

**Schedule A
(Form 8804)**

Department of the Treasury
Internal Revenue Service
Name

**Penalty for Underpayment of Estimated
Section 1446 Tax by Partnerships**

▶ Attach to Form 8804.

OMB No. 1545-1119

2005

Employer identification number

Part I Current Year and Prior Year Safe Harbors

1	Enter the total section 1446 tax shown on the partnership's 2005 Form 8804, line 5e. If less than \$500, do not complete or file this form. The partnership does not owe the penalty	1	
2	Enter the total section 1446 tax that would be due for 2005, without regard to partner certificates, computed using the effectively connected taxable income (ECTI) allocable to foreign partners for 2004. Caution: <i>This line 2 amount only applies if certain conditions are met (see instructions)</i>	2	
3	Enter the smaller of line 1 or line 2. If the partnership is required to skip line 2, enter the amount from line 1	3	

Part II Figuring the Underpayment

	(a)	(b)	(c)	(d)
4 Installment due dates. Enter in columns (a) through (d) the 15th day of the 4th, 6th, 9th, and 12th months of the partnership's tax year	4			
5 Required installments. If the partnership uses the adjusted seasonal installment method and/or the annualized income installment method, enter the amounts from line 43. If neither of those methods is used, enter 25% of line 3 above in each column	5			
6 Estimated section 1446 tax paid or credited for each period (see instructions). For column (a) only, enter the amount from line 6 on line 10	6			
Complete lines 7 through 13 of one column before going to the next column.				
7 Enter amount, if any, from line 13 of the preceding column	7			
8 Add lines 6 and 7	8			
9 Add amounts on lines 11 and 12 of the preceding column	9			
10 Subtract line 9 from line 8. If zero or less, enter -0-	10			
11 If the amount on line 10 is zero, subtract line 8 from line 9. Otherwise, enter -0-.	11			
12 Underpayment. If line 10 is less than or equal to line 5, subtract line 10 from line 5. Then go to line 7 of the next column. Otherwise, go to line 13	12			
13 Overpayment. If line 5 is less than line 10, subtract line 5 from line 10. Then go to line 7 of the next column	13			

Go to Part VI on page 4 to figure the penalty. Do not go to Part VI if there are no entries on line 12—no penalty is owed.

For Paperwork Reduction Act Notice, see page 7.

Cat. No. 40853F

Schedule A (Form 8804) 2005

Part IV Annualized Income Installment Method

		(a)	(b)	(c)	(d)
		First _____ months	First _____ months	First _____ months	First _____ months
30	Annualization periods (see instructions).	30			
31	Enter effectively connected taxable income allocable to all foreign partners for each annualization period (see instructions for effective dates before completing these lines):				
a	Net ordinary income	31a			
b	28% rate gains (non-corporate partners only).	31b			
c	Unrecaptured section 1250 gains (non-corporate partners only).	31c			
d	Qualified dividend income and net long-term capital gains (including net section 1231 gains) (non-corporate partners only).	31d			
32	Annualization amounts (see instructions).	32			
33	Annualized effectively connected taxable income allocable to all foreign partners:				
a	Net ordinary income (multiply line 31a by line 32).	33a			
b	Reduction to line 33a for valid partner certificates under Regulations section 1.1446-6T (see instructions).	33b			
c	Subtract line 33b from line 33a.	33c			
d	28% rate gains allocable to non-corporate partners (multiply line 31b by line 32).	33d			
e	Reduction to line 33d for valid partner certificates under Regulations section 1.1446-6T (see instructions).	33e			
f	Subtract line 33e from line 33d.	33f			
g	Unrecaptured section 1250 gains allocable to non-corporate partners (multiply line 31c by line 32).	33g			
h	Qualified dividend income and net long-term capital gains (including net section 1231 gains) allocable to non-corporate partners (multiply line 31d by line 32).	33h			
i	Reduction to line 33h for valid partner certificates under Regulations section 1.1446-6T (see instructions).	33i			
j	Subtract line 33i from line 33h.	33j			
34	Figure the tax on line 33 amounts as follows:				
a	Multiply line 33c by 35%.	34a			
b	Multiply line 33f by 28%.	34b			
c	Multiply line 33g by 25%.	34c			
d	Multiply line 33j by 15%.	34d			
e	Add lines 34a through 34d.	34e			
35	Applicable percentage.	35	25%	50%	75%
36	Multiply line 34e by line 35.	36			

Part V Required Installments

Note: Complete lines 37 through 43 of one column before completing the next column.		1st installment	2nd installment	3rd installment	4th installment
37	If only Part III or Part IV is completed, enter the amount in each column from line 29 or line 36. If both parts are completed, enter the smaller of the amounts in each column from line 29 or line 36.	37			
38	Add the amounts in all preceding columns of line 43 (see instructions).	38			
39	Adjusted seasonal or annualized income installments. Subtract line 38 from line 37. If zero or less, enter -0-.	39			
40	Enter 25% of line 1 in each column.	40			
41	Subtract line 43 of the preceding column from line 42 of the preceding column.	41			
42	Add lines 40 and 41.	42			
43	Required installments. Enter the smaller of line 39 or line 42 here and on line 5 (see instructions).	43			

Part VI Figuring the Penalty

	(a)	(b)	(c)	(d)
44 Enter the date of payment or the 15th day of the 4th month after the close of the tax year, whichever is earlier (see instructions). <i>Partnerships that keep their records and books of account outside the United States and Puerto Rico:</i> Use 6th month instead of 4th month.				
45 Number of days from due date of installment on line 4 to the date shown on line 44				
46 Number of days on line 45 after 4/15/2005 and before 10/1/2005				
47 Underpayment on line 12 $\times \frac{\text{Number of days on line 46}}{365} \times 6\%$	\$	\$	\$	\$
48 Number of days on line 45 after 9/30/2005 and before 4/1/2006				
49 Underpayment on line 12 $\times \frac{\text{Number of days on line 48}}{365} \times 7\%$	\$	\$	\$	\$
50 Number of days on line 45 after 3/31/2006 and before 7/1/2006				
51 Underpayment on line 12 $\times \frac{\text{Number of days on line 50}}{365} \times \%$	\$	\$	\$	\$
52 Number of days on line 45 after 6/30/2006 and before 10/1/2006				
53 Underpayment on line 12 $\times \frac{\text{Number of days on line 52}}{365} \times \%$	\$	\$	\$	\$
54 Number of days on line 45 after 9/30/2006 and before 1/1/2007				
55 Underpayment on line 12 $\times \frac{\text{Number of days on line 54}}{365} \times \%$	\$	\$	\$	\$
56 Number of days on line 45 after 12/31/2006 and before 4/1/2007				
57 Underpayment on line 12 $\times \frac{\text{Number of days on line 56}}{365} \times \%$	\$	\$	\$	\$
58 Number of days on line 45 after 3/31/2007 and before 5/16/2007				
59 Underpayment on line 12 $\times \frac{\text{Number of days on line 58}}{365} \times \%$	\$	\$	\$	\$
60 Add lines 47, 49, 51, 53, 55, 57, and 59	\$	\$	\$	\$
61 Penalty. Add columns (a) through (d) of line 60. Enter the total here and on Form 8804, line 8			61	\$

***For underpayments paid after March 31, 2006:** For lines 51, 53, 55, 57, and 59, use the penalty interest rate for each calendar quarter, which the IRS will determine during the first month in the preceding quarter. These rates are published quarterly in an IRS News Release and in a revenue ruling in the Internal Revenue Bulletin. To obtain this information on the Internet, access the IRS website at www.irs.gov. You can also call 1-800-829-1040 to get interest rate information.

General Instructions

What's New

The IRS and Treasury have issued final and temporary regulations under section 1446. See T.D. 9200, 2005-23 I.R.B. 1158. Schedule A has been modified to reflect these regulations.

Effective date. The final and temporary regulations are effective for partnership tax years beginning after May 18, 2005. However, a partnership may elect to apply the final regulations (and in some cases, the temporary regulations) to partnership tax years beginning after December 31, 2004, and before May 19, 2005.

Note. A partnership may elect to apply the temporary regulations to partnership tax years beginning after December 31, 2004, and before May 19, 2005, only if the partnership also elects to apply the final regulations to the same years beginning after that date.

Statements must be attached to Form 8804 to make both elections described above (see Regulations sections 1.1446-7 and 1.1446-6T(f) for details). For any partnership to whom the regulations are not effective during the current tax year, the schedule is generally completed the same except that the partnership is not to complete some or all of the following lines (depending on whether it chooses to apply the final regulations, the temporary regulations, or both): Lines 23, 31b through 31d, 33b, 33d through 33j, and 34b through 34d.

Purpose of Form

Partnerships that have effectively connected taxable income (ECTI) allocable to foreign partners use Schedule A (Form 8804) to determine:

- Whether they are subject to the penalty for underpayment of estimated tax and, if so,
- The amount of the underpayment penalty.

Who Must File

Any partnership required to file Form 8804 must file this schedule.

Reduced filing requirement for certain filers. If the partnership is claiming the current year or prior year safe harbor and does not have an underpayment (on line 12 of this schedule) for any installment period, the partnership is permitted to complete only Parts I and II of the schedule and attach page 1 of the schedule to its Form 8804.

Who Must Pay the Underpayment Penalty

Generally, a partnership is subject to the penalty if it did not timely pay at least the smaller of:

1. The tax shown on line 5e of its 2005 Form 8804 or
2. The total section 1446 tax that would be due for 2005, without regard to partner certificates, computed using the ECTI allocable to foreign partners for 2004, provided that this amount is at least 50% of the amount referred to in item #1 above and the tax year was for a full 12 months. See the instructions for line 2 below for more details.



In these instructions, "Form 8804" generally refers to the partnership's original Form 8804. However, an amended Form 8804 is considered the original Form 8804 if the amended Form 8804 is filed by the due date (including extensions) of the original Form 8804.

The penalty is figured separately for each installment due date. Therefore, the partnership may owe a penalty for an earlier due date even if it paid enough tax later to make up the underpayment. This is true even if the partnership is due a refund when its return is filed. However, the partnership may be able to reduce or eliminate the penalty by using the annualized income installment method or the adjusted seasonal installment method. See the instructions for Parts III and IV for details.

Exception to the Penalty

A partnership will not have to pay a penalty if the tax shown on line 5e of its 2005 Form 8804 is less than \$500.

How To Use Schedule A

Complete this schedule as follows:

- If line 1 is \$500 or more, complete the rest of page 1 to determine the underpayment for any of the installment due dates.
- If there is an underpayment on line 12 (column (a), (b), (c), or (d)), go to Part VI to figure the penalty.
- Complete Parts III through V as appropriate if the partnership uses the adjusted seasonal installment method and/or the annualized income installment method.

Specific Instructions

Part I. Current Year and Prior Year Safe Harbors

Line 2 (prior year safe harbor). Enter the total section 1446 tax that would be due for 2005, without regard to partner certificates, computed using the ECTI allocable to foreign partners for 2004.

The partnership may generally use the prior year safe harbor only if it paid the required amount to use that method for each of its installment payments of section 1446 tax during the tax year. However, see Regulations section 1.1446-3(b)(3)(ii) for an exception. In addition, the partnership may only use the prior year safe harbor if all of the following apply:

- The prior tax year consisted of 12 months,
- The partnership timely files (including extensions) a U.S. return of partnership income (e.g., Form 1065) for the prior tax year, and
- The amount of ECTI for the prior tax year is not less than 50% of the ECTI shown on the current year Form 8804 that is (or will be) timely filed.

If any of the above applies, skip line 2 and enter on line 3 the amount from line 1.

Part II. Figuring the Underpayment

Line 6. Enter the estimated tax payments made by the partnership for its tax year as indicated below. Include any overpayment from line 11 of the partnership's

2004 Form 8804. If an installment is due on a Saturday, Sunday, or legal holiday, payments made on the next day that is not a Saturday, Sunday, or legal holiday are considered made on the due date to the extent the payment is applied against that required installment.

Also include on line 6 any:

- Section 1446 tax paid or withheld by another partnership in which the partnership filing this Schedule A (Form 8804) was a partner during the tax year. See the instructions for Form 8804, line 6b, in the instructions for Forms 8804, 8805, and 8813.
- Section 1445(a) or 1445(e)(1)(B) tax withheld from or paid by the partnership filing this Schedule A (Form 8804) during the tax year for a disposition of a U.S. real property interest. See the instructions for Form 8804, line 6c, in the instructions for Forms 8804, 8805, and 8813.

Column (a). Enter payments made by the date on line 4, column (a).

Columns (b), (c), and (d). Enter payments made by the date on line 4 for that column and after the date on line 4 of the preceding column.

Line 12. If any of the columns in line 12 shows an underpayment, complete Part VI to figure the penalty.

Parts III Through V

If the partnership's income varied during the year because, for example, it operated its business on a seasonal basis, it may be able to lower or eliminate the amount of one or more required installments by using the adjusted seasonal installment method and/or the annualized income installment method.

Example. A ski shop, which receives most of its income during the winter months, may benefit from using one or both of these methods to figure its required installments. The annualized income installment or adjusted seasonal installment may be less than the required installment under the current year safe harbor (increased by any reduction recaptured under section 6655(e)(1)(B)) for one or more due dates. Using one or both of these methods may reduce or eliminate the penalty for those due dates.

Use Parts III through V on pages 2 and 3 of Schedule A (Form 8804) to figure one or more required installments. If Parts III through V are used for any payment due date, those Parts must be used for all subsequent payment due dates. To arrive at the amount of each required installment, Part V uses the smallest of:

- The adjusted seasonal installment (if applicable),
- The annualized income installment (if applicable), or
- The current year safe harbor (increased by any reduction recaptured under section 6655(e)(1)(B)).

Follow the steps below to determine which parts of the form have to be completed.

- If the partnership is using only the adjusted seasonal installment method, complete Parts III and V of Schedule A (Form 8804).
- If the partnership is using only the annualized income installment method, complete Parts IV and V of Schedule A (Form 8804).
- If the partnership is using both methods, complete all three parts (Parts III through V) of Schedule A (Form 8804).

Part III. Adjusted Seasonal Installment Method

Note. For partnerships to whom the regulations apply (see **Effective date** under **What's New** on page 5), Part III does not reflect the lower preferential rates permitted under Regulations section 1.1446-3(a)(2). This was done because, for most taxpayers, the income reported in Part III will be predominantly (or exclusively) ordinary income. If the partnership wishes to consider lower preferential rates for Part III (and if the requirements outlined in the **Note** in the line 31 instructions are met), it must attach a schedule which appropriately expands lines 15 and 22 through 25 to show the applicable special types of income or gain and the applicable percentages (see, for example, lines 33 and 34 of this schedule).

The partnership may use the adjusted seasonal installment method only if the partnership's base period percentage for any 6 consecutive months of the tax year is 70% or more. The base period percentage for any period of 6 consecutive months is the average of the 3 percentages figured by dividing the ECTI for the corresponding 6 consecutive month period in each of the 3 preceding tax years by the ECTI for each of their respective tax years. Figure the base period percentage using the 6-month period in which the partnership normally receives the largest part of its ECTI.

Example. An amusement park with a 2005 calendar tax year receives the largest part of its taxable income during a 6-month period, May through October. To compute its base period percentage for this 6-month period, the amusement park figures its ECTI for each May-October period in 2002, 2003, and 2004. It then divides the ECTI for each May-October period by the total ECTI for that particular tax year. The resulting percentages are: 69% (.69) for May-October 2002, 74% (.74) for May-October 2003, and 67% (.67) for May-October 2004. Because the average of 69%, 74%, and 67% is 70%, the base period percentage for May through October 2005 is 70%. Therefore, the amusement park qualifies for the adjusted seasonal installment method.

Line 23. Enter the reduction to the line 22 amount by reason of valid certificates received from foreign partners under Regulations section 1.1446-6T. See *Certification of Deductions and Losses* in the instructions for Forms 8804, 8805, and 8813 for additional information.



*Do not complete line 23 if the partnership's tax year began after December 31, 2004, and before May 19, 2005, and the partnership has not made the elections under the final and temporary regulations described in **Effective date** under **What's New** on page 5.*

Part IV. Annualized Income Installment Method

Line 30. Annualization periods. Enter on line 30, columns (a) through (d), respectively, the annualization periods for the option listed below. For example, if the partnership elected Option 1, enter on line 30 the annualization periods 2, 4, 7, and 10, in columns (a) through (d), respectively.



Use Option 1 or Option 2 only if the partnership elected to do so by filing Form 8842, *Election To Use Different Annualization Periods for Corporate Estimated Tax*, by the due date of the first required installment payment. Once made, the election is irrevocable for the particular tax year.

	1st Installment	2nd Installment	3rd Installment	4th Installment
Standard option	3	3	6	9
Option 1	2	4	7	10
Option 2	3	5	8	11

Line 31. Enter on lines 31a through 31d the ECTI allocable to all foreign partners for the months entered for each annualization period in columns (a) through (d) on line 30.

Note. With respect to lines 31b through 31d, enter the specified types of income allocable to noncorporate partners if (a) such partners would be entitled to use a preferential rate on such income or gain (see Regulations section 1.1446-3(a)(2)) and (b) the partnership has sufficient documentation to meet the requirements of Regulations section 1.1446-3(a)(2)(ii).



Regulations section 1.1446-3(a)(2) does not apply if the partnership's tax year began after December 31, 2004, and before May 19, 2005, and the partnership has not made the election described in **Effective date** under **What's New** on page 5. Such a partnership must not complete lines 31b through 31d.

Line 32. Annualization amounts. Enter on line 32, columns (a) through (d), respectively, the annualization amounts shown in the tables below for the option used for line 30. For example, if the partnership elected Option 1, enter on line 32 the annualization amounts 6, 3, 1.71429, and 1.2, in columns (a) through (d), respectively.

	1st Installment	2nd Installment	3rd Installment	4th Installment
Standard option	4	4	2	1.33333
Option 1	6	3	1.71429	1.2
Option 2	4	2.4	1.5	1.09091

Lines 33b, 33e, and 33i. Enter the reduction amounts by reason of valid certificates received from foreign partners under Regulations section 1.1446-6T. See *Certification of Deductions and Losses* in the instructions for Forms 8804, 8805, and 8813 for additional information.



Do not complete lines 33b and 33d through 33j if the partnership's tax year began after December 31, 2004, and before May 19, 2005, and the partnership has not made the elections under the final and temporary regulations described in **Effective date** under **What's New** on page 5.

Part V. Required Installments

Line 38. Before completing line 38 in columns (b) through (d), complete lines 39 through 43 in each of the preceding columns. For example, complete lines 39 through 43 in column (a) before completing line 38 in column (b).

Line 43. For each installment, enter the smaller of line 39 or line 42 on line 43. Also enter the result on line 5.

Part VI. Figuring the Penalty

Complete Part VI to determine the amount of the penalty. The penalty is figured for the period of underpayment using the underpayment rate determined under section 6621(a)(2). The period of underpayment runs from the installment due date to the earlier of the date the underpayment is actually paid or the 15th day of the fourth month after the close of the 2005 tax year (the 15th day of the 6th month if the partnership keeps its books and records outside the United States and Puerto Rico). For information on obtaining the interest rate on underpayments paid after March 31, 2006, see the footnote on page 4 of the schedule.

Line 44. A payment of estimated tax is applied against underpayments of required installments in the order that installments are required to be paid, regardless of the installment to which the payment pertains.

Example. A partnership underpaid the April 15 installment by \$1,000. The June 15 installment requires a payment of \$2,500. On June 11, the partnership deposits \$2,500 to cover the June 15 installment. However, \$1,000 of this payment is applied against the April 15 installment. The penalty for the April 15 installment is figured to June 11 (57 days). The remaining \$1,500 is applied to the June 15 installment as if it were made on June 15.

If the partnership has made more than one payment for a required installment, attach a separate computation for each payment.

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 section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

Form	Recordkeeping	Learning about the law or the form	Preparing and sending the form to the IRS
8804, Schedule A, Parts I, II, and VI	27 hr., 58 min.	47 min.	1 hr., 17 min.
8804, Schedule A, Part III	20 hr., 5 min.	24 min.	44 min.
8804, Schedule A, Part IV	21 hr., 3 min.	30 min.	52 min.
8804, Schedule A, Part V	6 hr., 13 min.	—	6 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the instructions for the tax return with which this form is filed.