

Information Return for Publicly Offered Original Issue Discount Instruments

1 Issuer's name **2** Issuer's taxpayer identification number

Present address (including city, town, or post office, state and ZIP code)

3 Name of representative (see instructions)

Present address (if different from issuer's)

4 CUSIP number **5** Issue date **6** Maturity date

7 Issue price (percent of principal amount) **8** Stated interest rate (see instructions)

9 Interest payment dates

10 Amount of OID for entire issue **11** Stated redemption price of each instrument at maturity, if other than \$1,000

12 Description of debt instruments (see instructions)

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete.

Signature ► Title ► Date ►

General Instructions

(Section references are to the Internal Revenue Code.)

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. You are required to give us this information.

Purpose of Form

This form is to be used by the issuer of publicly offered debt instruments having original issue discount (OID) to provide the information required by section 1275(c).

Who Must File

Any issuer of a publicly offered debt instrument (obligation) having OID, such as a bond, debenture, or note, that is issued after August 16, 1984, must file. Any person who makes a public offering of stripped bonds or stripped coupons is treated as an issuer of a publicly offered debt instrument having OID. Publicly offered debt instruments also may include:

- (1) Serial obligations.
- (2) Exchanges of one debt instrument for another debt instrument, or exchanges of debt instruments for stock.
- (3) Investment unit offerings consisting of a debt instrument sold together with options or warrants.
- (4) Mortgage participation certificates.
- (5) Sinking fund instruments.
- (6) Convertible instruments.

Exceptions.—Do not file this form for the following:

- (1) Instruments on which OID is de minimis, as defined in section 1273(a)(3).
- (2) Tax-exempt obligations (the interest on which is not taxable).
- (3) Short-term obligations (those that mature in 1 year or less).

When to File

For instruments issued after August 16, 1984, and before June 1, 1985, file Form 8281 on or before July 1, 1985. For all issues after May 31, 1985, file Form 8281 within 30 days of the date of issuance of an OID instrument.

A separate Form 8281 must be filed for each issue.

Where to File

Send Form 8281 to Internal Revenue Service Data Center, P.O. Box 32621, Detroit, MI 48232, Attn: OID.

Definitions

Original issue discount means the excess of the stated redemption price at maturity over the issue price.

Stated redemption price at maturity (principal amount) means the amount fixed by the last modification of the purchase agreement and includes interest and other amounts payable at that time (other than interest based on a fixed rate, and payable unconditionally at fixed periodic intervals of 1 year or less during the entire term of the debt instrument).

Issue price, in the case of publicly offered instruments not issued for property, means the initial offering price to the public (excluding bond houses and brokers) at which a substantial amount of such instruments was sold.

For more information about OID instruments and the OID reporting requirements, see **Publication 1212**, List of Original Issue Discount Obligations.

Penalty

Any issuer who fails to timely file Form 8281 for instruments issued after August 16, 1984, will be subject to a penalty of 1% of the aggregate issue price of the debt instruments, unless such failure is due to reasonable cause and not willful neglect. The maximum penalty with respect to any issue is \$50,000.

Specific Instructions

For serial obligations, complete Boxes 1 through 3 and attach a list showing the information for Boxes 4 through 11 for each obligation within the series.

Box 3.—Enter the name and address (or telephone number) of an official or representative of the issuing company who has personal knowledge of this offering and who can be contacted if additional information is needed.

Box 4.—Enter the Committee on Uniform Security Identification Procedures (CUSIP) number assigned to the instruments.

Box 5.—Enter the date on which the issue was first sold to the public at the issue price.

Box 7.—Enter the issue price as a percent of the principal amount. For example, XYZ bonds were first offered to the public at \$900 with a principal amount of \$1,000. The issue price of \$900 expressed as a percent of principal is 90.

If the instrument is part of an investment unit or exchange offering, attach a description of the method used to determine the issue price.

Box 8.—Enter the annual stated (or coupon) interest rate. If zero, enter "0." If any terms or conditions are in effect under the offering that could change the stated interest rate, attach an explanation or a copy of the prospectus or offering circular containing such information.

Box 9.—Enter the interest payment dates.

Box 10.—Enter the amount of OID for the entire issue. For example, if the issue price for the entire issue totals \$890,000, and the stated redemption price at maturity totals \$1,000,000, the OID for the entire issue is \$110,000.

Box 12.—Please provide a description of the instruments including any terms and conditions that provide for payments of principal before maturity or early retirement. Also indicate whether the instruments are:

- (1) Part of an investment unit.
- (2) Issued in an exchange offering described in section 368(a).
- (3) Part of a serial issue.
- (4) Stripped bonds or stripped coupons.
- (5) Backed by issuer holdings of U.S. Treasury bonds.

To compute the OID allocable to a debt instrument having a short accrual period, you may use one of the following methods: (1) simple interest, (2) continuous compounding of interest, or (3) any other reasonable method. Please indicate which method you have chosen.

You may provide a copy of the prospectus or offering circular in lieu of the required description.