Operating Abroad: Tax Implications and Other Considerations for US Non-Profit Organizations

Misty Burns Director, Finance – Michael & Susan Dell Foundation

Nick Quigley Manager – Ernst & Young LLP

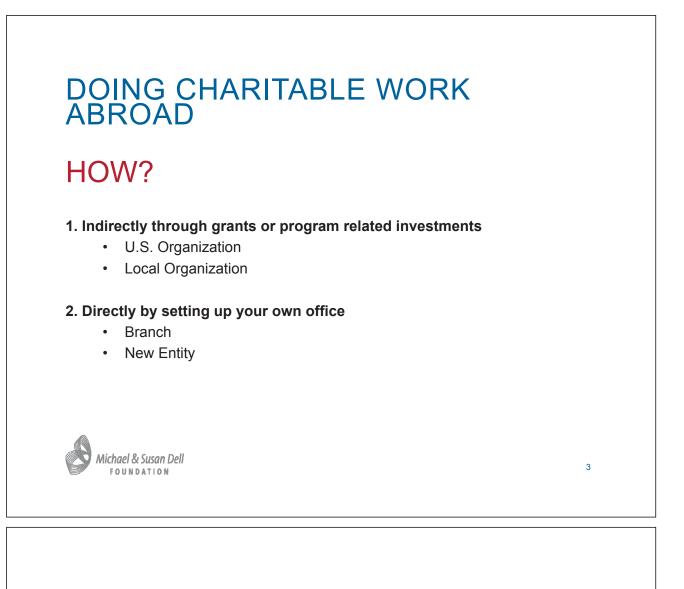


EY

Agenda

- Doing Charitable Work Abroad
 - Directly or indirectly
- Complying with Local Laws / Regulations
- US Tax Filings: Information Reporting Requirements
 - Forms 5471 / 8865 / 926
 - FATCA and "Chapter 3" / Form 1042 Filings
 - Common Reporting Standard (CRS)
 - Foreign Bank Account Reporting (FBAR)

Page	2
------	---

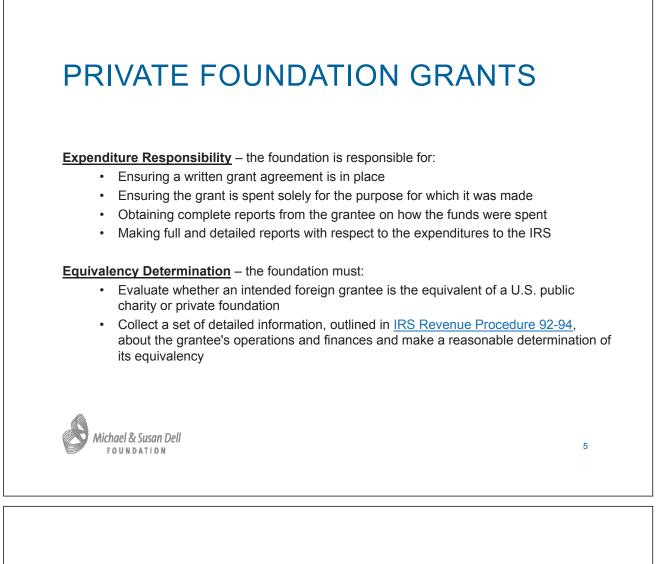


PRIVATE FOUNDATION GRANTS

Support Work in Other Countries Through Grants to Existing Organizations

- Does the organization have 501(c)(3) status?
- Grants to foreign organizations that have not received 501(c)(3) status require <u>either</u>
 - expenditure responsibility or
 - equivalency determination
- Funding based on USD or local currency? Who bears the FX risk?





FOREIGN CHARITIES – SPECIAL CONSIDERATIONS

Foreign custom and practice

· It may be very different than US custom and practice

Special local rules applicable to foreign charitable organizations

• For example, FCRA in India



Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the <u>UT Law CLE eLibrary (utcle.org/elibrary)</u>

Title search: Operating Abroad: Tax Implications and Other Considerations for U.S. Nonprofit Organizations

Also available as part of the eCourse

Operating Abroad: Tax Implications and Other Considerations for Nonprofit Organizations

First appeared as part of the conference materials for the 34th Annual Nonprofit Organizations Institute session "Operating Abroad: Tax Implications and Other Considerations when U.S. Nonprofit Organizations Work Outside the U.S."