



STATEMENT OF AVAILABILITY OR DECLINATION FROM AUTHORIZED INSURERS – TAX ON INSURANCE PREMIUMS (PART 1 OF THE EXCISE TAX ACT)

Instructions for a person* seeking insurance – This form should be provided to a minimum of five authorized Canadian insurers to support your claim for an exemption from the tax imposed under Part I of the *Excise Tax Act*. When you receive all completed statements of availability or declination from authorized Canadian insurers, submit them with your exemption application (form E638), as well as your written requests for insurance coverage to these insurers and a copy of your current insurance binder, cover note or renewal certificate. The full copy of the policy must be available to the CRA at any time upon request.

* On this form, person means an individual, partnership, corporation, trust, estate, or a body that is a society, union, club, association, commission or other organization of any kind whatsoever.

The person seeking insurance must complete the following before sending to an authorized Canadian insurer.

Name of authorized insurer	Name of person seeking insurance
Class of insurance sought	

QUESTIONS FOR INSURER

- Are you an insurer authorized under the laws of Canada or a province to transact the business of insurance?
 Yes No
- Please indicate the date on which you were first asked to provide the requested insurance to the person:

YYYY-MM-DD
- Is the class of insurance referenced above a class of insurance that you offer in Canada?
 Yes No
- Were you provided with sufficient time to quote on this particular class of insurance?
 Yes No
- Do you have the capacity to provide this particular class of insurance to the person at this particular point in time?
 Yes No
- If you offer the class of insurance requested and have the capacity to provide such insurance, are you willing to stake capital for this particular risk at this time?
 Yes No. In this case, please specify in section Notice of Declination by Insurer on the next page.

AVAILABILITY OF CLASS OF INSURANCE IN CANADA

If, as an insurer authorized under the laws of Canada or a province to transact the business of insurance, you are able to provide the particular class of insurance to the person and you would like to inform the Canada Revenue Agency (CRA) that this particular class of insurance is available in Canada, please fax (at 1-902-432-5593) or send a copy of this completed form to:

Excise and Other Levies Unit
 Summerside Tax Centre
 275 Pope Road, Suite 101
 Summerside PE C1N 6E7

Comments

NOTICE OF DECLINATION BY INSURER

If, as an insurer authorized under the laws of Canada or a province to transact the business of insurance, you are **unable** to provide the requested insurance to the person, please state your reasons for being unable to provide the insurance:

I certify that the information given on this form is, to the best of my knowledge, true, correct, and complete in every respect, and that I am authorized to sign on behalf of the insurer.

Name of authorized representative for the insurer

Title

Date (yyyy-mm-dd)

Signature of authorized representative for the insurer

Telephone number

Description of tax

Part I of the *Excise Tax Act* (Act) imposes a tax on certain insurance contracts for persons resident in Canada. This includes persons who place insurance against risks in this country with insurers or with any exchange having its chief place of business outside Canada or having a principal attorney-in-fact whose chief place of business is outside Canada where the insurer or exchange is not authorized under Canadian laws or the laws of any province to transact the business of insurance.

The tax is also applicable if persons resident in Canada place insurance against risks in this country with insurers, including any exchange, authorized under Canadian laws or the laws of any province to transact the business of insurance, if the contract is entered into or renewed through a broker or agent outside Canada.

Exemption from tax

Paragraph 4(2)(b) of the Act provides for an exemption from tax for certain contracts when that insurance is not, in the CRA's opinion, available in Canada. The exemption is intended to provide relief from tax in cases where a particular class of insurance is not available in the Canadian market or where the capacity required is not available in Canada.

If the insured intends to apply for an exemption from the tax, an *Application for Exemption from Premium Taxes Imposed under the Excise Tax Act - Part I* (E638) should be completed. It is available by contacting our office or on the CRA Web site at www.cra-arc.gc.ca/E/pbg/ef/e638/. This completed application must be submitted with five completed statements of availability or declination from authorized insurers (E638A), as well as copies of the related written requests for insurance coverage sent to the insurers and a copy of your current insurance binder, cover note or renewal certificate. The full copy of the policy must be available to the CRA at any time upon request. Failure to do so will result in the exemption application being denied.

Mailing and contact information

If you require additional information, please contact the CRA at the following address:

Excise and Other Levies Unit
Summerside Tax Centre
275 Pope Road, Suite 101
Summerside, PE C1N 6E7

Telephone: 1-877- 432-5472 (toll free from points in Canada and the United States)

902-432-5472

Fax: 902-432-5593