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Turkey publishes Ultimate Beneficial Owner Declaration Form

Turkey's Ministry of Treasury and Finance published General Communiqué No.529 on Tax Procedural Law (the Communiqué) in the Official Gazette on 13 July 2021. According to the Communiqué, corporate taxpayers and other taxpayers specified in the Communiqué are required to declare the Ultimate Beneficial Owner. See EY Global Tax Alert, [Turkey issues Communiqué on Ultimate Beneficial Owner declaration requirement](#), dated 13 July 2021.

The Turkish Revenue Administration recently published the Ultimate Beneficial Owner Declaration Form (the declaration form). Taxpayers must file the declaration form electronically with the Turkish Revenue Administration by 31 August 2021 at the latest. The form has been posted on the internet tax office.

The UBO declaration form can be accessed via the "Other Notification and Information Entries" menu in the internet tax office.

The information requested in the declaration form is as follows:

- Name and surname
- Mother's and father's name
- Country / Province / Town
- Residence address / Postal code
- Nationality
- Date and place of birth
- Occupational information / Title
- Share rate (%) in the company
- Type of shareholder

- Telephone and fax number
- E-mail address
- Type of ID card / Country of issuance
- Republic of Turkey Identification number / Foreign ID number / Passport number
- Reason for being the Ultimate Beneficial Owner

An unofficial English translation of the declaration form is provided in the Appendix.

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Appendix

Ultimate Beneficial Owner Declaration Form (unofficial English translation)

Information on Ultimate Beneficial Owner Declaration Form

1. This form shall be filled in the framework of the provisions of the General Communiqué Serial No. 529 on Tax Procedure Law (TPL).
2. While filling in this form:

In terms of legal entities:

- a. The individual shareholders who own more than 25% of the legal entity, including bearer shares,
- b. The individual/s who have ultimate control of the legal entity, if the individual shareholders holding more than 25% of the legal entity are suspected of not being the UBO or there is no individual shareholder holding such shares,
- c. The individual/s with the highest managerial authority shall be declared as Ultimate Beneficial Owner if the Ultimate Beneficial Owner cannot be determined within the scope of subparagraphs (a) and (b); Section A of the form shall be filled in for such persons.

In terms of entities such as ordinary partnership or joint venture not having a legal entity:

- a. The individual/s who have ultimate control over the entities without legal status,
- b. The individual/s with the highest managerial authority for the entities without legal status shall be declared as Ultimate Beneficial Owner if the Ultimate Beneficial Owner cannot be determined in scope of subparagraph (a); Section A of this form shall be filled in for such persons.

In trust and similar entities like the founders, trustees, managers, auditors, or beneficiaries or those who have influence over these organizations shall be declared as the Ultimate Beneficial Owner and section B of this form shall be filled in for such persons.

3. A declaration shall be made according to paragraph 9 of Article 6 and Article 7 and paragraph 3 of General Communiqué Serial No. 529 on TPL in case any changes occur in the Ultimate Beneficial Owner information.
4. If the Ultimate Beneficial Ownership status of the person whose information is declared for a company arises from another company of which s/he is a shareholder, this/these company(ies) shall also be specified in the description space and the share ratio should be calculated as described in the example. Person X, who owns 40% shares of company B which owns 80% shares of company A, must be declared $80\% \times 40\% = 32\%$ shareholder in the declaration regarding company A. In addition, it shall be indicated in the description space on the table through which company(s) s/he is an indirect shareholder. In case the shareholding of an individual is both direct and indirect due to another participation in legal entity, the "Type of Shareholders" part of the form should be declared as "direct and indirect" and the "Share Ratio in the Company" section should be reported in terms of direct shares and the total value of the indirect shares calculated as above.
5. In trust and similar entities, if the Ultimate Beneficial Owner is a legal entity, the reasons behind being the Ultimate Beneficial Owner of said legal entity and its share rate should be declared in the description space. Example: If Company C is trustee of a trust established abroad, the individual Y owning more than 25% shares of Company C is Ultimate Beneficial Owner of the trust.

Information of Legal entities and entities without legal status

*The information of the person on whose behalf the Ultimate Beneficial Owner declaration is made shall be written.

Tax Identification Number:	XXXXX
Title:	XXXXX

Type:	XXXXXX
Year:	XXXXXX
Month:	XXXXXX
Country:	XXXXXX
Province:	XXXXXX
City:	XXXXXX
Address:	XXXXXX

A. Information on the Ultimate Beneficial Owner

Name and Surname of UBO:	XXXXXX
Mother's Name:	XXXXXX
Father's Name:	XXXXXX
Country:	XXXXXX
Province:	XXXXXX
Town:	XXXXXX
Residence Address:	XXXXXX
Postal Code:	XXXXXX
Nationality:	XXXXXX
Secondary Nationality:	XXXXXX
Date of Birth:	XXXXXX
Place of Birth:	XXXXXX
Occupational Information:	XXXXXX
Title:	XXXXXX
Share Rate (%) in the Company: * (Please specify the share ratios here)	XXXXXX
Type of Shareholder: Indirect or Direct (please specify)	XXXXXX
Telephone Number:	XXXXXX
Fax Number:	XXXXXX
E-Mail Address:	XXXXXX
Type of ID Card:	XXXXXX

Country of Issuance:	XXXXXX
Republic of Turkey Identification Number If Any:	XXXXXX
Foreign ID Number/Passport Number:	XXXXXX
Reason for being Ultimate Beneficial Owner:	XXXXXX
Description **	XXXXXX

* If the Ultimate Beneficial Ownership status of the person whose information is declared for a company arises from another company of which s/he is a shareholder, this/these company(ies) shall also be specified in the description space and the share ratio should be calculated as described in the example. Person X, who owns 40% shares of company B which owns 80% shares of company A, must be declared $80\% \times 40\% = 32\%$ shareholder in the declaration regarding company A. In addition, it shall be indicated in the description space on the table through which company(s) s/he is an indirect shareholder.

**Additional description shall be made regarding the reasons behind being an Ultimate Beneficial Owner should be made in this section. For example, it should be stated that through which companies s/he is an indirect shareholder

B. Information of the person who prepared the form

Name and surname of the person filling the form: (Please specify the authorized person in the Turkish entity that the form is filled for)	XXXX
Title of the person filling the form	XXXX
TR National ID/Foreign ID No or Passport Serial No of the person filling the form	XXXX
Address of the person filling the form	XXXX
Telephone number of the person filling the form	XXXX
E-mail address of the person filling the form	XXXX

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