

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

Department of the Treasury  
Internal Revenue Service

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

# 2003

▶ See instructions on page 3.

Please type or print.	Your first name and initial	Last name	Your social security number
	If a joint return, spouse's first name and initial	Last name	Spouse's social security number
File by the due date for filing your return.	Home address (number and street)		
	City or town, province or state, and country (including postal or ZIP code)		

Please fill in the Return Label at the bottom of this page.

- I request an extension of time until \_\_\_\_\_ to file my income tax return for the calendar year 2003, 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 "bona fide residence test" or the "physical presence test" (see instructions).
  - Were you previously granted an extension of time to file for this tax year? . . . . .  Yes  No
  - Will you need additional time to allocate moving expenses? . . . . .  Yes  No
  - 4a Date you first arrived in the foreign country \_\_\_\_\_  
 b Date qualifying period begins \_\_\_\_\_; ends \_\_\_\_\_  
 c Your foreign home address \_\_\_\_\_  
 d Date you expect to return to the United States \_\_\_\_\_
- Note:** This is not an extension of time to pay tax. Full payment is required to avoid interest and late payment charges.
- 5 Enter the amount of income tax paid with this form . . . . . ▶ 

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If you expect to file a gift or generation-skipping transfer (GST) tax return, complete line 6 (and 7a or 7b if applicable). Do not include income tax on these lines (see instructions).

6	If you or your spouse plan to file a gift or GST tax return (Form 709 or 709-A) for 2003, generally due by April 15, 2004, see the instructions and check here	Yourself . . . ▶ <input type="checkbox"/> Spouse . . . ▶ <input type="checkbox"/>	
7a	Enter the amount of gift or GST tax that you are paying with this form . . . . .		
7b	Enter the amount of gift or GST tax that your spouse is paying with this form . . . . .		

### Signature and Verification

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete; and, if prepared by someone other than the taxpayer, that I am authorized to prepare this form.

Signature of taxpayer ▶ \_\_\_\_\_ Date ▶ \_\_\_\_\_

Signature of spouse ▶ \_\_\_\_\_ Date ▶ \_\_\_\_\_

Signature of preparer other than taxpayer ▶ \_\_\_\_\_ Date ▶ \_\_\_\_\_

Please fill in the Return Label below with your name, address, and social security number. The IRS will complete the Notice to Applicant and return it to you. If you want it sent to another address or to an agent acting for you, enter the other address and add the agent's name.

(Do not detach)

<b>Notice to Applicant To Be Completed by the IRS</b>	<input type="checkbox"/> We have approved your application.
	<input type="checkbox"/> We have not approved your application. However, we have granted a 45-day grace period to _____. This grace period is considered a valid extension of time for elections otherwise required to be made on a timely return.
	<input type="checkbox"/> We have not approved your application. After considering the above information, we cannot grant your request for an extension of time to file. We are not granting a 45-day grace period.
	<input type="checkbox"/> We cannot consider your application because it was filed after the due date of your return.
	<input type="checkbox"/> Other _____
	Director _____ Date _____

<b>Return Label</b> (Please type or print)	Taxpayer's name (and agent's name, if applicable). If a joint return, also give spouse's name.		Taxpayer's social security number
	Number and street (include suite, room, or apt. no.) or P.O. box number		Spouse's social security number
	City or town, province or state, and country (including postal or ZIP code)		Agents: Always include taxpayer's name on Return Label.



## It's Convenient, Safe, and Secure

IRS e-file is the IRS's electronic filing program. You can get an extension of time to file your tax return by filing Form 2350 electronically. You will receive an electronic acknowledgment once you complete the transaction. Keep it with your records. **Do not** send in Form 2350 if you file electronically.

If you think you may owe tax and wish to make a payment, you may pay by electronic funds withdrawal. For details, see **Paying by Electronic Funds Withdrawal** on page 4.



## E-file Using Your Personal Computer or Through a Tax Professional

Refer to your tax software package or tax preparer for ways to file electronically. Be sure to have a copy of last year's tax return — you will be asked to provide information from the return for taxpayer

verification. If you wish to make a payment, you can pay by electronic funds withdrawal (see page 4) or send your check or money order to the address shown under **Where To File** below.

**Form 709 or 709-A.** An extension of time to file your income tax return also extends the time to file Form 709 or 709-A. To make a payment of the gift or GST tax, pay by electronic funds withdrawal or send a check or money order to the address shown under **Where To File** below. Enter "2003 Form 709" and the donor's name and social security number on the payment.



## File a Paper Form 2350

If you wish to file on paper instead of electronically, fill in the Form 2350 and mail it to the address shown under **Where To File** below.

# General Instructions

## Purpose of Form

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



*Form 2350 does not extend the time to pay taxes. If you do not pay the amount due by the regular due date (April 15, 2004, for a calendar year return) you will owe interest and may be charged penalties. For details see **Filing Your Tax Return** on page 4.*

**Note:** If you file your return after the regular due date, you cannot have the IRS figure your tax.

If you need more time to file but do not expect to meet the bona fide residence or the physical presence test, file **Form 4868**, Application for Automatic Extension of Time To File U.S. Individual Income Tax Return.



*If we give you more time to file and later find that the statements on this form are false or misleading, the extension is null and void. You will owe the late filing penalty explained on page 4.*

## Who Should File

You should file Form 2350 if **all three** of the following apply:

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

**Bona fide residence test.** To meet this test, you must be a U.S. citizen who is a bona fide resident of a foreign country (or countries) for an uninterrupted period that includes an entire tax year. A U.S. resident alien who is a citizen or national of a country with which the United States has an income tax treaty in effect also may meet this test.

**Physical presence test.** To meet this test, you must be a U.S. citizen or 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 or territories.

## Additional Information

**Pub. 54**, Tax Guide for U.S. Citizens and Resident Aliens Abroad, has a detailed discussion of the foreign earned income exclusion, the foreign housing exclusion and deduction, the bona fide residence test, and the physical presence test. You can get Pub. 54 from most U.S. embassies and consulates or by writing to: Eastern Area Distribution Center, P.O. Box 25866, Richmond, VA 23289-5866. You can also download Pub. 54 (and other forms and publications) from the IRS website at [www.irs.gov](http://www.irs.gov).

## When To File

File Form 2350 on or before the due date of your Form 1040. For a 2003 calendar year return, this is April 15, 2004. However, if you have 2 extra months to file your return because you were "out of the country" (defined below), file Form 2350 on or before June 15, 2004. You should file Form 2350 early enough so that if it is not approved, you can still file your return on time.

**Out of the country** means that on the regular due date of your return, either (a) you live outside the United States and Puerto Rico and your main place of work is outside the United States and Puerto Rico or (b) you are in military or naval service outside the United States and Puerto Rico. If you qualify as being "out of the country," you will still be eligible for the extension, even if you are physically present in the U.S. or Puerto Rico on the regular due date of the return. You do not have to file a form to get the 2-month extension because you were out of the country. But you will have to attach a statement to your tax return explaining how you qualified.

## Where To File

File Form 2350 with either the Internal Revenue Service Center, Philadelphia, PA 19255-0002, or the local IRS representative or other IRS employee.

## Period of Extension

If you are given 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. But if you must allocate moving expenses (see Pub. 54), you may be given an extension to 90 days after the end of the year following the year you moved to the foreign country.

**Form 709 or 709-A.** An extension of time to file your 2003 calendar year Form 1040 also extends the time to file a gift or generation-skipping transfer (GST) tax return.

## Filing Your Tax Return

You may file Form 1040 any time before the extension expires. But remember, Form 2350 does not extend the time to pay taxes. If you do not pay the amount due by the regular due date, you will owe interest. You may also be charged penalties.

**Interest.** You will owe interest on any tax not paid by the regular due date of your return. This is April 15, 2004, for a 2003 calendar year return even if you qualify for the 2-month extension because you were out of the country. The interest runs until you pay the tax. Even if you had a good reason for not paying on time, you will still owe interest.

**Late payment penalty.** The penalty is usually  $\frac{1}{2}$  of 1% of any tax (other than estimated tax) not paid by the due date (including the 2-month extension for taxpayers who are out of the country). It is

charged for each month or part of a month the tax is unpaid. The maximum penalty is 25%. You might not owe this penalty if you have a good reason for not paying on time. Attach a statement to your return, not Form 2350, explaining the reason.

**Late filing penalty.** A penalty is usually charged if your return is filed after the due date (including extensions). It is usually 5% of the tax not paid by the regular due date for each month or part of a month your return is late. Generally, the maximum penalty is 25%. If your return is more than 60 days late, the minimum penalty is \$100 or the balance of tax due on your return, whichever is smaller. You might not owe the penalty if you have a good reason for filing late. Attach a statement to your return, not Form 2350, explaining the reason.

**How to claim credit for payment made with this form.** When you file Form 1040, enter any income tax payment (line 5) sent with Form 2350 on Form 1040, line 66.

## Specific Instructions

### Name, Address, and Social Security Number (SSN)

Enter your name, address, and SSN. If you plan to file a joint return, include your spouse's name and SSN in the same order they will appear on your return. Do not abbreviate the country name.

### Gift Tax Return Filers

If you or your spouse plan to file Form 709 or 709-A for 2003, check whichever box applies on line 6. Also, write "Gift Tax" at the top of the form. If you are paying gift or GST tax with this form, show the amount(s) on line 7a and/or 7b. But if your spouse files a separate Form 2350, do not check the box on line 6 for your spouse or complete line 7b.

### Signature and Verification

This form must be signed. If you plan to file a joint return, both of you should sign. If there is a good reason why one of you cannot,

the other spouse may sign for both. Attach a statement explaining why the other spouse cannot sign.

**Others who can sign for you.** Anyone with a power of attorney can sign. But the following can sign for you without a power of attorney:

- Attorneys, CPAs, and enrolled agents.
- A person in a close personal or business relationship to you who is signing because you cannot. There must be a good reason why you cannot sign, such as illness or absence. Attach an explanation.

### Notice to Applicant and Return Label

You must complete the **Return Label** to receive the **Notice to Applicant**. We will use it to tell you if your application is approved. Do not attach the notice to your return—keep it for your records.

If the post office does not deliver mail to your street address, enter your P.O. box number instead.

## How To Make a Payment With Your Extension

### Paying by Electronic Funds Withdrawal

You can *e-file* Form 2350 and make a payment by authorizing an electronic funds withdrawal from your checking or savings account. You can authorize an electronic funds withdrawal for your extension tax payment and/or for payment of your gift or GST tax. Check with your financial institution to make sure that an electronic funds withdrawal is allowed and to get the correct routing and account numbers.

If you owe tax and wish to have the money electronically withdrawn from your account, you will be asked to make the following declaration:

I authorize the U.S. Treasury and its designated Financial Agent to initiate an ACH electronic funds withdrawal entry to the financial institution account indicated for payment of my Federal taxes owed, and the financial institution to debit the entry to this account. This authorization is to remain in full force and effect until I notify the U.S. Treasury Financial Agent to terminate the authorization. To revoke a payment, I must contact the U.S. Treasury Financial Agent at

1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment.

**Note:** *This is your written copy of the electronic funds withdrawal authorization you made to have the amount you owe withdrawn. Keep it for your records.*

### Paying by Check or Money Order

- When paying by check or money order with Form 2350, see **Where To File** on page 3.
- Make your check or money order payable to the "United States Treasury." Do not send cash.
- Write your social security number, daytime phone number, and "2003 Form 2350" on your check or money order.
- Do not staple or attach your payment to the form.

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. We need this information to determine your eligibility for an extension of time to file your individual income tax return. If you choose to apply for an extension of time to file, you are required by Internal Revenue Code sections 6001, 6011(a), and 6081 to provide the information requested on this form. Under section 6109, you must disclose your social security number (SSN). Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia for use in administering their tax laws. We may also disclose this information to Federal and state agencies to enforce Federal nontax criminal laws and to combat terrorism. If you fail to provide this information in a timely manner, or provide incomplete or false information, you may be liable for interest and penalties.

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: **Recordkeeping**, 13 min.; **Learning about the law or the form**, 9 min.; **Preparing the form**, 24 min.; and **Copying, assembling, and sending the form to the IRS**, 13 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. You can write to the Tax Products Coordinating Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **Do not** send the form to this address. Instead, see **Where To File** on page 3.

