made during 2011 for all certified beneficial owners, we strongly recommend that you provide a renewed Mod. 21-RFI by

**28 January 2011**

### Availability of form Mod. 21-RFI

The official form is available on the web site of the Portuguese Tax Authorities as follows:

[http://info.portaldasfinancas.gov.pt/pt/apoio\\_contribuinte/modelos\\_formularios/double\\_tax\\_conventions/](http://info.portaldasfinancas.gov.pt/pt/apoio_contribuinte/modelos_formularios/double_tax_conventions/)

### Further information

For further information, please contact the Clearstream Banking Tax Help Desk:

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<b>Email:</b>	tax@clearstream.com	tax@clearstream.com
<b>Telephone:</b>	+352-243-32835	+49-(0) 69-2 11-1 3821
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