

## **Non-Resident Withholding Tax Process FAQ**

### Overview

As outlined in our contracts, Roche Canada is required by law to withhold 15% tax on all payments we make to foreign vendors for services physically performed in Canada. Reasonable travel expenses are not taxable.

You can request an exemption or reduction from the tax from the Canada Revenue Agency (CRA), the group that administers tax laws for the Government of Canada. A request for a reduction or exemption from withholding should normally be filed 30 days before the services are to begin in Canada, or 30 days before the first payment is due for these services. If you meet the CRA criteria, an exemption will be granted and sent to both you and Roche Canada.

If an exemption is not obtained, Roche Canada will withhold the tax and remit it to the CRA. A Canadian tax information slip (T4NR) will be mailed to you by February 28 each year for the previous calendar year. Please note this withholding tax can be refunded to you by the CRA, again, if certain criteria are met.

As individual tax situations will vary, we recommend that you speak with an accountant to help you with this process. Roche Canada cannot offer tax guidance or advice.

### FAQ

#### **What are the criteria that I need to meet to obtain an exemption?**

You may have to report the income received by filing a Canadian income tax return with the CRA. If you think your final Canadian tax liability will be less than the amount withheld, you can request a reduction or exemption. This request should be filed 30 days before the service is to take place.

The CRA will also look at other criteria such as the non-resident's Canadian income level, whether the service is recurring and the number of days in the current contract and the period as specified by CRA and if there is a treaty between Canada and your country of residence. More detailed information can be found on the CRA website listed in the next section.

As individual tax situations will vary, we recommend that you speak with an accountant to help you with this process. Roche Canada cannot offer tax guidance or advice.

#### **How do I obtain an exemption?**

More detailed information can be found on the CRA website at <https://www.canada.ca/en/revenue-agency/services/tax/international-non-residents/information-been-moved/rendering-services-canada/guidelines-treaty-based-waivers-involving-regulation-105-withholding.html>.



There are phone numbers and addresses listed on this site depending upon which province or territory the service took place. For services provided in the province of Ontario, the contact information is:

<b>Fax number:</b>	<b>1-613-952-0730</b>	
<b>Calls from within Canada and the United States:</b>	English	French
Non-Resident Individuals:	1-800-959-8281	1-800-959-7383
Non-Resident Corporations:	1-800-959-5525	1-800-959-7775
<b>Collect Calls from Outside Canada and the United States:</b>	English	French
Non-Resident Individuals:	1-613-940-8495	1-613-940-8496
Non-Resident Corporations:	1-613-940-8497	1-613-940-8498
<b>Regular Mail:</b>	<b>Certified/Registered Mail:</b>	
Canada Revenue Agency – Waivers	Ontario Centre of Expertise – IOTSO	
P.O. Box 9807	C/O International Waivers – 4th Floor	
Ottawa, ON, Canada	2204 Walkley Road	
K1G 4A5	Ottawa, ON, Canada	
	K1A 1A8	

Other CRA tax service office information can be found at:

<https://www.canada.ca/en/revenue-agency/corporate/contact-information/tax-services-offices-tax-centres.html>.

### **What documentation do I need to complete to obtain an exemption?**

To request an exemption, the CRA requires you to complete a Regulation 105 Waiver application. The waiver application can be found at <https://www.canada.ca/content/dam/cra-arc/migration/cra-arc/E/pbg/tf/r105/r105-12e.pdf>. Please also refer to the first link in this document.

Again, we suggest that you speak with an accountant to help you with this process.

### **If I don't request and/or receive an exemption, how do I claim a tax refund?**

You will need to complete a Canadian tax return. Again, we suggest that you speak with an accountant to help you with this process.

### **Can I remit the tax myself to the Canadian government?**



No, Roche Canada must withhold the tax and remit it directly to the Canada Revenue Agency. Roche Canada must file tax slips on an annual basis reporting all payments to foreign vendors who physically came into Canada to perform a service, the tax withheld and reasonable travel reimbursed.