



Foreign resident capital gains withholding purchaser payment notification paper form: instructions

Instructions to help complete the foreign resident capital gains purchaser payment notification paper application form.

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Purchasers should use the *Foreign resident capital gains withholding purchaser payment notification* form to notify us when an amount is required to be withheld.

The form needs to be completed and lodged with us on or before the day of settlement of the purchase of the asset.

Next steps:

- Complete the online Foreign resident capital gains withholding – Purchaser payment notification

- Lodging online is the preferred method, and your payment reference number and payment slip will be issued faster.
- If you can't lodge online, download the paper form and use these instructions
 - Download [Foreign resident capital gains withholding purchaser payment notification \(PDF, 265KB\)](#) 

Find out more about [Paying foreign resident capital gains withholding](#).

When to use this form

If more than 10 vendors or 10 purchasers are involved in the transaction for an asset, an additional purchaser payment notification form will need to be completed.

Each asset requires a separate purchaser payment notification form to be completed.

Who can complete and lodge

A form can be completed and lodged by the purchasers, or on their behalf by a third party (for example a solicitor or a conveyancer).

Up to 10 purchasers of an asset can lodge a single purchaser payment notification form. Alternatively, each purchaser may wish to lodge their own form.

How to complete the paper purchaser payment notification form

These instructions provide guidance on completing each of the sections of the form, lodging your application and what happens next.

If you are unsure how to complete this form after reading these instructions, contact us on **13 28 66** (Fast Key Code **4, 2**).

- [Section A: Who can we contact about this form?](#)
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Note: Mandatory fields are marked with an asterisk (*).

Section A: Who can we contact about this form?

You must provide contact details of the person completing the form. This can be the purchaser or their representative. This allows us to resolve any issues and process the form and payment in a timely manner.

The contact detail fields are:

- Title – select the title of the contact person from the list that is provided.
- *Last name – the last name or surname of the contact person.
- First name – the first name of the contact person.
- Other given names – the other given names of the contact person.
- Email address – the email address for the contact person. By providing an email address you are authorising us to respond to you by email. If you do not provide us with an email address then it may take longer to provide information to you.
 - If you choose to communicate with us via email, be aware the internet isn't a secure environment. We can't guarantee the privacy and security of personal information.
- Phone number – the contact person's phone number (including area code) and country code (if the country is not Australia). Do not include brackets () or spaces in your entry.
- Address – the contact's address, including the suburb/town/locality, State/territory, postcode and country.

Section B: Transaction dates

The asset details fields are:

- *Contract date – enter the date as shown on the contract for the sale. If no contract is involved, you can enter a date for the change in ownership of the asset.

- *Expected settlement date – enter the settlement date of the sale or disposal of the asset (or when you expect it to occur).
- *Gross proceeds plus \$ value of any non-monetary consideration – enter the total in Australian dollars (excluding cents) of the gross proceeds plus value of any non-monetary consideration.
- Foreign resident withholding amount by **all** purchasers – enter the total in Australian dollars excluding cents.

Section C: Vendor details

Only include vendors that are required to pay an amount of withholding to us. Do not include vendors that have given you a clearance certificate or variation to nil.

Details of additional vendors must be provided by attaching additional copies of section C if required.

The vendor details fields are:

- Tax file number (TFN) or Australian business number (ABN) -- to assist in the prompt processing of this form provide the entity's TFN or ABN.
 - While you're not required to provide the vendor's TFN or ABN, providing the TFN or ABN helps us identify the vendor in our records which means we can process the application faster.
- *Entity name in full – if an individual, include your first and last name. If an individual has other given names reflected on the legal title they should include them. Including only the initial is also acceptable.
- *Has the vendor provided a clearance certificate or variation to nil from the Commissioner or a vendor declaration in relation to the asset? – place an **X** in either of the following boxes - 'Yes' or 'No'. If you select 'Yes', you do not need to provide any additional details for the Vendor. Vendors that have supplied a clearance certificate or variation to nil should not be included on the form. Remove the vendor from the form and continue to include Vendors that have **not** supplied a clearance certificate or variation to nil.
- *Entity type – place an **X** in the box that represents the entity type of the vendor from the list. This should be the entity that has the capital gains tax obligation.

- If you know the vendor is a trustee as per the legal title to the asset, select trust as the entity type.
- If the entity type of the vendor is an individual then provide the individual's date of birth. If you do not include the vendor's date of birth we may be unable to match the vendor in our systems. This may result in delays in the processing of their income tax return.
- If the entity type of the vendor is a trust then provide the name of your trustee (if known).
- If the entity type is other, then provide a description of the type of entity you are.
- Email address of vendor – the email address for the vendor. By providing an email address, you are authorising us to provide information to the vendor by email. If an email address is not provided then it may take longer to provide information to the vendor.
 - If you choose to communicate with us via email, be aware the internet isn't a secure environment. We can't guarantee the privacy and security of personal information.
- Phone number (including area code) – the vendor's phone number (including area code) and country code (if country is not Australia). Do not include brackets () or spaces in your entry.
- *Vendor's address – provide the address for the vendor (including the suburb/town/locality, state/territory, post code and country) to send confirmation of the payment. This should not be the same address as the property that will be or has been sold.
- Percentage of asset ownership – this is the percentage of the asset that the vendor legally owns.
 - You are required to provide us with each vendor's percentage of asset ownership so we can correctly apply the amount of foreign resident withholding paid to each vendor.
 - If the vendors' percentage of asset ownership is not provided we will assume that the vendors have an equal percentage of asset ownership.
- Foreign resident withholding variation reference number (if applicable) – the variation notice number must be provided if the

vendor has given you a valid variation notice with a reduced withholding rate. Do not include the reference number from a clearance certificate.

- Foreign resident withholding rate – Only provide a rate if the vendor has given you a valid variation notice with a reduced withholding rate. The standard rate will be automatically used when no rate is entered.

Section D: Purchaser details

The purchaser details are the details of the entity or entities acquiring the asset.

The details of all purchasers making payments of foreign resident capital gains withholding through this form must be provided. This ensures that correspondence is correctly issued and that a payment reference number permitting each purchaser to pay the amount of foreign resident capital gains withholding to the ATO is provided.

Details of additional purchasers must be provided by attaching additional copies of section D if required.

The purchaser details fields are:

- Tax file number (TFN) or Australian business number (ABN) – to assist in prompt processing of this form provide the entity's TFN or ABN
 - While you're not required to provide the purchaser's TFN, providing the TFN assists us in identifying the purchaser in our records which means that we can process the application faster.
- *Entity name in full – if an individual, include the purchaser's first and last name. If an individual has other given names reflected on the sale contract, they should include them. Including the initial is also acceptable
- *Did you lodge a taxation return in Australia within the last 2 years and on that return indicate that you are a resident for Australian taxation purposes? – place an **X** in either of the following boxes - 'Yes' or 'No'
- *Entity type – place an **X** in the box that represents entity type of the purchaser from the list. The entity type is the entity that will have the obligation to declare any capital gain that arises (if any) from any future transaction with respect to the asset.

- Where the asset is held on behalf of a trust or superannuation fund, the entity that acquires legal title may not be the same entity as that which has the obligation to declare the capital gain on its income tax return in the future. For example, if a property is held on trust, the trust has the legal liability to declare the capital gain, not the trustee.
- Only select other if the purchaser is not one of the specified entity types.
- If the Entity type of the purchaser is an individual then provide the individual's date of birth.
- If the Entity type of the purchaser is a trust then provide the name of your trustee.
- If the Entity type is 'other', then provide a description of the type of entity you are.
- Email address of the purchaser. By providing an email address, you are authorising us to provide information to the purchaser by email. If an email address is not provided then it may take longer to receive confirmation of payment.
 - If you choose to communicate with us via email, be aware the internet isn't a secure environment. We can't guarantee the privacy and security of personal information.
- *Address of purchaser – the address for the purchaser including the
 - suburb/town/locality
 - state/territory
 - postcode
 - country.
- Percentage of asset ownership – this is the percentage of the asset that the purchaser legally owns.
 - You are required to provide us with each purchaser's percentage of asset ownership so we can correctly apply the amount of foreign resident withholding to be paid by each purchaser.
 - If a purchaser's percentage of asset ownership is not provided we will assume that the purchasers have an equal percentage of

asset ownership.

- Foreign resident withholding amount paid by this purchaser – the amount withheld by this purchaser and paid to the ATO in Australian dollars excluding any cents.

Section E: Asset details

The asset details are the details of the asset that the vendor is selling or disposing of to the purchaser.

If disposing of more than one asset a separate form must be completed and lodged for each asset being sold.

*What type of asset is this application in relation to?

- Mark the box with an **X** which corresponds to the asset purchased.
- Available types of asset are membership interests, mining, quarrying, or prospecting right and real estate.

If the Asset type is **membership interest**, then provide the name of the entity in which the membership interest is held.

If the Asset type is **mining, quarrying, or prospecting right**, then provide the Tenement registration number – enter the tenement registration number of the mining, quarrying or prospecting right of the asset.

If the Asset type is **real estate**, then provide the street address of the property that is being sold or disposed of. Include the:

- suburb/town/locality
- state/territory
- post code.

Section F: *Declaration

Complete the declaration section of the form.

Lodging your application

Lodge your application with us by fax or post as outlined on the form.

You should retain a copy of the form.

What happens next

We will:

- process your purchaser payment notification form
- provide you with payment reference number (PRN)
- provide you with payment slip and barcode if you wish to make your payment at an Australia Post outlet.

Only one PRN is issued per purchaser payment notification form, even if multiple purchasers are entered on the form. This will be sent to the nominated contact on the purchaser payment notification form.

Where there are multiple purchasers, you can use the PRN or payment slip to make one payment of the total amount owing or a separate payment for each purchaser.

Note: General interest charge may be imposed on amounts paid after the settlement date.

Methods of payment

All payments must be made in Australian dollars.

The safest and easiest payment methods are:

- BPAY®
- electronic funds transfer.

Payment can also be made in person at **Australia Post** using a cheque (**Note:** large withholders must pay the subdivision 14-D withholding amount by non-electronic means).

A full list of payment options is available at **How to pay**.

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Our commitment to you

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet

your obligations.

If you follow our information and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we will take that into account when determining what action, if any, we should take.

Some of the information on this website applies to a specific financial year. This is clearly marked. Make sure you have the information for the right year before making decisions based on that information.

If you feel that our information does not fully cover your circumstances, or you are unsure how it applies to you, contact us or seek professional advice.

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