

IALA-PR

**FINCEN:
LA IMPORTANCIA Y PROCESO
PARA CUMPLIR CON CON
REPORTE INICIAL BOI PARA
PEQUEÑAS/MEDIANAS
EMPRESAS Y DBA.**

AGENDA

1. Bienvenidas & Introducción

2. FINCEN

3. BOI o BOIR

**4. Qué, Quién, Cómo, Cuándo,
Dónde & Por Qué?**

5. Proceso

6. Preguntas & Dudas

7. Repaso

MIÉRCOLES, 30 DE OCTUBRE DE 2024



FINCEN: LA IMPORTANCIA Y PROCESO PARA CUMPLIR CON CON REPORTE INICIAL BOI PARA PEQUEÑAS/MEDIANAS EMPRESAS Y DBA.

INTRODUCCIÓN

Tres reglas: (1) Pregunten TODO, sin miedo, pero al final, mientras tanto pueden ponerlas en el chat para que no se olviden (y más si son como yo que se nos puede olvidar una vez reciba otro información); (2) No se enojen con nosotras: IALA-PR o estas servidoras no estamos de acuerdo con este proceso, no obstante, es nuestro deber informarles para que no les afecte en su empresa y/o personalmente; y (3) Pregunten las veces que sea necesario. Para nosotras es importante que entiendan.

Oficialmente: Somos la Lcda. Yarelisse Latorre Robles - abogada comunitaria y Carlos Figueroa Robles- Gerente de Operaciones de IALA-PR.



FINCEN

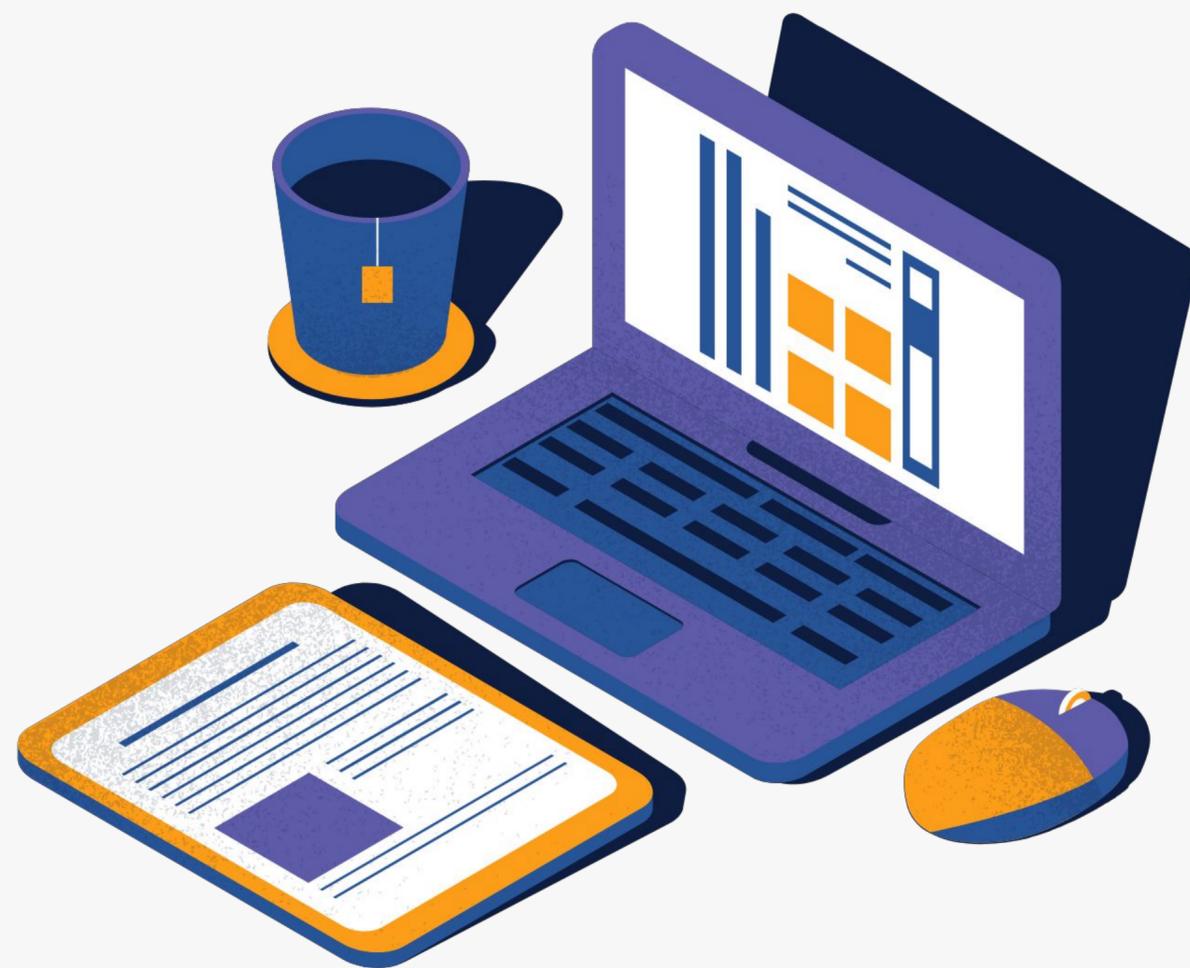


FINANCIAL CRIMES ENFORCEMENT NETWORK

- El Departamento del Tesoro de EE.UU. creó el Financial Crimes Enforcement Network (Fincen por sus siglas).
- En español: Red de Control de Delitos Financieros. El propósito de la creación de esta red, según la agencia, es salvaguardar las actividades ilícitas de corrupción, lavado de dinero, terrorismo y promover la seguridad nacional con estrategias de uso con las autoridades financieras con la información recolectada de corporaciones para análisis y desestabilizar intentos de lo antes mencionado por medio de la inteligencia financiera.

Extracto de la página web: <https://www.fincen.gov/>

BOI: BENEFICIAL OWNERSHIP INFORMATION



BOI: BENEFICIAL OWNERSHIP INFORMATION

ESPAÑOL (TRADUCCIÓN DE FINCEN): INFORMACIÓN RELATIVA A LA PROPIEDAD EFECTIVA

- El Beneficial Ownership Information (BOI) es el informe que por ley cada pequeña/mediana empresa y algunos DBA (*Doing Business as/* Haciendo negocio como) debe completar con **información sobre la entidad** y la **información personal** de la persona encargada o personas encargadas (ejemplo: Fideicomisos).
- Propósito de este informe: Crear una base de datos sobre estas pequeñas/medianas empresas, y entidades con el fin de cumplir con el propósito de FINCEN que es evitar o combatir la corrupción, fraude, malversación de fondos y terrorismo, desde el ámbito financiero.
- Cómo harán esto: Luego de los informes iniciales registrados en esa base de datos, si esta agencia quiere comenzar una investigación puede pedir la información bancaria de estas entidades y empresas. Los bancos tienen la obligación de enviar toda la información que pidan en un término de 14 días.
- Hay excepciones: 23
 - Por ejemplo: Bancos, cooperativas, y sin fines de lucro.
 - OJO: No obstante, tienen que hacer el informe inicial para reportar que son empresas/entidades exentas.

Extracto de la página web: <https://www.fincen.gov/>

CONSECUENCIAS:

Qué sucede si no quiero llenar el informe inicial?

1

**MULTAS DE \$500
POR DÍA**

2

**MULTAS DE HASTA
\$10,000.00**

3

**TIPIFICADO COMO
DELITO. PENA DE
CÁRCEL DE
(HASTA) 2 AÑOS.**

4

**REFERIDO A OTRAS
AGENCIAS PARA
INVESTIGACIÓN POR OTROS
CARGOS**

5

**CANCELACIÓN
EMPRESA/ENTIDAD Y/O
DBA**

- **ES REQUISITO DE CUMPLIMIENTO ESTRICTO PARA TODAS LAS EMPRESAS/ENTIDADES Y ALGUNAS DBA'S.**
- **CONSECUENCIAS: EN LO PERSONAL Y EMPRESARIAL.**

QUÉ, QUIÉN, CÓMO, CUÁNDO, DÓNDE & POR QUÉ?



Qué:

- Empresas/corporaciones/entidades
 - Que tengan seguro social patronal: EIN
- DBA's
 - Solo le aplican a las DBA's que tenga beneficiario adicional que no sea la persona principal.
- Seguro social personal
- ITIN: Seguro social que le da el Departamento de Hacienda a personas extranjeras.
- Información de la entidad:
 - Nombre legal
 - Nombre del negocio si es un DBA
 - Tipo de entidad
 - Dirección
 - EIN/SSN/ ITIN

Quienes:

- Puede ser la persona encargada de la corporación legalmente.
- Si la persona quien llena el informe, es otra: también hay que someter la información personal de esta persona.
- Información personal a someter:
 - Nombre
 - Año de nacimiento
 - Dirección
 - Seguro Social
 - Someter identificación oficial con foto

QUÉ, QUIÉN, CÓMO, CUÁNDO, DÓNDE & POR QUÉ?



Cuándo:

- Empresas/entidades creadas antes de 2024:
 - Tienen hasta el 1 de enero de 2025 para completarlo.
 - Si no lo hacen, comenzarán a multarlos \$500.00 el día.
- Empresas/entidades creadas en el 2024:
 - Tienen 90 días para hacer el informe inicial.
 - Si no lo hacen, comenzarán a multarlos \$500.00 el día.
- Empresas/entidades creadas desde el 2025:
 - Tienen 30 días para hacer informe inicial.
 - Si no lo hacen, comenzarán a multarlos \$500.00 el día.

Cómo:

- Página de internet: www.fincen.gov
- Elegir opción BOI:
 - Puedes hacerlo online directamente
 - Puedes bajar un PDF y luego subirlo.
- 5 etapas: (NO HAY TRADUCCIÓN EN ESPAÑOL)
 - Filing information
 - Reporting Company
 - Company's Applicant
 - Beneficial Owners (puede ser la misma persona)
 - SUBMIT

QUÉ, QUIÉN, CÓMO, CUÁNDO, DÓNDE & POR QUÉ?



BENEFICIAL OWNER(S):

- ❑ Beneficial Owners - Propietarios Beneficiarios son las personas que controlan una entidad/empresa directamente o indirectamente - incluso aun cuando no aparecen en los documentos oficiales.
- ❑ Para efectos de esta parte: se tienen que reportar TODAS LAS QUE APLIQUEN:
 - ❑ Propiedad Directa: Personas que poseen 25% o más de la compañía
 - ❑ Propiedad Indirecta: Persona es dueña de una compañía/ entidad externa que es dueña de más de 25% de las acciones.

Si una persona posee una empresa a través de otra entidad a través de otra entidad (Ejemplo: Por medio de un fideicomiso o sociedad) también es considerado como una persona propietaria beneficiaria.
 - ❑ Personas que, aunque no poseen el 25%, tiene un control significativo sobre la empresa/entidad. Es decir, que tengan el poder de tomar decisiones importantes y/o pueda influir en cómo opera una empresa.
 - ❑ Excepciones: Personas que actúan como intermediarios no son propietarios beneficiarios.

Según FINCEN, identificar los propietarios beneficiarios ayuda a garantizar la transparencia y previene actividades ilegales como el lavado de dinero, fraude y terrorismo.



PROCESO

FINANCIAL CRIMES



ENFORCEMENT NETWORK

[HOME](#)[ABOUT](#)[RESOURCES](#)[NEWSROOM](#)[CAREERS](#)[ADVISORIES](#)[FBAR Due Date](#)[AML Act of 2020 Information](#)[FinCEN Combats Ransomware](#)

Need to file a Beneficial Ownership Information Report?

Many companies are required to report information to FinCEN about the individuals who ultimately own or control them. FinCEN began accepting reports on January 1, 2024.

[File Your Report Now](#)

[FinCEN Issues Alert to Financial Institutions to Counter Financing of Hizballah and Its Terrorist Activities](#)

October 23, 2024

WASHINGTON—Today, the U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) issued an [alert](#) to assist financial institutions in identifying and reporting suspicious activity supporting Lebanese Hizballah (Hizballah), a U.S.-designated Foreign Terrorist Organization.

[READOUT: FinCEN and Partner FIU Officials Meet in Canada for International Public-Private Partnership Events on Illicit Finance](#)

October 25, 2024

[FinCEN Assesses \\$900,000 Civil Money Penalty Against Lake Elsinore Hotel and Casino for Violations of the Bank Secrecy Act](#)

October 23, 2024

[Read More News](#)[Beneficial Ownership Information](#)[Learn About Reporting Requirements](#)[Money Services Businesses Information](#)[Information](#)[E-Filing](#)[Electronic Filing System for Bank Secrecy](#)[SAR Statistics](#)[Interactive Suspicious Activity Report](#)



FINANCIAL CRIMES ENFORCEMENT NETWORK

Welcome to the BOI E-Filing System

The BOI E-Filing System supports the electronic filing of the Beneficial Ownership Information Report (BOIR) under the Corporate Transparency Act (CTA). The CTA requires certain types of U.S. and foreign entities to report beneficial ownership information to the Financial Crimes Enforcement Network (FinCEN), a bureau of the U.S. Department of the Treasury.



File BOIR
Need to file a BOIR?
Click here!



Help
Looking for more
information? Click here



Beneficial Ownership Information (BOI) Reporting

Need to file a BOIR? Click here!

GET STARTED



Bank Secrecy Act (BSA) Reporting

Need to file another type of BSA report? Click here!

BSA E-FILING

News & Announcements

Jan 04 2024

Need assistance? Go to the [Help](#) section in the blue banner to find filing instructions and other guidance materials.



FINANCIAL CRIMES ENFORCEMENT NETWORK

[BOI E-FILING](#) | [FILE BOIR](#) [HELP](#)

Beneficial Ownership Information Report (BOIR)

OMB No. 1506-0076

Complete the report in its entirety with all required information. Fields marked with an asterisk (*) symbol are the fields that, *at a minimum*, must be completed by all companies to file the report. Reporting companies, however, must include all information 31 CFR 1010.380(b) requires them to provide, regardless of whether a field is marked with an asterisk (*) symbol. These information requirements are summarized above under HELP.

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Filing Information

🔗 Need help? ▾

*1. Type of filing:

- a. Initial report
- b. Correct prior report
- c. Update prior report
- d. Newly exempt entity

2. Date prepared (auto-filled)

10/28/2024

Previous

Next

[Previous](#)[Next](#)

PRIVACY ACT AND PAPERWORK REDUCTION ACT NOTICE

This notice is given under the Privacy Act of 1974 (Privacy Act) and the Paperwork Reduction Act of 1995 (Paperwork Reduction Act). The Privacy Act and Paperwork Reduction Act require that FinCEN inform persons of the following when requesting and collecting information in connection with this collection of information.

This collection of information is authorized under 31 U.S.C. 5336 and 31 C.F.R. 1010.380. The principal purpose of this collection of information is to generate a database of information that is highly useful in facilitating national security, intelligence, and law enforcement activities, as well as compliance with anti-money laundering, countering the financing of terrorism, and customer due diligence requirements under applicable law. Pursuant to 31 U.S.C. 5336 and 31 C.F.R. 1010.380, reporting companies and certain other persons must provide specified information. The provision of that information is mandatory and failure to provide that information may result in criminal and civil penalties. The provision of information for the purpose of requesting a FinCEN Identifier is voluntary; however, failure to provide such information may result in the denial of such a request.

Generally, the information within this collection of information may be shared as a “routine use” with other government agencies and financial institutions that meet certain criteria under applicable law. The complete list of routine uses of the information is set forth in the relevant Privacy Act system of record notice available at <https://www.federalregister.gov/documents/2023/09/13/2023-19814/privacy-act-of-1974-system-of-records>.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1506-0076. It expires on November 30, 2026.

The estimated average burden associated with this collection of information from reporting companies is 90 to 650 minutes per respondent for reporting companies with simple or complex beneficial ownership structures, respectively. The estimated average burden associated with reporting companies updating information previously provided is 40 to 170 minutes per respondent for reporting companies with simple or complex beneficial ownership structures, respectively. The estimated average burden associated with this collection of information from individuals applying for FinCEN identifiers is 20 minutes per applicant. The estimated average burden associated with individuals who have obtained FinCEN identifiers updating information previously provided is 10 minutes per individual. Comments regarding the accuracy of this burden estimate, and suggestions for reducing the burden should be directed to the Financial Crimes Enforcement Network, P. O. Box 39, Vienna, VA 22183, Attn: Policy Division.

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Form of identification[? Need help?](#)***7. Tax Identification type**

Select an ID type

***8. Tax Identification number****9. Country/Jurisdiction (if foreign tax ID only)**

Select a country

**Jurisdiction of formation or first registration**[? Need help?](#)***10. a. Country/Jurisdiction of formation**

Select a country

**Current U.S. address**[? Need help?](#)***11. Address (number, street, and apt. or suite no.)*****12. City**

Previous

Next

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Jurisdiction of formation or first registration

 **Need help?**



*10. a. Country/Jurisdiction of formation

Select a country



Current U.S. address

 **Need help?**



*11. Address (number, street, and apt. or suite no.)

*12. City

*13. U.S. or U.S. Territory

Select a country



*14. State

Select a state



*15. ZIP code

Previous

Next

 **PRIVACY ACT AND PAPERWORK REDUCTION ACT NOTICE**



Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Jurisdiction of formation or first registration

 **Need help?**



*10. a. Country/Jurisdiction of formation

Select a country



Current U.S. address

 **Need help?**



*11. Address (number, street, and apt. or suite no.)

*12. City

*13. U.S. or U.S. Territory

Select a country



*14. State

Select a state



*15. ZIP code

Previous

Next

 **PRIVACY ACT AND PAPERWORK REDUCTION ACT NOTICE**





Beneficial Ownership Information Report (BOIR)

OMB No. 1506-0076

Complete the report in its entirety with all required information. Fields marked with an asterisk (*) symbol are the fields that, *at a minimum*, must be completed by all companies to file the report. Reporting companies, however, must include all information 31 CFR 1010.380(b) requires them to provide, regardless of whether a field is marked with an asterisk (*) symbol. These information requirements are summarized above under HELP.

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Need help?

16. Existing reporting company *(check if existing reporting company as of January 1, 2024)*

17. *(This item is reserved for future use)*

Part II. Company Applicant Information

Add Company Applicant

Need help?

Company Applicant #1

Company applicant FinCEN ID

Need help?

Previous

Next

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Company Applicant #1

Company applicant FinCEN ID

Need help?

18. FinCEN ID

Legal name and date of birth

Need help?

*19. Individual's last name

*20. First name

21. Middle name

22. Suffix

*23. Date of birth



Current address

Need help?

*24. Address type

Business Address Residential Address

Previous

Next

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

24. Address type** Business Address Residential Address25. Address (number, street, and apt. or suite no.)*****26. City*****27. Country/Jurisdiction** | ***28. State** | ***29. ZIP/Foreign postal code****Form of identification and issuing jurisdiction** ***30. Identifying document type** | ***31. Identifying document number*****32. Identifying document issuing jurisdiction**

a. Country/Jurisdiction

 |

b. State

 |

c. Local/Tribal

 |

d. Other local/Tribal description

***33. Identifying document image**

Previous

Next

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

 **Need help?**

***30. Identifying document type**

 | 

***31. Identifying document number**

***32. Identifying document issuing jurisdiction**

a. Country/Jurisdiction

 | 

b. State

 | 

c. Local/Tribal

 | 

d. Other local/Tribal description

***33. Identifying document image**

Drag file here or [choose from folder](#)

Previous

Next

 **PRIVACY ACT AND PAPERWORK REDUCTION ACT NOTICE**





FINANCIAL CRIMES ENFORCEMENT NETWORK

[BOI E-FILING](#) | [FILE BOIR](#) | [HELP](#)

Beneficial Ownership Information Report (BOIR)

OMB No. 1506-0076

Complete the report in its entirety with all required information. Fields marked with an asterisk (*) symbol are the fields that, *at a minimum*, must be completed by all companies to file the report. Reporting companies, however, must include all information 31 CFR 1010.380(b) requires them to provide, regardless of whether a field is marked with an asterisk (*) symbol. These information requirements are summarized above under HELP.

[Filing Information](#) | [Reporting Company](#) | [Company Applicant\(s\)](#) | **[Beneficial Owner\(s\)](#)** | [Submit](#)

34. (This item is reserved for future use)

Part III. Beneficial Owner Information

[Add Beneficial Owner](#)

[Need help?](#)

Beneficial Owner #1

[Need help?](#)

35. 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

[Previous](#)

[Next](#)

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Beneficial Owner FinCEN ID **Need help?**

36. FinCEN ID

Exempt entity **Need help?** 37. Exempt entity**Legal name and date of birth** **Need help?**

*38. Individual's last name or entity's legal name

*39. First name

40. Middle name

41. Suffix

*42. Date of birth

**Residential address** **Need help?**

Previous

Next

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Residential address[? Need help?](#)

*43. Address (number, street, and apt. or suite no.)

*44. City

*45. Country/Jurisdiction

*46. State

*47. ZIP/Foreign postal code

Form of identification and issuing jurisdiction[? Need help?](#)

*48. Identifying document type

*49. Identifying document number

*50. Identifying document issuing jurisdiction

a. Country/Jurisdiction

b. State

c. Local/Tribal

d. Other local/Tribal description

*51. Identifying document image

Previous

Next

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

 **Need help?**

***48. Identifying document type**

 | 

***49. Identifying document number**

***50. Identifying document issuing jurisdiction**

a. Country/Jurisdiction

 | 

b. State

 | 

c. Local/Tribal

 | 

d. Other local/Tribal description

***51. Identifying document image**

Drag file here or [choose from folder](#)

Previous

Next

 **PRIVACY ACT AND PAPERWORK REDUCTION ACT NOTICE**





Beneficial Ownership Information Report (BOIR)

OMB No. 1506-0076

Complete the report in its entirety with all required information. Fields marked with an asterisk (*) symbol are the fields that, *at a minimum*, must be completed by all companies to file the report. Reporting companies, however, must include all information 31 CFR 1010.380(b) requires them to provide, regardless of whether a field is marked with an asterisk (*) symbol. These information requirements are summarized above under HELP.

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

Complete all fields below before submitting. Directly after submission, a processing page will be displayed, followed by a page confirming the status of your report. This confirmation page will also give you an opportunity to download a transcript of your report.

*Email

*Confirm Email

*First Name

*Last Name

Previous

Next

Filing Information

Reporting Company

Company Applicant(s)

Beneficial Owner(s)

Submit

*Last Name

***I certify that I am authorized to file this BOIR on behalf of the reporting company. I further certify, on behalf of the reporting company, that the information contained in this BOIR is true, correct, and complete.**

I agree

COMPLIANCE REMINDER: The willful failure to report complete beneficial ownership information to FinCEN, the willful failure to update beneficial ownership information provided to FinCEN when previously reported information changes, or the willful provision of false or fraudulent beneficial ownership information to FinCEN, may result in civil or criminal penalties. A person may also be subject to civil or criminal penalties for willfully causing a reporting company to report incomplete or false beneficial ownership information to FinCEN.

I am human



Submit BOIR

Previous

Next

PRIVACY ACT AND PAPERWORK REDUCTION ACT NOTICE





Don't Forget...

Download your transcript before closing the page!



Download Transcript

[BOI E-FILING](#)

[FILE BOIR](#)

[HELP](#)

SUBMISSION INFORMATION

Status **FILING SUCCESSFUL. You may download the transcript above.**

BOIR ID

Submission Tracking ID

Received Timestamp (UTC)

Reporting Company FinCEN ID

SUBMITTER INFORMATION

First name

Last name

E-mail address

***Please be advised** that shortly following this submission, BOI E-Filing will send (to the submitter email address) a confirmation email with the status of your BOIR (as noted above). The confirmation email will NOT include the BOIR ID; therefore, it is important that you download your transcript (above) before closing this page.*

PREGUNTAS

&

DUDAS



FINCEN:

LA IMPORTANCIA Y PROCESO PARA CUMPLIR CON CON REPORTE INICIAL BOI PARA PEQUEÑAS/MEDIANAS EMPRESAS Y DBA.

01 Antes de comenzar el proceso

Revisar si eres exento.



02 Antes de Comenzar el Proceso

Deben tener los ID de les Beneficiaries en PDF, Dirección oficial, Número de seguro social (personal o patronal)



03 Accede a fincen.gov

Antes del 31 de diciembre de 2024



04 Llenar BOI-BOIR

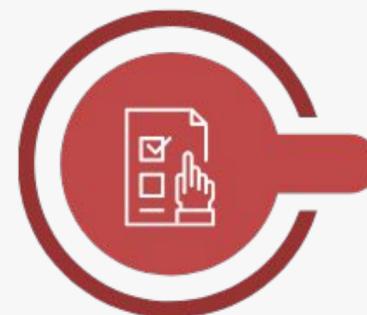
Con información de una persona si eres exento o con todos los beneficiarios en caso de no serlo.



05 Asegúrate de marcar la casilla para recibir tu FINCEN ID



Asegúrate de llenar las 5 etapas 06



Someter y recibir la confirmación 07



Archiva el documento y guarda tu FINCEN ID para posible seguimiento 08



REPASO: ETAPAS DEL PROCESO



info@iala-pr.org



www.iala-pr.org



@iala-pr



**INSTITUTO PARA LA INVESTIGACIÓN
Y ACCIÓN EN AGROECOLOGÍA**