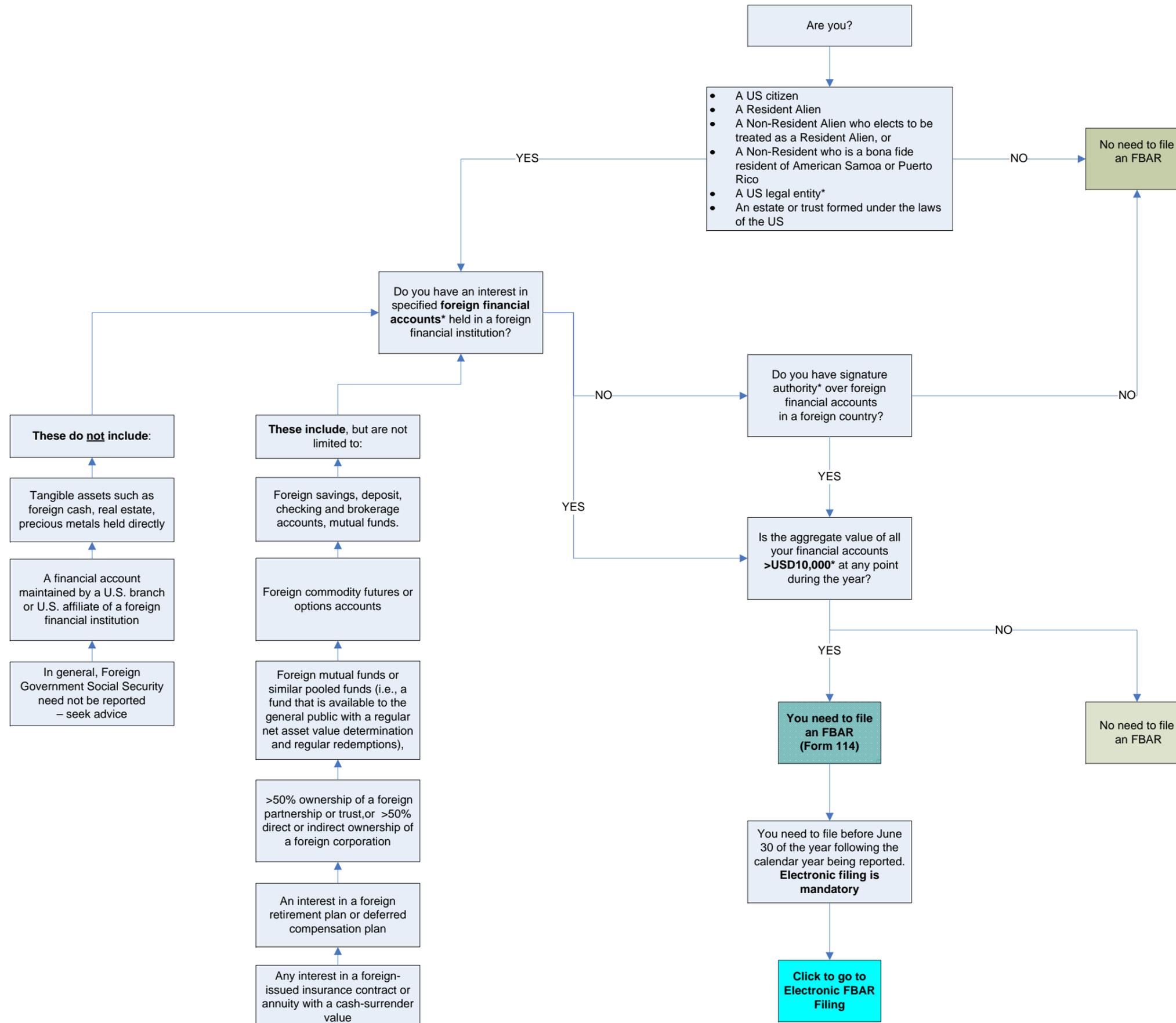


# FBAR (FinCEN Form 114) Simplified Flow Chart for Individuals



**Disclaimer** – This flowchart is intended to provide a general overview for individuals considering whether they need to complete an FBAR (Report of Foreign Bank and Financial Accounts) annual return and as background prior to any discussion with a tax advisor. There are significant penalties attaching to the non completion of an FBAR form if an individual meets filing requirements, and consequently this chart is not intended as providing a replacement for professional advice, which we strongly recommend. Furthermore, whilst all reasonable care has been taken in constructing this flow chart it is not intended as advice or to be relied upon.

**NOTE:** The FBAR is a calendar year report and must be filed on or before June 30 of the year following the calendar year being reported. The fact that you may not be required to file a US annual tax return does not mean that you have no requirement to file an FBAR.

**Terms and Definitions (\*)**

**Signature Authority**  
Signature authority is the authority of an individual (alone or in conjunction with another individual) to control the disposition of assets held in a foreign financial account by direct communication (whether in writing or otherwise) to the bank or other financial institution that maintains the financial account.

**Financial Account**  
A financial account includes, but is not limited to, a securities, brokerage, savings, demand, checking, deposit, time deposit, or other account maintained with a financial institution (or other person performing the services of a financial institution). A financial account also includes a commodity futures or options account, an insurance policy with a cash value (such as a whole life insurance policy), an annuity policy with a cash value, and shares in a mutual fund or similar pooled fund (i.e., a fund that is available to the general public with a regular net asset value determination and regular redemptions).

**Foreign Financial Account**  
A foreign financial account is a financial account located outside of the United States

**Exchange Rate Conversion**  
Convert foreign currency balances to USD using the end of the calendar year exchange rate.

**US Legal Entity**  
An entity created or organized in the United States or under the laws of the United States. The term "entity" includes but is not limited to, a corporation, partnership, and limited liability company

