

ment from a third party settlement organization in settlement of such transaction.

**(B) Exclusion of foreign persons**

Except as provided by the Secretary in regulations or other guidance, such term shall not include any person with a foreign address.

**(C) Inclusion of governmental units**

The term “person” includes any governmental unit (and any agency or instrumentality thereof).

**(2) Payment card**

The term “payment card” means any card which is issued pursuant to an agreement or arrangement which provides for—

- (A) one or more issuers of such cards,
- (B) a network of persons unrelated to each other, and to the issuer, who agree to accept such cards as payment, and
- (C) standards and mechanisms for settling the transactions between the merchant acquiring entities and the persons who agree to accept such cards as payment.

The acceptance as payment of any account number or other indicia associated with a payment card shall be treated for purposes of this section in the same manner as accepting such payment card as payment.

**(3) Third party payment network**

The term “third party payment network” means any agreement or arrangement—

- (A) which involves the establishment of accounts with a central organization by a substantial number of persons who—
  - (i) are unrelated to such organization,
  - (ii) provide goods or services, and
  - (iii) have agreed to settle transactions for the provision of such goods or services pursuant to such agreement or arrangement,
- (B) which provides for standards and mechanisms for settling such transactions, and
- (C) which guarantees persons providing goods or services pursuant to such agreement or arrangement that such persons will be paid for providing such goods or services.

Such term shall not include any agreement or arrangement which provides for the issuance of payment cards.

**(e) Exception for de minimis payments by third party settlement organizations**

A third party settlement organization shall be required to report any information under subsection (a) with respect to third party network transactions of any participating payee only if—

- (1) the amount which would otherwise be reported under subsection (a)(2) with respect to such transactions exceeds \$20,000, and
- (2) the aggregate number of such transactions exceeds 200.

**(f) Statements to be furnished to persons with respect to whom information is required**

Every person required to make a return under subsection (a) shall furnish to each person with respect to whom such a return is required a written statement showing—

(1) the name, address, and phone number of the information contact of the person required to make such return, and

(2) the gross amount of the reportable payment transactions with respect to the person required to be shown on the return.

The written statement required under the preceding sentence shall be furnished to the person on or before January 31 of the year following the calendar year for which the return under subsection (a) was required to be made. Such statement may be furnished electronically, and if so, the email address of the person required to make such return may be shown in lieu of the phone number.

**(g) Regulations**

The Secretary may prescribe such regulations or other guidance as may be necessary or appropriate to carry out this section, including rules to prevent the reporting of the same transaction more than once.

(Added Pub. L. 110-289, div. C, title III, §3091(a), July 30, 2008, 122 Stat. 2908.)

EFFECTIVE DATE

Section applicable to returns for calendar years beginning after Dec. 31, 2010, with exception for purposes of carrying out any TIN matching program, see section 3091(e) of Pub. L. 110-289, set out as an Effective Date of 2008 Amendment note under section 3406 of this title.

SUBPART C—INFORMATION REGARDING WAGES PAID EMPLOYEES

- |       |  |
|-------|--|
| Sec.  |  |
| 6051. | Receipts for employees.  |
| 6052. | Returns regarding payment of wages in the form of group-term life insurance. |
| 6053. | Reporting of tips.   |

AMENDMENTS

- 1965—Pub. L. 89-97, title III, §313(e)(2)(D), July 30, 1965, 79 Stat. 385, added item 6053.
- 1964—Pub. L. 88-272, title II, §204(c)(3), Feb. 26, 1964, 78 Stat. 37, added item 6052.

**§ 6051. Receipts for employees**

**(a) Requirement**

Every person required to deduct and withhold from an employee a tax under section 3101 or 3402, or who would have been required to deduct and withhold a tax under section 3402 (determined without regard to subsection (n)) if the employee had claimed no more than one withholding exemption, or every employer engaged in a trade or business who pays remuneration for services performed by an employee, including the cash value of such remuneration paid in any medium other than cash, shall furnish to each such employee in respect of the remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, or, if his employment is terminated before the close of such calendar year, within 30 days after the date of receipt of a written request from the employee if such 30-day period ends before January 31, a written statement showing the following:

- (1) the name of such person,
- (2) the name of the employee (and an identifying number for the employee if wages as defined in section 3121(a) have been paid),