

W-8BEN for Union College Students

The [W-8BEN](#) should be completed by Foreign Individuals, non U.S. Citizens, who are receiving a monetary award while residing in the United States or payment for services provided in the U.S. that are not payroll related. Instructions on how to complete the form can be found here: [W-8BEN Instructions](#).

Union College is required by IRS law to withhold 30% in tax withholdings of the gross payment to be issued to the student if the student is a foreign individual and is providing either a service to Union College for payment (not related to payroll) or receiving a monetary award from Union College, while located in the United States.

Claiming Tax Treaty Benefits or a Discounted Withholding Rate

We encourage Union College students to review both the [Claiming Tax Treaty Benefits](#) and the [Withholding On Specific Income](#) webpages located on IRS website to determine if they qualify for a tax treaty benefit or discounted tax withholding rate.

To claim the tax treaty benefits or discounted withholding rate Part II of the W-8BEN must be completed.

The image shows a portion of the W-8BEN form. Part II, titled 'Claim of Tax Treaty Benefits (for chapter 3 purposes only) (see instructions)', contains lines 9 and 10. Line 9 is a certification statement. Line 10 is for 'Special rates and conditions' and includes a field for the percentage rate of withholding. Below line 10 is a space to explain additional conditions. Part III, titled 'Certification', is partially visible at the bottom.

Part II Claim of Tax Treaty Benefits (for chapter 3 purposes only) (see instructions)

9 I certify that the beneficial owner is a resident of _____ within the meaning of the income tax treaty between the United States and that country.

10 **Special rates and conditions** (if applicable—see instructions): The beneficial owner is claiming the provisions of Article and paragraph _____ of the treaty identified on line 9 above to claim a _____ % rate of withholding on (specify type of income): _____

Explain the additional conditions in the Article and paragraph the beneficial owner meets to be eligible for the rate of withholding: _____

Part III Certification

To claim a discounted withholding rate based on visa type, a copy of the visa must be submitted with the W-8BEN.

To claim a 0% withholding rate based on a tax treaty, IRS form [8233](#) must be completed in addition to the W-8BEN. Both the W-8BEN and form 8233 may be reviewed by Union's tax attorneys for completion. Once reviewed, Union must submit form 8233 to the IRS for review and approval to not withhold 1042s taxes. The IRS has 10 days to respond to the submission. **This process must be completed prior to payment being issued.** It is recommended to provide these documents to AP a month prior to payment needing to be issued.

Please note: Tax Treaty Benefits claim or claims to withhold at a discounted rate, are subject to review and approval by Union College's Tax Attorney's and the IRS. If additional information is needed Accounts Payable will reach out to the student.

If the student is unsure on how to proceed, we encourage the student to speak to a tax consultant.

1042s Tax Documents will be issued in the spring of the following year for those students who have tax withheld.