

FOREIGN VENDOR REGISTRATION			
VENDOR PROCESS (1): Foreign Vendor Add			
Reference Number:	Issuance Date: 3/25/2011	Effective On: 3/25/2011	Expires On: N/A

This section informs Business Units of the information required in order to establish a New York State Vendor ID for a foreign vendor to be used in the Statewide Financial System (SFS).

Process and Document Preparation: A foreign vendor can include a corporation created or organized outside the United States (US) and having a legal address outside of the US or an individual whose permanent residence is outside of the United States. Foreign vendors must be enrolled in the Vendor File and must have received a New York State Vendor ID in order to do business with New York State.

The Vendor Management Unit (VMU) will add all foreign vendors to the New York State Vendor File. Each Business Unit will initiate this process by collecting the appropriate IRS form and completing the New York State Foreign Vendor Registration Request form and sending these forms to the VMU.

Business Units will need to follow the following steps to add a foreign vendor:

1. Determine if the vendor submitted the appropriate IRS form by determining if the foreign vendor is required to have, a valid United States (US) issued Taxpayer Identification Number (TIN).

If the foreign vendor does not submit the appropriate form, the Business Unit must obtain the correct form before requesting the foreign vendor registration.

To determine if the foreign vendor is required to have a TIN, consider the following questions:

- 1) Does the vendor have a physical presence in the United States?

Physical presence can include having an office or a store in the United States or providing a service within the United States.

- 2) Is the vendor supplying goods/materials or a service?

Foreign vendors are **not** required to have a US issued TIN when:

The vendor has **no physical presence** in the United States, and **is supplying goods or materials**.

Foreign vendors are required to have a US issued TIN when:

The vendor has **a physical presence** in the United States and **is supplying a good or service**.

The vendor has **no physical presence** in the United States and **is providing a service**.

If the vendor needs to obtain a TIN, refer them to the IRS directly to apply.

Apply online at www.irs.gov or call the toll-free phone number (800) 829-4933. International applicants must call (215) 516-6999 (not toll-free).

2. Each Business Unit will submit the New York State [Foreign Vendor Registration Form](#) and the appropriate IRS Form W-8 or 8233 to the VMU to register a foreign vendor.

Foreign vendors that wish to do business with New York State will be required to fill out the appropriate IRS form. The Office of the State Comptroller relies on the Business Units to obtain a completed IRS form for any vendor not already registered with a New York State Vendor ID.

The forms for foreign vendors are as follows:

Form W-8 ECI – Certificate of Foreign Person’s Claim for Exemption From Withholding on Income Effectively Connected With the Conduct of a Trade or Business in the United States

Form W-8 BEN – Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding

Form W-8 EXP – Certificate of Foreign Government or Other Foreign Organization for United States Tax Withholding

Form W-8 IMY – Certificate of Foreign Intermediary, Foreign Flow-Through Entity, or Certain US Branches for United States Tax Withholding

Form 8233 Exemption From Withholding on Compensation for Independent (and Certain Dependent) Personal Services of a Nonresident Alien Individual

Submit completed forms to the VMU via email (vmu@osc.state.ny.us), fax (518) 402-4212 or mail to:

NYS Office of the State Comptroller
Vendor Management Unit
110 State Street – Mail Drop 10-4
Albany, NY 12236-0001

3. The VMU will ensure all necessary information is submitted for the foreign vendor request. Once all the information is gathered, the VMU will initiate the request for the New York State Vendor ID.
4. The Statewide Financial System (SFS) Program will send an email to the designated vendor contact listed on the Foreign Vendor Registration Form. The email will contain its New York State Vendor ID, as well as information about how to maintain its data on the vendor file.

If there is no email address associated with the designated vendor contact on file, a letter will be sent to the vendor.

5. Business Units are able to monitor the approval of their requested vendors and obtain the assigned New York State Vendor IDs by using the following SFS reports:
 - New Added Vendors – Business Units can query the Vendor File using a date parameter to view all vendors added to the New York State Vendor File over a set period.
 - Vendor Inquiry\Lookup – Business Units can and search this report by TIN to obtain the assigned New York State Vendor ID.

For further instruction on how to uses these report applications, refer to the SFS job aids located on the SFS website (www.sfs.ny.gov).