

**U.S. Information Return for Beneficiaries of
 Certain Canadian Registered Retirement Plans**

2004

Attachment
 Sequence No. **139**

▶ **Attach to Form 1040.**

▶ **See instructions on back of form.**

Name shown on Form 1040

Identifying number (see instructions)

1 Name of plan custodian	2 Account number of plan
3 Address of plan custodian	4 Type of plan (check one box): <input type="checkbox"/> Registered Retirement Savings Plan (RRSP) <input type="checkbox"/> Registered Retirement Income Fund (RRIF)

5 Check the applicable box for your status in the plan (see instructions):
 Beneficiary
 Annuitant (Skip lines 6a through 6c and go to line 7a.)

6a Have you previously made an election under Article XVIII(7) of the U.S.–Canada income tax treaty to defer U.S. income tax on the undistributed earnings of the plan? ▶ **Yes** **No**

b If “Yes,” enter the first year the election came into effect _____ and go to line 7a. If “No,” go to line 6c.

c If you have not previously made the election described on line 6a above, you can make an irrevocable election for this year and subsequent years by checking this box ▶

7a Distributions received from the plan during the year. Enter here and include on Form 1040, line 16a	7a		
b Taxable distributions received from the plan during the year. Enter here and include on Form 1040, line 16b	7b		
8 Plan balance at the end of the year. If you checked the “Annuitant” box on line 5, the “Yes” box on line 6a, or the box on line 6c, stop here. Do not complete the rest of the form	8		
9 Contributions to the plan during the year	9		
10 Undistributed earnings of the plan during the year:			
a Interest income. Enter here and include on Form 1040, line 8a	10a		
b Total ordinary dividends. Enter here and include on Form 1040, line 9a	10b		
c Qualified dividends. Enter here and include on Form 1040, line 9b	10c		
d Capital gains. See the instructions for Form 1040, line 13, for how to report	10d		
e Other income. Enter here and include on Form 1040, line 21. List type and amount ▶	10e		

General Instructions

Section references are to the Internal Revenue Code.

Purpose of Form

Form 8891 must be used by certain taxpayers who hold interests in Canadian registered retirement savings plans (RRSPs) or registered retirement income funds (RRIFs) to comply with the reporting requirements of Notice 2003-75, which is available at www.irs.gov.

Generally, a U.S. citizen or resident who is a beneficiary of a Canadian RRSP or RRIF is subject to U.S. income tax on any income from that plan for the year, even if the income is accrued, but not distributed, that year. Income from the plan may not be subject to Canadian income tax until the year in which actually distributed. This could result in double taxation.

Article XVIII(7) of the treaty provides that an individual who is a citizen or resident of the United States and the beneficiary of a Canadian pension, retirement, or employee benefit plan that is exempt from Canadian income tax can elect to defer U.S. income tax on income from the plan that is accrued, but not distributed, until the income is distributed (either from the plan or from another plan to which it is transferred in a tax-free rollover).

The procedures for making the election to defer United States income tax on the beneficiary's share of the income are described in Revenue Procedure 2002-23, which is available at www.irs.gov. Taxpayers who have not previously made the election under Revenue Procedure 2002-23 can make it on this form.

Form 8891 is used by United States citizens or residents to (a) report distributions received from Canadian registered retirement savings plans (RRSPs) and registered retirement income funds (RRIFs), (b) to report contributions and undistributed earnings, and (c) to make the election to defer U.S. income tax on income from an RRSP or an RRIF that has been accrued, but not distributed.

Who Must File

Form 8891 must be completed and attached to Form 1040 by any U.S. citizen or resident who is a beneficiary of an RRSP or RRIF. A U.S. citizen or resident who is an annuitant of an RRSP or RRIF must file the form for any year in which he or she receives a distribution from the RRSP or RRIF.

A separate Form 8891 must be filed for each RRSP or RRIF for which there is a filing requirement. If you and your spouse both must file Form 8891, you each must file a separate Form 8891.

Definitions

Beneficiary. A beneficiary of an RRSP or RRIF is an individual who is subject to current U.S. income taxation on income accrued in the RRSP or RRIF or would be subject to current income taxation had the individual not made the election under Article XVIII(7) of the U.S.-Canada income tax treaty to defer U.S. income taxation of income accrued in the RRSP or RRIF.

Annuitant. An annuitant of an RRSP or RRIF is an individual who is designated pursuant to the RRSP or RRIF as an annuitant.

Record Retention

Taxpayers must retain supporting documentation relating to the information reported on Form 8891, including Canadian forms T4RSP, T4RIF, or NR4, and periodic or annual statements issued by the custodian of the RRSP or RRIF.

Other Reporting Requirements

Pursuant to section 6048(d)(4), annuitants and beneficiaries who are required to file Form 8891 will not be required to file Form 3520, and will not be subject to the associated penalties described in section 6677 on such RRSPs or RRIFs.

Specific Instructions

Name

Even if you are filing a joint Form 1040 with your spouse, enter only your name.

Identifying number

Enter your U.S. social security number (SSN) or individual taxpayer identification number (ITIN). Do not enter a Canadian identifying number.

Beneficiaries

A beneficiary who has previously made the election to defer income on the plan or is making it initially by checking the box on line 6c, must only complete lines 1 through 8 of the form.

Annuitants

If you are an annuitant, you should complete only lines 1 through 5, 7a, 7b, and 8.

Line 6

If the election you made previously was made under Rev. Proc. 89-45, check the "No" box. If an election (other than an election under Rev. Proc. 89-45) was made for an RRSP, and amounts from the RRSP were rolled over tax-free to an RRIF or another RRSP, the election is considered to have been made for the plan which received the tax-free rollover.

Line 7(b)

For information on figuring taxable distributions, see section 72 and Pub 939, General Rule for Pensions and Annuities.

Paperwork Reduction Act Notice

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

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 1 hr., 5 min.; **Learning about the law or the form**, 7 min.; **Preparing the form**, 24 min.; and **Copying, assembling, and sending the form to IRS**, 20 min.

If you have comments concerning the accuracy of these estimates or suggestions for making this form simpler, we would be happy to hear from you. See the Instructions for Form 1040.