



ELECTION IN RESPECT OF AMOUNTS NOT DEDUCTIBLE AS RESERVES FOR THE YEAR OF DEATH

Do not use this area

- For use "jointly" by a deceased taxpayer's legal representative and a transferee to elect under subsection 72(2) in respect of certain property of the taxpayer transferred or distributed on or after the taxpayer's death to the spouse or common-law partner described in paragraph 70(6)(a) or to a spouse or common-law partner trust described in paragraph 70(6)(b). A spouse or common-law partner trust to qualify as such must be created by the taxpayer's will under the provisions of which the spouse or common-law partner only is entitled to receive all of the income of the trust during the spouse's or common-law partner's lifetime, and no person except the spouse or common-law partner can obtain or use any of the income or capital while the spouse or common-law partner is alive.

continue on next page →

- For the election to be valid the deceased taxpayer must have been resident in Canada immediately before death and
 - (1) in the case of a transfer to the spouse or common-law partner, the spouse or common-law partner must have been resident in Canada immediately before the taxpayer's death or
 - (2) in the case of a transfer to a spouse or common-law partner trust, the trust must have been resident in Canada immediately after the time the property vested indefeasibly in the trust.
- One completed copy of this election is to be filed with the deceased taxpayer's income tax return for the year of death and one copy with the transferee's income tax return for the first taxation year ending after the death of the taxpayer.
- Subsections, paragraphs and subparagraphs referred to in this form are those of the Income Tax Act.

Particulars of the Deceased

Name in full (Print)										
Last address										
City		Province/Territory		Postal code						
Date of death	Day	Month	Year			Social Insurance Number				
Name(s) and address(es) of legal representative(s)										
Address										

continue on next page →

City	Province/Territory	Postal code
------	--------------------	-----------------

Has property been transferred or distributed to the

- Spouse or Common-law partner (check one only)
- Spouse or Common law-partner trust

Particulars of Transferee

Name in full (Print)		
Address		
City	Province/Territory	Postal code

Spouse's or Common law-partner's
Social Insurance Number

Social Insurance Number

--	--	--	--	--	--	--	--	--

Name(s) and address(es) of trustee(s) (if a spouse or common-law partner trust)

Address

City

Province/Territory

Postal code

--	--	--	--	--	--

continue on next page →

Particulars of Elective Amounts

(Indicate the type of property in respect of which this election is made by checking (✓) the appropriate box(es) and enter the amount(s))

(a)	<input type="checkbox"/>	Amounts receivable on property sold in the course of a business (paragraph 20(1)(n))	\$	
(b)	<input type="checkbox"/>	Unearned commissions (subsection 32(1))		
(c)	<input type="checkbox"/>	Amounts receivable on the disposition of capital property (subparagraph 40(1)(a)(iii) and 44(1)(e)(iii))		
(d)	<input type="checkbox"/>	Amounts receivable on the disposition of foreign resource property (subsection 64(1))		
(e)	<input type="checkbox"/>	Amounts receivable on the disposition of Canadian resource property (subsection 64(1.1))		

- By virtue of this election under subsection 72(2):
 - (1) any amount(s) under (a), (b), (c), (d) and (e) above shall be deducted or claimed in computing the deceased taxpayer's income or gain for the year of death, as the case may be.
 - (2) any amount(s) under (a), (b), (d) or (e) above shall be included in computing the income of the transferee for the first taxation year ending after the death of the taxpayer.
 - (3) any amount under (c) above shall, for the purposes of computing the transferee's income for the first taxation year ending after the death of the taxpayer and any subsequent taxation year, be deemed to have been proceeds of disposition of capital property disposed of by the transferee in that first taxation year as well as the transferee's capital gain. Such capital gains arising from the disposition of property occurring after 1984, qualify for the capital gains deduction for 1988 and subsequent taxation years.
- The transferee may apply the provisions of the Act regarding reserves to the elective amounts.
- For additional information refer to current Interpretation Bulletins IT-305 and IT-449.

Election

We hereby elect to have the provisions of subsection 72(2) of the Income Tax Act apply with respect to the amount(s) reported above.

Year 	Month 	Day 	Signature(s) of Legal Representative(s)
----------	-----------	---------	---

Year 	Month 	Day 	Signature(s) of Transferee (Spouse, common-law partner or Trustee(s))
----------	-----------	---------	--