

# 《企业透明度法案》—— 依照 CTA 提交报告的 实用指南

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[pbwt.com](http://pbwt.com)

# 议程

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# 《企业透明度法案》

- 《企业透明度法案》（“CTA”）是《2020年反洗钱法案》的一部分，旨在通过要求美国境内的某些实体提交报告、披露其受益所有人和公司申请人（为成立或注册实体提交申请的某些个人），打击税务欺诈、洗钱和资助恐怖主义等非法活动。
- 金融犯罪执法网络（“FinCEN”）于2022年9月29日发布了一项最终规则（“最终规则”），要求实施CTA的报告规定，并在此之后颁布了其他法规来修订和澄清该最终规则。
- CTA于2024年1月1日生效，初创公司、小型运营企业和某些其他实体现在将需要向FinCEN提交受益所有权信息报告（“BOI报告”）。

- 非公开可用的信息

- **FinCEN** 将报告提交的信息保存在安全、非公开的数据库中，鉴于所报告信息的敏感性，经授权仅可在有限的情况下（主要是为了打击非法活动）向法规定义的政府机关和金融机构披露此类信息。

# 哪些公司需要提交？

依照最终规则，有两类“**报告公司**”需要提交：（1）“国内报告公司”和（2）“外国报告公司”。

1. **国内报告公司**是一家公司；有限责任公司；或根据州或印第安部落的法律，通过向国务卿或任何类似办公室提交文件而创建的其他实体。

- *不被视为国内报告公司*：（1）独资企业，（2）某些类型的信托，以及（3）普通合伙。

2. **外国报告公司**是一家依照外国法律成立的公司、有限责任公司或其他实体，并根据州或印第安部落的法律，通过向国务卿或任何类似办公室提交文件，在美国注册开展业务。

### 豁免实体

CTA 将以下 23 种实体排除在“报告公司”的定义之外：

1. 属于报告公司的证券发行人；
2. 国内政府机关；
3. 银行；
4. 国内信用合作社；
5. 存款机构控股公司；
6. 汇款业务；
7. 证券经纪人或交易商；
8. 证券交易所或清算机构；
9. 根据《1934 年证券交易法》注册的其他实体；
10. 注册投资公司和顾问；
11. 风险投资基金顾问；

# 报告实体 豁免（续）

12. 保险公司；
13. 州许可的保险提供商；
14. 根据《商品交易法》注册的实体；
15. 会计师事务所；
16. 公共设施；
17. 金融市场公用事业；
18. 集合投资工具；
19. 免税实体；
20. 协助免税实体的实体；
21. 大型运营公司；
22. 某些豁免实体的子公司； 以及
23. 不活跃的企业。

# 报告实体 豁免情况

- 大型运营公司

- 根据最终规则，“大型运营公司”是指：

- 在美国雇佣超过 20 名全职员工；
- 在美国境内设有实体办事处，并且
- 上一年度在美国提交了联邦所得税或信息申报表，显示总收入或销售额超过 \$5,000,000.00，以实体的 IRS 表格 1120、合并 IRS 表格 1120、IRS 表格 1120-S、IRS 表格 1065 或其他适用的 IRS 表格上所报告的总收入或销售额（扣除退货和折让）为准，不包括来自美国境外来源的总收入或销售额，根据联邦所得税原则确定。

# 报告实体 豁免情况

- 子公司
  - 子公司若要获得豁免，其必须由豁免实体 100% 拥有。

- 不活跃的实体

- FinCEN 将“不活跃的实体”描述为以下实体：

- 在 2020 年 1 月 1 日或之前存在；
- 没有从事活跃的业务；
- 不由外国人直接或间接、全部或部分拥有；
- 在过去十二个月内所有权未发生任何变化；
- 在过去 12 个月内，未直接或通过该实体或实体的附属公司拥有权益的任何金融账户发送或接收任何超过 \$1,000.00 的资金；并且
- 没有持有 any 种类或类型的资产，无论是在美国还是国外，包括任何公司、有限责任公司或其他类似实体的所有权权益。

# 报告个人 概述

最终规则要求每家报告公司的 BOI 报告包含两类个人的身份识别信息：受益所有人和公司申请人。

- 受益所有人 (BO) ——任何个人直接或间接地：(i) 行使对报告公司的**实质控制权**；或 (ii) 拥有或控制报告公司的至少 **25%** 的**所有权权益**。
- 公司申请人——每家报告公司最多可有两位公司申请人：(1) 提交创建公司或注册公司在美国开展业务的文件之人，以及 (2) 负责指导或控制提交之人。
  - 现有公司的公司申请人——2024 年 1 月 1 日之前创建或注册的报告公司无需报告任何公司申请人的信息。

报告个人

受益所有人——实质控制权

某人对报告公司有“实质控制权”是当这个人：

- i. 是高级职员；
- ii. 有权罢免或任命任何高级职员或董事会多数成员；
- iii. 指导、决定或实质影响报告公司的重大决策（即签订或终止重大合同、重大支出或债务、薪酬计划等）；或者
- iv. 拥有任何形式的实质控制权。

报告个人

受益所有人——所有权权益

“**所有权利益**”基本上包括任何所有权权益，包括股权、利润权益、期权、可转换债务和任何其他购买股权的权利。

个人可以通过任何合同、安排、协定、关系或其他方式，直接或通过另一个实体拥有或控制“**所有权利益**”。

每家报告公司的初始 BOI 报告必须包含**具体的身份识别信息**，关于：

1. 报告公司本身；以及
2. 其报告个人（受益所有人和公司申请人）。

每家报告公司的初始 BOI 报告均须包含以下关于报告公司本身的信息：

- i. 法定全名；
- ii. 所有商业名称或 D/B/A；
- iii. 完整的当前地址；
- iv. 成立的州、部落或外国司法管辖区；
- v. 若是外国公司，则为该公司在美国首次注册的州或部落司法管辖区；以及
- vi. Internal Revenue Service (IRS) 纳税人识别号码 (TIN) (包括雇主识别号码 (EIN)) 。

每家报告公司的初始 BOI 报告均须包含以下关于每位报告个人的信息：

- i. 法定全名；
- ii. 出生日期；
- iii. 完整的当前地址；
- iv. 带照片的身份证件上的唯一识别号码（及签发司法管辖区）；以及
- v. 包含唯一识别号码的文档的图像。

# 报告内容

## FinCEN 标识符

不需要在每次成立公司时报告之前幻灯片中介绍的信息，报告个人或实体只需要通过向 FinCEN 提供身份识别信息获得“**FinCEN 标识符**”。

在拿到 FinCEN 标识符后，报告个人或公司可将其 **FinCEN 标识符\***（而不是其个人信息）提供给报告公司，以纳入其 BOI 报告提交中。

# 报告内容

## 更新和更正报告

### 更新报告

当报告公司本身或其受益所有人的之前报告的信息发生变化时，报告公司必须更新其报告。

### 更正报告

如果报告公司之前提交的报告信息在提交时不准确，则必须更新其报告。

# 初始报告的时间

- 于 2024 年 1 月 1 日之前在美国创建或注册开展业务的**现有报告公司**。
  - 报告截止时间：**2025 年 1 月 1 日**。
- 成立时间为 **2024 年 1 月 1 日~ 2024 年 12 月 31 日**的报告公司。
  - 报告截止时间为**成立后 90 个日历日**。
- 于 **2025 年 1 月 1 日或之后**成立的报告公司。
  - 报告截止时间为**成立后 30 个日历日**。

上述 30 天和 90 天的期限从公司收到其创建或注册生效的实际通知之时，或从国务卿或类似办公室首次公开通知其创建或注册之时（取两者中较早的一个）算起。

# 更新报告的时间

- 更新报告：
  - 报告截止时间：发生变化之后 30 个日历日内。
- 更正报告：
  - 报告截止时间：报告公司意识到或有理由知道信息不准确之后 30 个日历日内。

# 提交流程

接下来的幻灯片将引导您了解如何：

1. 获得个人的 **FinCEN** 标识符；以及
2. 为实体提交 **BOI** 报告。

# 获得 FinCEN 标识符

**第一步:** 前往 <https://fincenid.fincen.gov/>  
然后点击 **“Create an Account (创建账户)”**



FINANCIAL CRIMES  
ENFORCEMENT NETWORK

FINCEN ID | HELP

**Notice:** FinCEN ID site will be unavailable for scheduled maintenance on September 6th, from 8:00 PM - 12:00 AM EDT.

## Welcome to the FinCEN ID Application for Individuals



Sign in or Create an Account with LOGIN.GOV



### What is a FinCEN ID for individuals?

A FinCEN ID is a unique identifying number issued to an individual by FinCEN. Although there is no requirement to obtain a FinCEN ID, doing so can simplify the reporting process.



### What does a FinCEN ID do for individuals?

An individual beneficial owner or company applicant's FinCEN ID can be reported instead of required information about that individual on the reporting company's Beneficial Ownership Information Report (BOIR) submitted to FinCEN.



### How does an individual get a FinCEN ID?

To obtain a FinCEN ID for yourself, click the Create Account button to create an account and begin the application for a FinCEN ID. If you already have an account, login in to enter your identifying information on the FinCEN ID application. If you have additional questions, visit our Help Page.

## 第二步： 点击 “Sign in with LOGIN.GOV（使用 LOGIN.GOV 登录）”



FinCEN Identifier (FinCEN ID)

[FinCEN.Gov/Contact](#)



Sign in with  LOGIN.GOV

### Who is Login.gov?

Login.gov is a trusted provider specializing in digital identity protection, providing users with secure access to applications.

You consent to the privacy and security policies for identity and access management through Login.gov [Privacy and Security](#)

[Practices](#) | [FAQ](#)



U.S. Department of the Treasury is using Login.gov to allow you to sign in to your account safely and securely.

Sign in

Create an account



### Create an account for new users

Enter your email address



#### Select your email language preference

You will receive emails from Login.gov in the language you choose.



English (default)

Español

Français

中文 (简体)

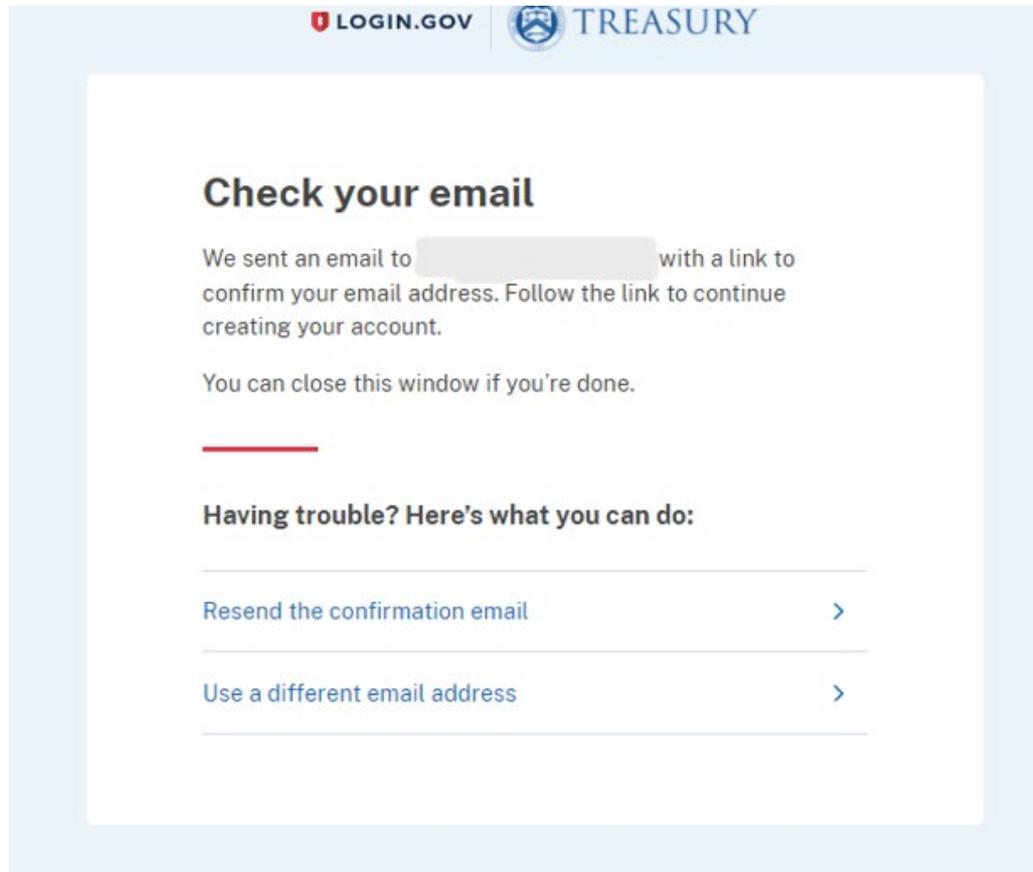


I read and accept the Login.gov [Rules of Use](#)

### 第三步:

- (a) 点击“**Create an account**（创建账户）”
- (b) 输入您的电子邮箱地址
- (c) 选择恰当的语言
- (d) 点击即表示您接受使用规则

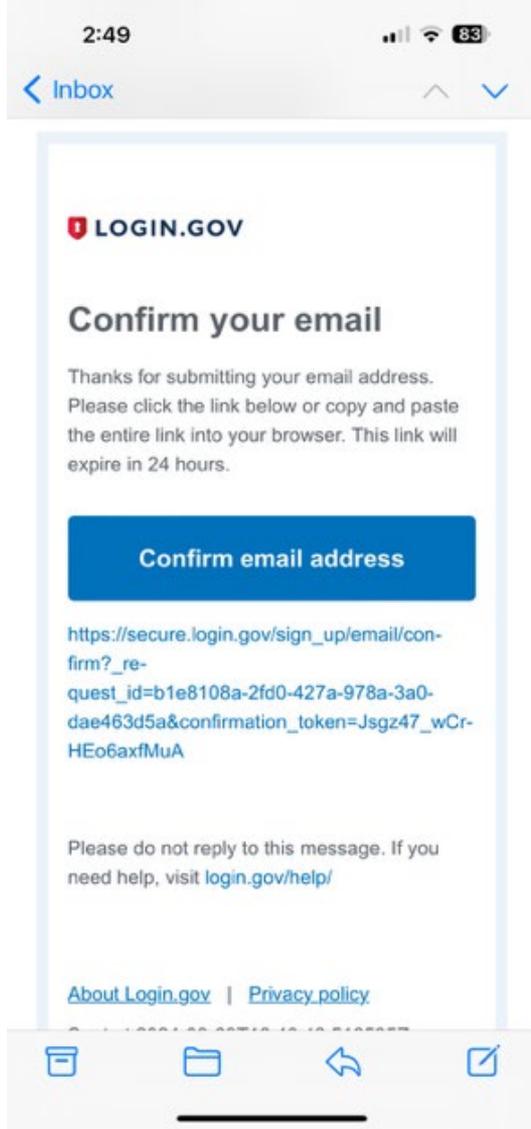
## 第四步：看到此屏幕后，查看您的电子邮箱





**第五步:**

- (a) 查看您的电子邮箱，寻找 **LOGIN.GOV** 发出的电子邮件
- (b) 点击电子邮件中的确认电子邮箱地址



**第六步：** 在第五步中点击了“**Confirm email address**（确认电子邮箱地址）”后，会带您返回 **LOGIN.GOV** 网站，您将在这个网站上创建一个**12**个字符或者更长的密码。 然后请按“**Continue**（继续）”

The screenshot shows a mobile browser interface for the LOGIN.GOV website. At the top, the time is 2:51, and there are icons for mail, signal strength, Wi-Fi, and battery (82%). Below the header, there is a confirmation message: "You have confirmed your email address" with a checkmark icon. The main heading is "Create a strong password". Below this, a note states: "Your password must be 12 characters or longer. Don't use common phrases or repeated characters, like abc or 111." There are two input fields: "Password" and "Confirm password". Below the "Confirm password" field is a checkbox labeled "Show password". At the bottom of the form is a blue "Continue" button. The browser's address bar shows "secure.login.gov".



2:53

Mail

AA secure.login.gov

An official website of the United States government  
Here's how you know

LOGIN.GOV TREASURY

### Authentication method setup

Add an additional layer of protection to your Login.gov account by selecting a multi-factor authentication method.

We recommend you select at least two different options in case you lose one of your methods.

- Face or touch unlock**  
Use your face or fingerprint to access your account without a one-time code.
- Authentication application**  
Download or use an authentication app of your choice to generate secure codes.

2:54

Mail

secure.login.gov

- Text or voice message**  
Receive a secure code by (SMS) text or phone call.
- Security key**  
Connect your physical security key to your device. You won't need to enter a code.
- Backup codes**  
A list of ten codes you can print or save to your device. Because backup codes are easy to lose, choose this option only as a last resort.

**Continue**

[Cancel account creation](#)

Language ^

[Help](#) [Contact](#) [Privacy & security](#) [Accessibility statement](#)



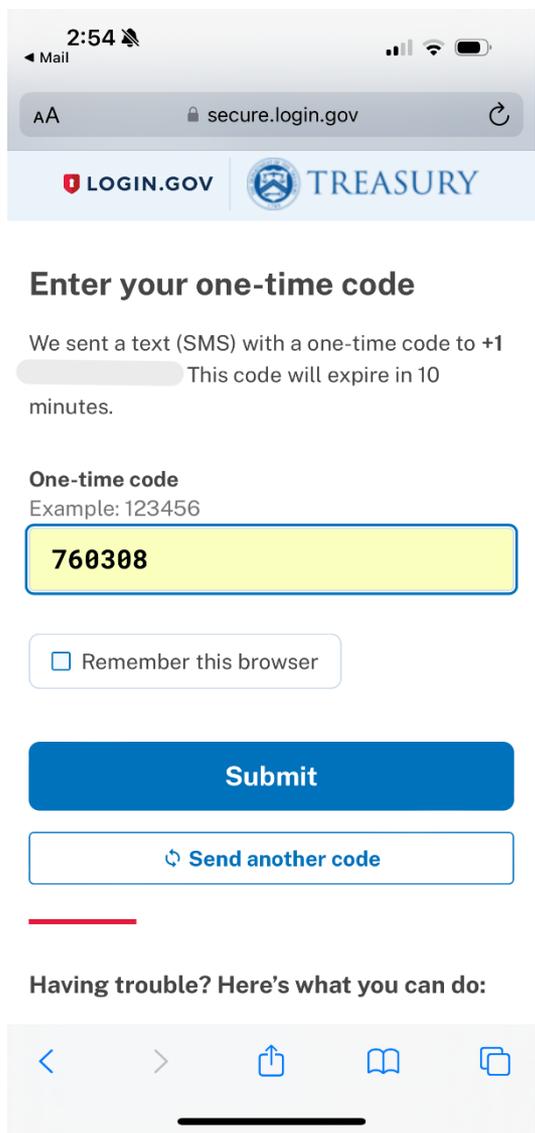
**第七步：** 选择身份验证方法后按继续



**第八步：**如果您选择短信方式，请输入您的电话号码以接收一次性代码，然后按“**Send code**（发送代码）”

The screenshot shows the mobile app interface for secure.login.gov. At the top, the status bar shows the time 2:54, signal strength, Wi-Fi, and battery icons. Below the status bar, there is a navigation bar with a back arrow, the word "Mail", the URL "secure.login.gov", and a dropdown menu labeled "Here's how you know". The main header features the "LOGIN.GOV" logo and the "TREASURY" logo. The main content area is titled "Add a phone number" and includes the following text: "We'll send you a one-time code each time you sign in." and "Message and data rates may apply. Do not use web-based (VOIP) phone services or premium rate (toll) phone numbers." Below this, there is a "Phone number" section with a dropdown menu showing the United States flag. Underneath, there is a "How you'll get your code" section with two radio button options: "Text message (SMS)" (which is selected) and "Phone call". At the bottom of the form is a large blue button labeled "Send code". Three blue arrows point to the phone number dropdown, the "Text message (SMS)" option, and the "Send code" button.

This site is protected by reCAPTCHA and the



**第九步：** 输入一次性代码后按  
“Submit（提交）”





**第十步：** 选择另一个身份验证方法或按“**Skip for now**（暂时跳过）”以继续

2:54  
Mail  
secure.login.gov  
LOGIN.GOV TREASURY

✓ A phone was added to your account.

You've added your first authentication method! Add a second method as a backup.

Adding another authentication method prevents you from getting locked out of your account if you lose one of your methods.

Add another method

Skip for now

Language ^

Help Contact Privacy & security Accessibility statement

GSA US General Services Administration

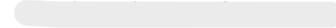




### Continue to U.S. Department of the Treasury

We'll share this information with **U.S. Department of the Treasury**:

Email addresses on your account



**⚠** [Add a second authentication method.](#)

You will have to delete your account and start over if you lose your only authentication method.

**第十一步:** 按 “**Agree and continue** (同意并继续)”



**Agree and continue**



**▲ Notice:** FinCEN ID site will be unavailable for scheduled maintenance on September 6th, from 8:00 PM - 12:00 AM EDT.

## FinCEN Identifier (FinCEN ID) Application

OMB No. 1506-0076

Filers must provide information in EVERY field marked with the \* symbol in ALL CIRCUMSTANCES. Filers must also provide information in all fields not marked with the \* symbol that are applicable to the filer. For example, the "Middle Name" field is not marked with a \* symbol; the filer MUST provide information in that field IF the relevant individual's legal name includes a middle name. Notwithstanding any other instruction, individuals must provide all information required pursuant to 31 CFR 1010.380(b).

### Full legal name and date of birth

[Need help?](#)

* First name	Middle name	* Last name	Suffix	* Date of birth
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="mm/dd/yyyy"/>

### Address

[Need help?](#)

#### \* Address type

Residential address  Business address

[+ Add address](#)

[- Remove address](#)

### Form of identification and issuing jurisdiction

[Need help?](#)

#### \* Identifying document type

State-issued driver's license  State/local/Tribe-issued ID  U.S. passport  Foreign passport

### Certification

\* I certify that the information furnished is true, correct, and complete.

**▲ COMPLIANCE REMINDER:** The willful provision of false or fraudulent beneficial ownership information to FinCEN may result in civil or criminal penalties.

I agree

## 第十二步:

填入:

- (a) 您的名字和姓氏,
- (b) 您的出生日期,
- (c) 您的地址,
- (d) 选择一种身份识别文件 (并上传该文件), 然后
- (e) 点击“我同意”

## 第十三步：您将收到您的 FinCEN 标识符



[FINCEN ID](#) | [HELP](#) | [LOG OUT](#)

**⚠ Notice:** FinCEN ID site will be unavailable for scheduled maintenance on September 6th, from 8:00 PM - 12:00 AM EDT.

**✓ Congratulations!**

Your FinCEN ID was successfully created.

FinCEN ID

[Correct prior report](#)

[Update prior report](#)



以下幻灯片是 **FinCEN** 关于如何提交 **BOI** 报告的说明。

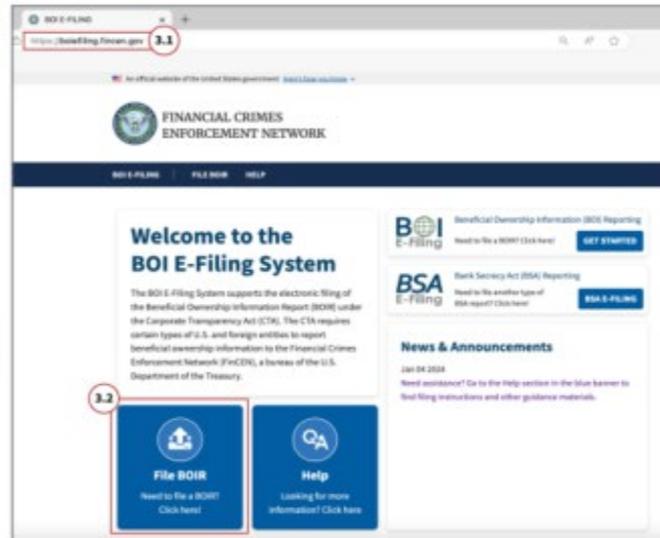
## 3. Accessing the BOIR E-Filing System

The BOIR can be submitted as a PDF or online through a web browser.

To file the online BOIR, follow the steps outlined below.

### 3.1 Access the filing portal.

Go to [boiefiling.fincen.gov](https://boiefiling.fincen.gov) in the web browser (e.g., Microsoft Edge or Google Chrome).

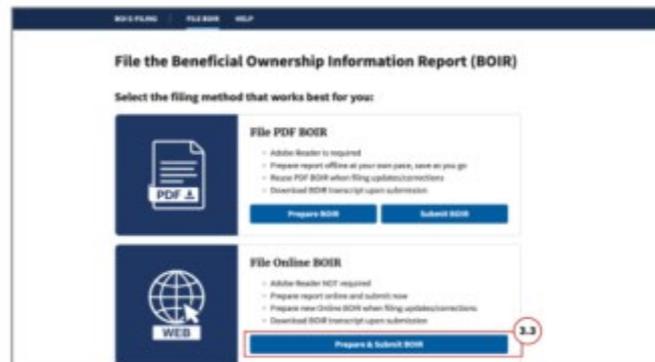


### 3.2 Start the filing process.

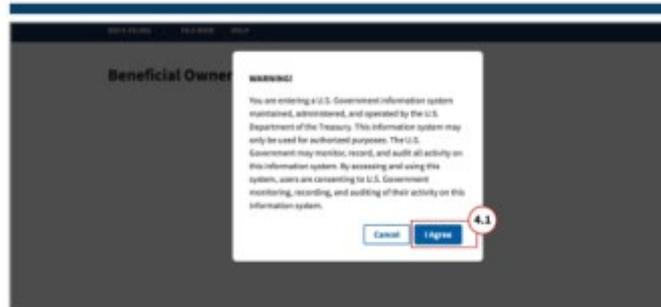
Select the **File BOIR** link/icon.

### 3.3 Select File Online BOIR as the filing method.

Click the **Prepare & Submit BOIR** button under **File Online BOIR** section.



## 4. Filling Out the Form



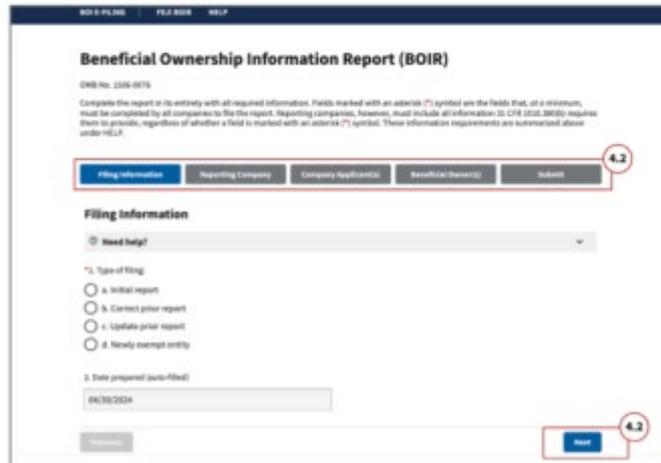
The screenshot shows a warning dialog box titled "Beneficial Owner" with a "WARNING" header. The text inside reads: "You are entering a U.S. Government information system maintained, administered, and operated by the U.S. Department of the Treasury. This information system may only be used for authorized purposes. The U.S. Government may monitor, record, and audit all activity on this information system. By accessing and using this system, users are consenting to U.S. Government monitoring, recording, and auditing of their activity on this information system." At the bottom of the dialog are two buttons: "Cancel" and "I Agree". A red circle with the number "4.1" is positioned over the "I Agree" button.

### 4.1 Review the warning language.

Review the warning language and click the **I Agree** button.

The selected tab is highlighted in blue.

Navigate to a different part of the online BOIR either by clicking the corresponding tab or by clicking the **Next** button in the bottom right corner.



The screenshot shows the "Beneficial Ownership Information Report (BOIR)" form. At the top, there are navigation tabs: "Filing Information", "Reporting Company", "Company Applicant(s)", "Beneficial Owner(s)", and "Submit". The "Filing Information" tab is highlighted in blue. A red circle with the number "4.2" is positioned over the "Filing Information" tab. Below the tabs, the form contains a "Need help?" dropdown menu, a "Type of Filing" section with radio button options: "a. Initial report", "b. Correct prior report", "c. Update prior report", and "d. Newly exempt entity", and a "Date prepared (auto-filled)" field with the value "04/30/2024". A "Next" button is located at the bottom right of the form, with a red circle and the number "4.2" next to it.

### 4.2 Use tabs to navigate the online BOIR.

- Filing Information
- Reporting Company
- Company Applicant(s)
- Beneficial Owner(s)
- Submit



### 4.3 Complete the Filing Information tab.

Complete all required red asterisk (\*) fields under the **Filing Information** tab.

#### 4.3a \*Type of Filing

Under the **Filing Information** tab, select the type of filing you wish to make. Only one option can be selected:

- Initial report
- Correct prior report
- Update prior report
- Newly exempt entity

When **Initial Report** is selected, no further information is required in this section.

When **Correct Prior Report**, **Update Prior Report**, or **Newly Exempt Entity** is selected, fields are activated for **Legal Name**, **Tax identification type**, and **Tax identification number**. Complete these fields with the reporting company information from the company's most recently filed prior BOIR.

#### 4.3b Date Prepared

The **Date Prepared** field is automatically filled with the current date.

#### 4.3c Next Button

Click the **Next** button



Complete all required red asterisk (\*) fields under the **Reporting Company** tab.

#### 4.4a Request to Receive FinCEN ID

Select **Request to receive FinCEN ID** to receive a unique FinCEN identifier for the reporting company. The FinCEN identifier will be provided in the submission confirmation details provided to the filer directly after the BOIR is submitted/accepted.

#### 4.4b Foreign Pooled Investment Vehicle

Select the **Foreign pooled investment vehicle** option if the reporting company is a foreign pooled investment vehicle. If this option is selected, Company Applicant Information is no longer required and is cleared/disabled.

In addition, only one (1) beneficial owner, must be reported under the **Beneficial Owner(s)** tab in this situation.

### 4.4 Complete the Reporting Company tab (1 of 3).

Part I. Reporting Company information

3. Request to receive FinCEN ID

4. Foreign pooled investment vehicle

Legal name and alternate name(s)

Reporting Company legal name

Alternate name (e.g. trade name, DBA)

Add Alternate Name

## 4.4 Complete the Reporting Company tab (2 of 3).

### 4.4c \*Name and Alternate Name(s)

Complete the fields under the **Legal name and alternate name(s)** section as applicable.

### 4.4d Add Alternate Name

To add more than one alternate name for the reporting company, click the **Add Alternate Name** button to add additional alternate reporting company names. Up to 99 alternate names can be added.

The screenshot displays a web form with a navigation bar at the top containing tabs: "Filing Information", "Reporting Company", "Company Appointment(s)", "Beneficial Owner(s)", and "Submit". The "Reporting Company" tab is active. Below the navigation bar is a "Need help?" dropdown menu. The main form area is divided into two sections. The first section, labeled "4.4c", contains two text input fields: "1. Reporting Company legal name" and "2. Alternate name (e.g., trade name, DBA)". The second section, labeled "4.4d", features a blue button labeled "Add Alternate Name". Below this is a section labeled "4.4e" titled "Form of Identification", which includes a "Need help?" dropdown, a "1. Tax Identification type" dropdown menu with the instruction "Select an ID type", a "2. Tax Identification number" text input field, and a "3. Country/Jurisdiction (if foreign tax ID only)" dropdown menu with the instruction "Select a country".

### 4.4e \*Tax Identification Type

Select the **Tax identification type** dropdown menu. EIN, SSN/ITIN, or Foreign may be selected. If the Foreign option is selected, the **County/Jurisdiction** field is enabled and required.

**NOTE:** An EIN or SSN/ITIN is required unless a foreign reporting company does not have one. In that case, the foreign reporting company may report its foreign tax identification number and the issuing jurisdiction.



#### 4.4f Jurisdiction of Formation or First Registration

Select the **Country/Jurisdiction of formation** dropdown menu.

If:	then:
United States is selected	<b>State of formation</b> and <b>Tribal jurisdiction of formation</b> fields appear. One of these fields must be completed.
a U.S. Territory is selected	<b>State of formation</b> field appears and is automatically populated with that U.S. Territory.
a foreign country is selected	<b>State of first registration</b> and <b>Tribal jurisdiction of first registration</b> fields appear. One of these fields must be completed.

#### 4.4 Complete the Reporting Company tab (3 of 3).

#### 4.4g Current U.S. Address

Complete all fields under the **Current U.S. address** section. Select U.S. or U.S. Territory from this dropdown menu. If United States is selected, the State dropdown must be completed. If U.S. Territory is selected, the State field is automatically populated with that U.S. Territory.

#### 4.4h Next Button

Click the **Next** button.



## 4.5 Complete the Company Applicant(s) tab (1 of 4).

Complete all required red asterisk (\*) fields under the **Company Applicant(s)** tab.

### 4.5a Existing Reporting Company

Select the **Existing reporting company** checkbox if the reporting company was created or registered before January 1, 2024.

**NOTE:** When **Existing reporting company** is selected, **Company Applicant Information** is no longer required, and the fields under this tab are cleared and disabled.

The screenshot shows a web form with several tabs: 'Filing Information', 'Reporting Company', 'Company Applicant(s)', 'Beneficial Owner(s)', and 'Submit'. The 'Company Applicant(s)' tab is active. A 'Need help?' dropdown is visible. A red box highlights the checkbox for '16. Existing reporting company' (with a red asterisk) and its subtext 'Select if existing reporting company as of January 1, 2024'. A red circle with '4.5a' is next to it. Below this is a note: 'ET. (This item is reserved for future use)'. The section is titled 'Part II. Company Applicant information' with an 'Add Company Applicant' button. Another 'Need help?' dropdown is present. A 'Company Applicant #1' section is expanded, showing a red box around the 'Company applicant FinCEN ID' field (with a red asterisk) and its subtext '16. FinCEN ID'. A red circle with '4.5b' is next to it. Below this is a 'Legal name and date of birth' field.

### 4.5b Company Applicant FinCEN ID

If the company applicant has a 12-digit **FinCEN ID**, enter it in the FinCEN ID field. After a valid FinCEN ID has been entered, all remaining fields for the company applicant will be cleared and disabled.



#### 4.5c \*Legal Name, Date of Birth and Current Address

If you do not enter a FinCEN ID, enter the company applicant's information in the **Legal name and date of birth** and **Current address** sections.

**NOTE:** For a company applicant who forms or registers entities in the course of their business, report the street address of such business. Report the residential address of other company applicants.

#### 4.5 Complete the Company Applicant(s) tab (2 of 4).

The screenshot shows a web form with a navigation bar at the top containing tabs: 'Filing Information', 'Reporting Company', 'Company Applicant(s)', 'Beneficial Owner(s)', and 'Submit'. The 'Company Applicant(s)' tab is active. The form is divided into two main sections: 'Legal name and date of birth' and 'Current address'. Each section has a 'Need help?' link with a dropdown arrow. A red circle highlights the '4.5c' label next to the 'Need help?' link in the first section. The 'Legal name and date of birth' section includes fields for: \*19. Individual's last name, \*20. First name, 21. Middle name, 22. Suffix, and \*23. Date of birth (with a calendar icon). The 'Current address' section includes: \*24. Address type (radio buttons for Business Address and Residential Address), \*25. Address (number, street, and apt. or suite no.), \*26. City, \*27. Country/Jurisdiction (dropdown), \*28. State (dropdown), and \*29. ZIP/Foreign postal code.



#### 4.5 Complete the Company Applicant(s) tab (3 of 4).

##### 4.5d \*Form of Identification and Issuing Jurisdiction

If you do not enter a **FinCEN ID** for a company applicant, enter the company applicant's information under the **Form of identification and issuing jurisdiction** section.

The screenshot shows a web form with the following elements:

- Navigation tabs: Filing Information, Reporting Company, **Company Applicant(s)**, Beneficial Owner(s), Submit.
- Section: **Forms of identification and issuing jurisdiction** (labeled 4.5d).
- Field: \*10. Identifying document type (dropdown menu).
- Field: \*11. Identifying document number (text input).
- Section: \*12. Identifying document issuing jurisdiction.
- Field: a. Country/Jurisdiction (dropdown menu).
- Field: b. State (dropdown menu).
- Field: c. Local/Tribal (dropdown menu).
- Field: d. Other local/Tribal description (text input).
- Field: \*13. Identifying document image (labeled 4.5e) with a "Drag file here or [choose from folder](#)" instruction.
- Buttons: **Previous** and **Next** (labeled 4.5f).
- Footer: **PRIVACY ACT AND PAPERWORK REDUCTION ACT NOTICE**.

##### 4.5e \*Identifying Document Image

If you do not enter a FinCEN ID for a company applicant, attach an image of an acceptable identifying document for the company applicant.

###### Identifying document image guidelines:

- The image must be a complete, clear and readable image of the page or side of the identifying document containing the unique identifying number and other identifying data. Only one file must be attached.
- Supported formats are JPG/JPEG, PNG, and PDF.
- Maximum file size: 4MB.

##### 4.5f Next Button

Click the **Next** button.



#### 4.5g Add Company Applicant

After providing the required information for a company applicant, click the **Add Company Applicant** button to add an additional company applicant if required.

An additional company applicant section (i.e., Company Applicant #2) will be added under the first company applicant section (i.e., Company Applicant #1). Click the Remove company applicant button to remove a company applicant.

**NOTE:** Reporting companies may be required to report up to two company applicants.

#### 4.5 Complete the Company Applicant(s) tab (4 of 4).

The screenshot shows a web interface with a navigation bar at the top containing tabs: 'Filing Information', 'Reporting Company', 'Company Applicant(s)', 'Beneficial Owner(s)', and 'Submit'. The 'Company Applicant(s)' tab is selected. Below the navigation bar is a 'Need help?' dropdown menu. A checkbox labeled '16. Existing reporting company' is present, with a note '(check if existing reporting company as of January 1, 2020)'. Below this is a note '17. (This item is reserved for future use)'. A red box highlights a section titled 'Part II. Company Applicant Information'. Inside this box, there is an 'Add Company Applicant' button, a 'Need help?' dropdown, and two rows for 'Company Applicant #1' and 'Company Applicant #2'. Below the second row is a 'Remove company applicant #1' button. Below the red box is a 'Company applicant FinCEN ID' section with a 'Need help?' dropdown and a text input field. At the bottom is a 'Legal name and date of birth' section with a text input field.



#### 4.6 Complete the Beneficial Owner(s) tab (1 of 3).

Complete all required red asterisk (\*) fields under the **Beneficial Owner(s)** tab.

##### 4.6a Beneficial Owner FinCEN ID

If applicable, enter the 12-digit FinCEN ID of the beneficial owner. After a valid FinCEN ID has been entered, the **Parent/Guardian information instead of minor child checkbox** will remain available to select. All other fields in the **Beneficial Owner(s)** tab will be cleared and disabled.

**NOTE:** Refer to the [Small Entity Compliance Guide](https://www.fincen.gov/boi) at [fincen.gov/boi](https://www.fincen.gov/boi) for additional information for special reporting situations.

The screenshot shows the 'Beneficial Owner(s)' tab with the following fields and options:

- 36. (This item is reserved for future use)
- Part III. Beneficial Owner Information
- Need help?
- Beneficial Owner ID
- Need help?
- 36. Parent/Guardian information instead of minor child (Check if the beneficial owner is a minor child and the parent/guardian information is provided instead)
- Beneficial Owner FinCEN ID
- Need help?
- 36. FinCEN ID (highlighted with a red box and callout '4.6a')
- Exempt entity

##### 4.6b \*Name, Date of Birth and Current Address

If you do not enter a FinCEN ID for a beneficial owner, enter the beneficial owner's information in the **Legal name and date of birth** and **Residential address** sections.

The screenshot shows the 'Beneficial Owner(s)' tab with the following sections and fields:

- Legal name and date of birth
- Need help?
- \*36. Individual's last name or entity's legal name
- \*37. First name
- 40. Middle name
- 41. Suffix
- \*42. Date of birth
- Residential address
- Need help?
- \*43. Address (number, street, and apt. or suite no.)
- \*44. City
- \*45. Country/territory
- \*46. State
- \*47. ZIP/postage postal code



#### 4.6c \*Form of Identification and Issuing Jurisdiction

If you do not enter a FinCEN ID for a beneficial owner, enter information about the beneficial owner's identification document under the **Form of identification and issuing jurisdiction** section.

#### 4.6 Complete the Beneficial Owner(s) tab (1 of 3).

The screenshot shows a web form titled "Form of Identification and Issuing Jurisdiction" within a "Beneficial Owner(s)" tab. The form contains the following elements:

- A "Need help?" dropdown menu.
- Field \*48. Identifying document type: A dropdown menu labeled "Select an ID type".
- Field \*49. Identifying document number: A text input field.
- Section \*50. Identifying document issuing jurisdiction:
  - a. Country/Jurisdiction: A dropdown menu labeled "Select a country/jurisdiction".
  - b. State: A dropdown menu labeled "Select a state".
  - c. Local/Tribal: A dropdown menu labeled "Select a local/tribal".
  - d. Other local/Tribal description: A text input field.
- Field \*51. Identifying document image: A large area with a "Drag file here or [click here to upload](#)" prompt.
- Navigation buttons: "Previous" and "Next".

Callouts in the image:

- 4.6c: Points to the "Form of Identification and Issuing Jurisdiction" title.
- 4.6d: Points to the "Identifying document image" upload area.
- 4.6e: Points to the "Next" button.

#### 4.6d \*Identifying Document Image

Attach an image of an acceptable identifying document for the beneficial owner. See [2.2 Confirm documentation requirements](#) for a list of acceptable identifying documents.

##### Identifying document image guidelines:

- The image must be a complete, clear and readable image of the page or side of the identifying document containing the unique identifying number and other identifying data. Only one file must be attached.
- Supported formats are JPG/JPEG, PNG, and PDF.
- Maximum file size: 4MB.

#### 4.6e Next Button

Click the **Next** button.



## 4.6 Complete the Beneficial Owner(s) tab (3 of 3).

### 4.6g Add Beneficial Owner

After providing the required information for a beneficial owner, click the **Add Beneficial Owner** button to add additional beneficial owners as needed.

**NOTE:** There is no limit to the number of beneficial owners that may be reported. However, the BOIR limits the number of beneficial owners to 99.

The screenshot shows a web interface with a navigation bar at the top containing tabs: 'Filing Information', 'Reporting Company', 'Company Information', 'Beneficial Owners', and 'Submit'. The 'Beneficial Owners' tab is active. Below the navigation bar, there is a section titled 'Part III. Beneficial Owner Information'. A red box highlights a blue button labeled 'Add Beneficial Owner' with a callout '4.6g'. Below the button, there are several sections for entering information for a beneficial owner:

- Beneficial Owner #1:** Includes a 'Need help?' link and a checkbox for 'Parent/Guardian information instead of minor child'.
- Beneficial Owner FICER ID:** Includes a 'Need help?' link and a text input field for the FICER ID.
- Exempt entity:** A section for indicating if the owner is an exempt entity.

## 5. Review and Submission

### 5.1a \*Form Authorization

Under the **Submit** tab, complete all required red asterisk (\*) fields.

### 5.1b \*Certifications

Select the **I agree** checkbox indicating that you certify that all information is true, correct and complete.

Agreeing to the certification will validate all fields. The system will display an error message if any required fields are missing, or these fields contain invalid entries.

The **I agree** checkbox will remain unselected, and you will have to correct the displayed errors before selecting **I agree** again.

**Beneficial Ownership Information Report (BOIR)**

Reporting Company

Beneficial Owners

Name \*

Title

Address

Tax Status

I agree \*

### 5.1 Review the form.

### 5.2a \*Human Verification

Before submitting the BOIR, you must select the hCaptcha checkbox labeled **I am human**. When prompted, select the appropriate images to verify you are not a robot.

### 5.2b Submit BOIR Button

Click the **Submit BOIR** button.

**CAPTCHA MESSAGE:** To verify that you are not a robot, please select the correct images. The correct images are the ones that contain a traffic sign. The correct images are the ones that contain a traffic sign. The correct images are the ones that contain a traffic sign.

I am human \*

\*

### 5.2 Certify and submit the form.

- CTA 列出了下列人员将受到的**民事**和**刑事**处罚：
  - “故意向 FinCEN 提供或试图提供虚假或欺诈性的受益所有权信息”；或
  - “故意未能向 FinCEN 报告完整或更新的受益所有权信息。”
- **民事处罚**：定在违规行为持续发生或尚未得到纠正的 每天的金额最高为 \$500。
- **刑事处罚**：可能被处以最高 \$10,000 罚款、长达 2 年监禁，或两者并罚。

- 州法律：纽约（和其他一些州）已经通过了自己的透明度法律，需要单独遵守。
- 纽约州透明度法

纽约的《公司透明度法》与联邦法律类似，但有以下不同之处：

- 它仅适用于 LLC。
- 2026 年 1 月 1 日当天或之后成立的实体的最早报告日期为 2026 年 1 月 1 日；2026 年 1 月 1 日之前成立或有资格的实体的最早报告日期为 2027 年 1 月 1 日。
- 如果 LLC 有提交豁免，其仍然需要提交一份证明来声明其有豁免。
- 处罚不是那么严厉。

## 应该记住的日期:

- 现有报告公司——BOI 报告截止时间：2025 年 1 月 1 日。
- 2024 年 1 月 1 日~ 2024 年 12 月 31 日期间成立的报告公司——BOI 报告截止时间为成立后 90 个日历日。
- 2025 年 1 月 1 日当天或之后创建或注册的报告公司——BOI 报告截止时间为 30 个日历日。

问题:

是否有人对所展示的材料有任何疑问?

如有任何疑问, 请联系 Legal Aid:

电话: (212) 298-3340

电子邮箱: [communitydevproject@legal-aid.org](mailto:communitydevproject@legal-aid.org)

[pbwt.com](http://pbwt.com)