Form **2350**

Department of the Treasury
Internal Revenue Service

Application for Extension of Time To File U.S. Income Tax Return

(For U.S. Citizens and Resident Aliens Abroad Who Expect to Qualify for Special Tax Treatment)

OMB No. 1545-0070

1986

Attachment Sequence No. **58**

Please type or print.	Name	**Your social security number**
File the original and one copy by the due date for filing your return.	Present home address (number and street, or rural route). (If you have a P.O. Box, see the instructions.)	**Spouse's social security number**
	City or town, state, and ZIP code or country	

If you expect to file a gift tax return (Form 709 or Form 709-A) for 1986, generally due by April 15, 1987, check this box . . . . ▶ ☐

1 I request an extension of time until _____ to file my income tax return for the calendar year 1986, or other tax year ending _____ because my tax home is in a foreign country and I expect to qualify for special tax treatment by meeting the test I have checked below:

a Bona fide residence test (see instructions) . . . . . ▶ ☐

b Physical presence test (see instructions) . . . . . ▶ ☐

2 Were you previously granted an extension of time to file for this tax year? . . . . . ☐ Yes ☐ No

3 Will you need additional time to allocate moving expenses? . . . . . ☐ Yes ☐ No

4a Date you first arrived in foreign country _____

b Date qualifying period begins _____ ends _____

c Your foreign home address _____

d Date you expect to return to the United States _____

Instructions

Changes You Should Note

The Tax Reform Act of 1986 contains several provisions that may be of special interest to U.S. citizens and U.S. resident aliens abroad. Among the new provisions are the following:

- The maximum foreign earned income exclusion is reduced to $70,000 per year, effective for tax years beginning after 1986.
- Generally, certain benefits are denied to individuals violating Federal travel restrictions, effective for tax years beginning after 1986.
- Beginning in 1987 passport and green card applicants may have to complete an IRS information return.
- Pension payments will be subject to income tax withholding if delivered outside the U.S., effective for payments made after 1986.

For more information see **Publication 54**, Tax Guide for U.S. Citizens and Resident Aliens Abroad.

Paperwork Reduction Act Notice

We ask for this information to carry out the Internal Revenue laws of the United States. We need it to ensure that taxpayers are complying with these laws and to allow us to figure and collect the right amount of tax. You are required to give us this information.

Purpose of Form

Use Form 2350 to request an extension of time to file your tax return if you need more time to meet either the bona fide residence test or the physical presence test that you must meet to qualify for the foreign earned income exclusion and the housing exclusion or deduction.

However, if you file your return after the regular due date, you may not choose to have the IRS figure your income tax.

Note: *U.S. citizens and U.S. resident aliens who are living or traveling outside the United States and Puerto Rico on the due date for filing their return are automatically granted an extension of 2 months to file their return and pay any tax due (to June 15, 1987, for a 1986 calendar year return). If you do not expect to meet the bona fide residence or physical presence test, file* ***Form 4868,*** *Application for Automatic Extension of Time To File U.S. Individual Income Tax Return, to request an extension of time to file beyond the automatic 2-month extension.*

Who Should File

You should file Form 2350 if:

- You are a U.S. citizen or U.S. resident alien;
- You expect to qualify for the foreign earned income exclusion and/or the housing exclusion or deduction by meeting either the bona fide residence test or the physical presence test, but not until after the end of the automatic 2-month extension period; and
- Your tax home is in a foreign country, or countries, throughout your period of bona fide residence or physical presence, whichever applies.

Definitions

Bona fide residence test.—To meet this test, you must be a U.S. citizen and bona fide resident of a foreign country or countries for an uninterrupted period that includes an entire tax year.

Physical presence test.—To meet this test, you must be a U.S. citizen or a U.S. resident alien who is physically present in a foreign country or countries for at least 330 full days during any period of 12 months in a row.

Tax home.—Generally, your tax home is your regular or main place of business or post of duty, regardless of where you maintain your family home. If you do not have a regular or main place of business because of the nature of your work, then your tax home is the place where you regularly live.

Foreign country.—A foreign country is a country other than the United States or any of its possessions.

Additional Information

Publication 54, Tax Guide for U.S. Citizens and Resident Aliens Abroad, provides a detailed discussion of the bona fide residence test, the physical presence test, the foreign earned income exclusion, and the housing exclusion and deduction. You may get the publication from most U.S. embassies and consulates, or by writing to: Forms Distribution Center, P.O. Box 25866, Richmond, VA 23260.

When To File

File Form 2350 by the due date (including the automatic 2-month extension) for filing your Form 1040.

File early enough so that IRS will have time to act on your application before your return's regular or extended due date.

How To File

File the original and one copy of Form 2350 with either:

- The Internal Revenue Service Center, Philadelphia, PA 19255; or
- The local Internal Revenue Service representative or other Internal Revenue Service employee.

How To Claim Credit for Payment Made With This Form.—If you are making a payment, include the amount of the payment on Form 1040, line 59. Also write "Form 2350" and the amount paid in the space to the left of line 59.

Name, address, and social security numbers.—At the top of this form, fill in the spaces for your name, address, social security number, and your spouse's social security number if you are filing a joint return. **Note:** If the post office does not deliver mail to your street address and you have a P.O. Box, enter your P.O. Box number on the line for your present home address instead of your street address.

Signature

(a) Taxpayers.—Generally, both spouses must sign this form for the extension to be valid if a joint return is to be filed. But if one spouse cannot sign because of illness, absence, or other good cause, the other spouse may sign for both, provided a proper explanation is attached explaining why that spouse cannot sign this form.

(b) Other than taxpayer.—Persons who may sign for the taxpayer include attorneys or certified public accountants qualified to practice before the IRS, enrolled agents, or any person holding a power of attorney. If the taxpayer cannot sign because of illness, absence, or other good cause, a person in close personal or business relationship to the taxpayer may sign, provided a proper explanation is attached as to why the taxpayer cannot sign this form. It is not necessary that such person hold a power of attorney.

Period of Extension

If you are granted an extension, it will generally be to a date 30 days after the date on which you expect to meet either the bona fide residence test or the physical presence test. However, if you must allocate moving expenses (explained in Publication 54), you may be granted an extension to 90 days after the end of the year following the year you moved to the foreign country.

Note: *Any extension of time granted for filing a 1986* ***calendar*** *year Form 1040 also extends the time for filing a gift tax return* ***(Form 709*** *or* ***Form 709-A)*** *for 1986 that is generally due by April 15, 1987. If you expect to file a gift tax return for 1986, check the box on the front of this form.*

Penalties and Interest

You may be charged one or both of the following penalties.

Late payment penalty.—Form 2350 does not extend the time to pay income, gift, or generation-skipping transfer taxes. Generally a penalty of 1/2 of 1% of any tax (other than estimated tax) not paid by the due date (including the automatic 2-month extension) is charged for each month, or part of a month, that the tax remains unpaid. The penalty will not be charged if you can show reasonable cause for not paying on time. The penalty is limited to 25%.

Late filing penalty.—A penalty is charged if your return is filed after the due date (including extensions to file), unless you can show reasonable cause for filing late. The penalty is 5% of the tax not paid by the **regular** due date (even if an extension of time to pay has been granted) for each month, or part of a month, that your return is late. The penalty is limited to 25%. If your return is more than 60 days late, the penalty will not be less than $100 or the balance of tax due on your return, whichever is smaller.

Caution: *If an extension to file is granted and the IRS later determines that the statements made on this form are false and misleading, the extension is null and void. You will be subject to the late filing penalty.*

Interest.—Interest is charged on the tax not paid by the regular due date of your return until the tax is paid. It will be charged even if you have been granted an extension to file or pay, or if you can show reasonable cause for not paying the tax on time.