

IRS Suspends FBAR Filing Requirements For Non-U.S. Persons March 11, 2010

Dear clients and friends:

On February 26, 2010 The Internal Revenue Service issued an **announcement** that suspends the requirement for certain non-U.S. persons to file a Report on Foreign Bank and Financial Accounts (FBAR) for 2009 and earlier calendar years. The IRS suspended the requirement for filing **Form TD F 90-22-1** (FBAR) for taxpayers that are not U.S. citizens, U.S. residents or domestic entities (corporations, partnerships, trusts, or estates).

U.S. taxpayers generally must file an FBAR if they had a financial interest in or signatory authority over any financial account in a foreign country, if the aggregate value of accounts exceeds \$10,000 at any time during the preceding calendar year.

The February 26 announcement supersedes an **IRS notice of August 7, 2009** that set June 30, 2010 as the due date for non-U.S. persons to file FBARs for 2009 and earlier calendar years.

Also on February 26:

- The IRS issued a **notice** that extends the due date from June 30, 2010 to June 30, 2011 for filing FBARs for 2009 and earlier calendar years for U.S. persons who have signatory authority over but no financial interest in a foreign financial account.
- The U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) is **proposing** to revise the regulations that implement the Bank Secrecy Act regarding FBARs. Changes would include: defining a U.S. person as a citizen or resident of the U.S. or any entity created or organized under the laws of the U.S., any state, the District of Columbia and any territory or possession of the U.S. (as found in the 2000 and prior year FBAR instructions); and providing exemptions for certain foreign retirement plans and trusts from filing requirements.

If you would like additional information on filing requirements for Foreign Bank and Financial Accounts, do not hesitate to contact us at (305) 373-5500.

Sincerely,



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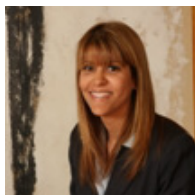
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