

Foreign resident capital gains withholding – vendor declaration

WHO SHOULD COMPLETE THIS VENDOR DECLARATION FORM?

- This form cannot be used for a transaction involving real property (for example land, buildings, commercial and residential premises, mining tenements and leases). You must apply for a clearance certificate instead refer to ato.gov.au/FRCGW
- This form applies to assets that are indirect real property interests, the granting of options and the exercising of options for assets that are indirect real property interests.
- A vendor completes this form because:
 - the entity is and will be an Australian tax resident; or
 - the asset is a membership interest, but is not an indirect Australian real property interest.

HOW TO COMPLETE THIS FORM

- Print clearly in BLOCK LETTERS using a black or dark blue pen only.
- Print **X** in the appropriate boxes.
- Sign and date the declaration at the end of the form.

Section A: Vendor details		
Vendor name in full as it appears on the asset documents (if an individual, include	e your first, other given and last	name)
Entity type of vendor based on the entity named in asset documents:		
Individual Provide date of birth Day / Month / Year		
Company Provide Australian Business Number (ABN) or Australian Company Number (ACN)		
Vendor contact details		
Email address of vendor		
Phone number of the vendor (including area code)		
Address of vendor (including postcode)		
Suburb/town/locality	State/territory Pos	stcode
Country if outside Australia	(Australia only) (A	Australia only)

The vendor needs to provide this declaration to the purchaser before the settlement date. The vendor declaration is valid for six months from the date it is signed by the vendor. Each vendor needs to complete their own declaration.

Section B: Vendor Declaration		
Select one declaration only by placing X in one box. Then complete the necessary fields.		
Penalties may be imposed for giving false and misleading statements.		
Privacy		
Taxation law authorises the ATO to collect information and to disclose it to other government agencies. For information about your privacy and privacy notices, go to ato.gov.au/privacy		
The vendor is, and will be an Australian tax resident, for the period Day Month Year Until Day Month Year Until Unti		
OR		
The membership interest in		
is not an indirect Australian real property interest, for the period Day Month Year Day Month Year		
/ until/		
I declare as the vendor / the vendor's authorised officer, that the information contained in this form is true and correct.		
Name (Print in BLOCK LETTERS)		
Relationship to the vendor		
Signature		
Date		
You MUST SIGN here		