# T5 Guide – Return of Investment Income

2009



## Is this guide for you?

If you make certain payments to a resident of Canada, or if you receive certain payments as a nominee or agent for a person resident in Canada, you have to prepare a T5 information return. This guide explains how to complete the T5 information return.

Chapter 4 starting on page 8 describes the payments for which a T5 information return is required.

#### Note

In certain situations, the *Income Tax Act* treats payments in a specific way. For example, you have to report some interest payments as dividends and some dividend payments as interest. This guide explains these and other rules.

If you make certain payments to a non-resident of Canada, see "Chapter 7 – Payments to non-residents of Canada" on page 15.

In this guide, the term "filer" refers to the person (that is, an individual or organization) that, under the *Income Tax Act*, must prepare and file a T5 information return. A filer is different from a service bureau or anyone else who may be filing the return for a filer.

**Do not use the T5 information return to report debt obligations in bearer form**. For more information on reporting debt obligations in bearer form, see Guide T4091, *T5008 Guide – Return of Securities Transaction*, and Guide RC4268, *Handbook on Securities Transactions – A Summary of the Reporting Requirements under the Income Tax Regulations*. The Guide RC4268 is only available electronically at www.cra.gc.ca/forms.

### Are you acting as a trustee?

If you are acting as a trustee and you own and control property for another person, you have to file a *T3 Trust Income Tax and Information Return*. If the beneficial owner keeps ownership and control of the property, you should report any income earned (as described under the first heading of Chapter 4) on a T5 information return.

If you are acting as a trustee and you are not sure if you should complete a T3 or a T5 information return, see Guide T4013, *T3 Trust Guide*. The information in that publication and in this guide will help you decide which return to complete. If you still have questions, visit **www.cra.gc.ca** or call **1-800-959-5525**.

If you have a visual impairment, you can get our publications in braille, large print, etext (CD or diskette), or MP3. For more information, go to **www.cra.gc.ca/alternate** or call **1-800-959-2221**.

## **Confidentiality of information**

Under the *Privacy Act*, the information you provide on the T5 information return and related forms can be used only for the purposes authorized by law.

### Income Tax Act references

In this guide, all legislative references are to the *Income Tax Act* and *Income Tax Regulations*. You can find a list of these references on page 24.

La version française de ce guide est intitulée Guide T5 – Déclaration des revenus de placements.

## What's new?

### Internet File Transfer

If you use commercial or in-house-developed software to manage your business, you can now file up to 150 MB. For more information, see "Filing over the Internet" on page 7. If your file is more than 150 MB, you can either compress your return or you can divide it so that each submission is no more than 150 MB.

### New terminology for Business Number

The new 15-character Account Number that you will use to send us your T5 information return consists of three parts the nine-digit Business Number (BN), a two-letter Program Identifier, and a four-digit reference number. When we require the whole 15-character number, we now refer to the Account Number instead of the Business Number.

# Filer Identification Number (FIN) change

Starting in January 2010, the Canada Revenue Agency (CRA) will begin processing the T5, T5007, T5008, and T5013 information returns, as well as the RRSP Contribution Receipts and the new Tax Free Savings Account (TFSA) information returns, using the Business Number (BN).

The BN is a numbering system that simplifies and streamlines the way businesses deal with the federal government. It is based on the idea of one business, one number.

By the end of December 2009, Filer Identification Number (FIN) will be converted to BN. A new RZ Program Identifier will be created to file these information returns. If you are required to file one of the above-mentioned returns, you will be required to do so using your BN with RZ Program Identifier.

We will be notifying all businesses of their converted BN with RZ Program Identifier by mail. If you do not receive your notification by the end of December 2009, please call **1-800-959-5525** (service in English), or **1-800-959-7775** (service in French), or write to your local tax centre at the address shown on page 25.

### Amendments

If you are filing an amended slip, you must do so using the Account Number you indicated in the original information return. For 2008 and prior years, use the FIN. For amendments to the 2009 and subsequent tax years, use the BN with RZ Program Identifier.

### Changes to the dividend tax credit

For tax years that begin after December 31, 2009, the eligible dividend gross-up and enhanced dividend tax credit will be reduced from their current levels of 45% of the dividend paid and 11/18 of the eligible dividend gross-up, respectively, to:

- 44% and 10/17, effective January 1, 2010;
- 41% and 13/23, effective January 1, 2011; and
- 38% and 6/11, effective January 1, 2012.

As a result, the effective enhanced dividend tax credit expressed as a percentage of the taxable amount of the eligible dividend (currently 18.9655%), will be 17.9722% for 2010, 16.4326% for 2011, and 15.0217% for 2012.

### Mandatory electronic filing

Effective January 1, 2010, you **must** file information returns by Internet File Transfer in eXtensible Markup Language (XML) **if you file more than 50 T5 information returns (slips)** for a calendar year. Mandatory electronic filing relates to the date of filing, not the tax year of the returns being filed.

## Late-filing penalty

Effective January 1, 2010, if you file your T5 information return late, or do not distribute the related slips to the recipients by the due date, you are liable to a penalty. For more information, see page 5.

## Failure to file information returns over the Internet

Effective January 1, 2010, **if you file more than 50 T5 information returns (slips)** for a calendar year and you do not file the information returns over the Internet, you are liable to a penalty. For more information, see page 5.

## **Correction to Box 13 instructions**

We have changed the instructions for Box 13 of the T5 slip to exclude amounts required to be reported under paragraph 56(1)(j) by life insurers to a policyholder as these amounts have to be reported in Box 14, Other income from Canadian sources.

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## Chapter 1 – General information

To help us process your T5 returns quickly and accurately, we would prefer that you file over the Internet. Starting in 2010, this may become a requirement for you. For more information, see "Penalties and offences" on this page and "Chapter 3 – Filing methods" on page 7.

Use the current versions of the T5 slip and T5 Summary when you file your T5 information return.

#### Note

You **cannot** combine amounts when you provide T5 slips to the recipients. For example, when you submit three T5 slips to us for the same recipient, you have to issue three separate slips to the recipient. We **only** accept consolidated T5 slips **if** your corporation amalgamated with one or more corporations during the year. The new corporation can prepare a consolidated T5 information return for itself and the predecessor corporation(s).

**Do not file a blank or nil T5 information return that has no T5 slips**. You do not have to file a T5 return for a year during which you did not pay or credit any amounts.

This guide does not deal with every tax situation. For a list of publications that explain certain situations in greater detail, see page 23.

## **Electronic mailing lists**

We can notify you immediately about new information for electronic filing for businesses and more. To subscribe free of charge, go to **www.cra.gc.ca/lists**.

### Due date

You have to file your T5 information return **on or before the last day of February** following the calendar year for which you are preparing it. For example, if you are filing a T5 information return for 2009, it has to be filed on or before the last day of February, 2010. If this date falls on a Saturday or Sunday, your information return is due on the next business day. Note that several provinces and territories have their own unique holidays. Therefore, due dates may be affected depending on where you reside. For a list of public holidays, go to **www.cra.gc.ca/duedates**.

If you end your business or activity, you have to file a return for the year or part-year no later than 30 days after the date the business or activity ended.

You can send recipients an electronic copy of their T5 slips. The recipient must have consented in writing or by email to receive the slips electronically.

Send the recipients' copies of the T5 slips to their last known address or deliver them in person. You have to do this on or before the day you have to file the T5 information return.

## Penalties and offences

## Late filing and failure to file the T5 information return

You have to file the T5 information return and give the T5 slips to the recipients **on or before the last day of February** following the calendar year to which the information return applies. If the last day of February is a Saturday or Sunday, your information return is due the next business day.

Effective January 1, 2010, the penalty for failing to file the T5 information return by the due date or for distributing T5 slips to recipients late is the greater of \$100 or a penalty determined as follows:

Number of information returns (slips) by type	Penalty (per day)	Maximum penalty
50 or less	\$10	\$1,000
51 - 500	\$15	\$1,500
501 - 2,500	\$25	\$2,500
2,501 – 10,000	\$50	\$5,000
10,001 or more	\$75	\$7,500

## Failure to file an information return over the Internet

Effective January 1, 2010, **if you file more than 50 T5 information returns (slips)** for a calendar year and you do not file the information returns by Internet File Transfer in eXtensible Markup Language (XML), you are liable to a penalty determined as follows:

Number of information returns (slips) by type	Penalty
51 - 250	\$250
251 - 500	\$500
501 - 2,500	\$1,500
2,501 or more	\$2,500

### Note

The CRA is providing a one year transitional period to allow filers time to adapt to these changes. Penalties will be assessed starting in 2011.

For more information on filing electronically, see "Chapter 3 – Filing methods" on page 7.

### Failure to provide information on a return

Anyone who prepares an information return has to make a reasonable effort to get the necessary information, including identification numbers, from the individuals, corporations, or partnerships that will receive the slips. If you do not do this, you may be liable to a \$100 penalty for each failure to comply with this requirement.

### Failure to provide an identification number

Individuals (other than trusts), corporations, or partnerships have to give their social insurance number (SIN) or Business Number (BN) on request to anyone who has to prepare an information slip for them. A person or partnership that does not do so is liable to a \$100 penalty for each failure to comply with this requirement. This penalty does not apply if the person or partnership had applied for, but not yet received, a SIN or BN at the time the return was filed.

A person who does not have an identification number must apply for one within 15 days of the date of an information request. After receiving the identification number, the person has 15 days to provide it to the person who is preparing an information return.

## Failure to provide a social insurance number (SIN) on a return

Make sure the SIN and name you enter on the T5 slip for each recipient are the same as on his or her SIN card.

If the individual does not give you his or her SIN, you should be able to show that you made a reasonable effort to get it. For example, if you contact a recipient by mail to ask for his or her SIN, record the date of your request and keep a copy of any correspondence that relates to it. If you do not make a reasonable effort to get a SIN, you may be subject to a penalty of \$100 for each failure. If you cannot get a SIN from the recipient, file your information return, without the SIN, no later than the last day of February. If you do not, you may be subject to a **penalty**.

A person who does not have a SIN can apply for one at any Service Canada Centre.

For more information, see Information Circular IC82-2, Social Insurance Number Legislation that Relates to the Preparation of Information Slips, or visit the Service Canada Web site at **www.servicecanada.gc.ca**.

### Using the identification number

If you have to prepare an information return, or if you are an officer, employee, or agent of someone who does, you cannot **knowingly** use or communicate an identification number, or allow it to be communicated, without the written consent of the individual, taxpayer, or partnership, other than as required or authorized by law or for the purpose for which the number was provided.

If you use an identification number for unauthorized purposes, you may be guilty of an offence. If convicted, you are liable to a maximum fine of \$5,000 or imprisonment of up to 12 months, or both.

### Interest on penalties

We charge interest, compounded daily at the prescribed rate, on the total amount of penalties and interest outstanding. Interest and penalties are payable to the Receiver General.

## Cancelling or waiving penalties and interest

The taxpayer relief provisions of the *Income Tax Act* give us some discretion to cancel or waive all or part of any interest charges and penalties. This allows us to consider extraordinary circumstances that may have prevented you from fulfilling your obligations under the *Income Tax Act*. For details, go to **www.cra.gc.ca/fairness** or see Information Circular IC07-1, *Taxpayer Relief Provisions*.

### Notice of assessment

We will issue a notice of assessment for the T5 information return only if we apply a penalty.

### Computer-printed (customized) forms

You may want to use your own customized T5 slips to provide tax information to your clients. To get our written approval, send two samples of your proposed computer-printed slips to:

Business Integration Division Electronic and Print Media Directorate Canada Revenue Agency Place de Ville, Tower A 320 Queen Street, 9th floor Ottawa ON K1A 0L5

For more information, go to **www.cra.gc.ca/customized** or get Information Circular IC97-2, *Customized Forms*, available in electronic format only.

# Chapter 2 – T5 information return

 $A^{\text{T5}}$  information return consists of T5 slips and the related T5 Summary.

**T5 slip** – The T5 slip identifies the various types of investment income that residents of Canada have to report on their income tax and benefit returns. Do not report on a T5 slip investment income paid to non-residents of Canada. For information about payments to non-residents, see "Chapter 7 – Payments to non-residents of Canada" on page 15.

The T5 slip has three individual slips printed on each page or sheet. If you are filing 50 slips or less, paper copies can be used for laser or ink jet printers, for typing, or to be filled out by hand. A fillable version is also available at www.cra.gc.ca/forms.

For information on how to complete the T5 slip, see "Completing the T5 slip" on page 8. For a sample of the T5 slip, see page 20.

**T5 Summary** – The T5 Summary records the total of the amounts you reported on all the related T5 slips.

For information on how to complete the T5 Summary, see "Completing the T5 Summary" on page 13. For a sample of the T5 Summary, see page 21.

## Chapter 3 – Filing methods

If you file from **1 to 50** information slips, we encourage you to file over the Internet in eXtensible Markup Language (XML) format by Internet File Transfer. However, you can file up to 50 T5 slips on electronic media (DVD, CD, or diskette) or on paper.

Effective January 1, 2010, **if you file more than 50 T5 slips** for a calendar year, you **must** file the T5 information return over the Internet. If you do not, you are liable to a penalty. For more information, see "Failure to file an information return over the Internet" on page 5.

If you use commercial or in-house-developed software to manage your business, you can file up to 150 MB by Internet File Transfer. For example, a service bureau can file multiple T5 returns in one submission, provided the total submission does not exceed the 150 MB restriction.

#### Note

If your return is more than 150 MB, you can either compress your return or you can divide it so that each submission is no more than 150 MB.

For more information about filing requirements and on the filing methods available, go to **www.cra.gc.ca/iref**.

## Filing over the Internet

### Internet File Transfer

This convenient filing method is for filers who use commercial or in-house-developed software to manage their business. Internet File Transfer allows you to transmit a return with **a maximum file size of 150 MB**. All you need is a Web browser to connect to the Internet, and your software will create, print, and save your electronic T5 information return in XML format. For information about this filing method, contact your software publisher or go to **www.cra.gc.ca/iref**.

### Note

When using Internet File Transfer (XML), the information is automatically encrypted before it is submitted to the CRA.

### Why use Internet filing?

The Internet Filing initiative is part of the Government On-Line (GOL) initiative to deliver more services electronically to increase the efficiency of government while also delivering service and value to taxpayers. It provides you with an easy-to-use, convenient, secure, and confidential option for filing your information return. Some of the benefits to you will be:

- Immediate confirmation: You will receive immediate confirmation that we received your return (legal proof for your records). The **submission number** is your confirmation that the CRA has received your information return. The file name, date and time of receipt are indicated in the confirmation of receipt page.
- Faster processing: Your information return will be processed more quickly with less chance of errors than with a paper filed return.

- Reduced paperwork: Help the environment by reducing paper consumption.
- Costs savings: Save on printing and mailing costs.

Internet filing is available from January 11, 2010, to early December 2010.

#### Web access code

To file your return using Internet File Transfer, you need a Web access code (WAC). If you qualify, you will receive a letter providing you with your WAC. If you do not receive a WAC, call our help desk at **1-877-322-7849**.

### Filing on electronic media

For an explanation of the technical specifications and instructions you need to file on electronic media (DVD, CD, or diskette), go to **www.cra.gc.ca/electronicmedia**.

Do not send a printed copy to us. You can print **one copy** to keep for your file.

Note

In future years, the CRA will be discontinuing the use of electronic media (DVDs, CDs and diskettes).

For more information about filing requirements and on the filing methods available, go

to www.cra.gc.ca/electronicmedia or call 1-800-665-5164.

If you prefer, you can write to:

Electronic Media Processing Unit Ottawa Technology Centre Canada Revenue Agency 875 Heron Road Ottawa ON K1A 1A2

Note

You may need to correct information you originally filed electronically or on paper. For more information, see "Chapter 6 – After you file" on page 14.

### Filing on paper

If you file 1 to 50 T5 slips, we encourage you to file over the Internet in eXtensible Markup Language (XML) by Internet File Transfer. However, you can file up to 50 T5 slips on paper.

If you are filing your T5 information return on paper, keep the following in mind when you complete the forms that make up the return:

- Use the current versions of the T5 slips and T5 Summary. You can download them in regular or fillable format at www.cra.gc.ca/forms. You can also order them at www.cra.gc.ca/orderforms or by calling 1-800-959-2221.
- Do not tape, tear, or stamp any of the T5 forms.
- For all dollar amounts, use a comma to separate thousands and a period to separate dollars from cents. Do not use dollar signs (\$).

## **Example** 2,345.67

- When no entry is required, leave boxes and areas blank. Do not enter nil, N/A, dashes (–), or zeros in these empty boxes.
- Do not change the title of any box or area on the forms.
- Enter an "X" in those boxes that need one. Do not use any other mark (for example, "✓" or "–").

Report information only in the appropriate box or area provided. If you are not sure where to enter the information, see "Completing the T5 slip" on this page or call us at **1-800-959-5525**.

After you complete your paper return, mail it to:

Ottawa Technology Centre Canada Revenue Agency P.O. Box 9633, Station T Ottawa ON K1G 6H3

## Chapter 4 – T5 slip

## When do you have to prepare a T5 slip?

If you make certain payments to a resident of Canada, or if you receive certain payments as a nominee or agent for a person resident in Canada, you have to prepare a T5 slip.

These payments include:

- eligible dividends and dividends other than eligible dividends (including most deemed dividends);
- interest from:
  - a fully registered bond or debenture;
  - money loaned to or on deposit with, or property of any kind placed with, a corporation, association, organization, or institution;
  - an account with an investment dealer or broker;
  - an insurance policy or annuity contract (when the interest is paid by an insurer); or
  - an amount owing as compensation for expropriated property;
- certain amounts distributed from an eligible funeral arrangement (see "Box 14 – Other income from Canadian sources" on page 10);
- amounts that have to be included in a policyholder's income under section 12.2;
- royalties from the use of a work, an invention, or a right to take natural resources; or
- blended payments of income and capital made by a corporation, association, organization, or institution. For more information, see "Blended payments" on page 17.

For investment contracts acquired **before** 1990, you have to report accrued interest every three years, unless the recipient has elected to report annually. This calculation is based on the calendar year. For more information, see "Contracts acquired after November 12, 1981, and before 1990" on page 16.

For investment contracts acquired **after** 1989, you have to report accrued interest every year. Base this calculation on the date the investment contract was issued. We will consider an investment contract acquired before 1990 to be a new contract acquired after 1989 if certain material changes were made after 1989. For details, see Interpretation Bulletin IT-448, *Dispositions – Changes in Terms of Securities*, and its Special Release.

We explain special accrual rules for indexed debt obligations in "Indexed debt obligations issued after October 16, 1991" on page 16.

## When do you not have to prepare a T5 slip?

You do not have to prepare a T5 slip to report:

- amounts paid to one recipient when the total amount for the year is less than \$50.
- the interest part of a blended payment made by an individual;
- interest one individual pays to another, such as interest paid on a private mortgage (this does not include investment dealers or brokers making payments for client accounts);
- interest paid on loans from banks, financial houses, or other institutions whose usual business includes lending money;
- capital dividends, as described in Interpretation Bulletin IT-66, *Capital Dividends*;
- amounts paid or credited to non-residents of Canada (see page 15);
- interest on an investment contract accrued or payable during the year to a corporation, partnership, unit trust, or any trust of which a corporation or partnership is a beneficiary;
- an amount distributed from an eligible funeral arrangement, if the amount is a return of contributions only;
- interest paid to farmers under the AgriStability and AgriInvest programs, Fund 2 (these amounts are reported on an AGR-1 slip).

### **Completing the T5 slip**

Before you complete the T5 slips, see the information under "Chapter 3 – Filing methods" on page 7. We can process your return more efficiently if you follow these instructions.

### **Recipient's name and address**

Enter the information in the white area provided.

If more than one recipient is entitled to the investment income (for example, interest credited to a joint account), you only need to complete one T5 slip. If there are two recipients, enter both names. For a corporation, enter the name of the corporation.

Where there are multiple (more than 2) account holders for the same account, the onus is on the account holders to ensure that each individual reports their fair share of the income. You have to prepare the T5 slip with the name of the individual(s) who represent the group of investors. The T5 slip should indicate the primary representative and/or the secondary representative, if known, as well as the primary representative's SIN in box 22. In addition, code 2 must be entered in box 23 (see "Box 23 – Recipient type" on page 11), which advises the CRA that the account is a joint account.

If the payment is made to an association, organization, or institution, enter that name. Do not enter the name of the secretary-treasurer or any other individual who has signing authority. If the payment is made to the registered holder of an investment (for example, broker or trustee of an RRSP), enter the name of the registered holder, not the name of the individual. If the payment is made to a trust, enter the name of the trust and not the name of the individual beneficiaries of this trust.

**First line** – Enter the individual's last name first, followed by the usual first names and initials, or enter the name of the recipient corporation, association, organization, institution, or trust. For "Estate of" or "in Trust for," enter the usual last name, followed by the names and initials followed by "Estate of" or "in Trust for."

**Second line** – Enter the second recipient's last name, first name, and initials. If there is only one recipient, leave this line blank.

In all cases, enter the recipient's full mailing address as follows:

Third, fourth, and fifth lines – Enter the recipient's full address, including city and province or territory. Enter the recipient's postal code. You can leave some lines blank. For the province or territory, use the two-letter abbreviations from the list on page 23.

### Payer's name and address

Complete this area on each T5 slip. Enter the payer's full name and address.

### Year

Enter the four digits of the calendar year during which the recipient earned the investment income.

## **Boxes 10, 11, 12, 24, 25, and 26** – Dividends from Canadian corporations

Dividends include all payments in cash or kind (including stock dividends) and all amounts deemed to be dividends. For details on deemed dividends, see "Deemed dividends" on page 17. For information on unclaimed dividends, see page 17.

Dividends from taxable Canadian corporations paid to an individual (other than a trust that is a registered charity) are eligible for a federal dividend tax credit.

If the dividends paid are dividends other than eligible dividends, read the following instructions for boxes 10, 11, and 12.

If the dividends paid are eligible dividends, read the instructions for boxes 24, 25, and 26 starting on page 12. You can find more information about eligible dividends in the Guide T4012, *T2 Corporation – Income Tax Guide*.

#### Note

Dividends that pass through a corporation retain the character they had, as eligible dividends or dividends other than eligible dividends, when they were initially paid.

## **Box 10** – Actual amount of dividends other than eligible dividends

For dividends paid after 2005, enter the actual amount of dividends other than eligible dividends, or the amount we deem to be dividends other than eligible dividends, paid by a Canadian corporation.

For dividends paid before 2006, enter the actual amount of dividends, or the amount we deem to be dividends, paid by a Canadian corporation.

For recipients who are individuals resident in Canada (other than a trust that is a registered charity), the dividends must be paid by a taxable Canadian corporation.

#### Do not include:

- dividends paid or payable by a credit union to a member who has a share in the credit union, if the share is not listed on a designated stock exchange (we treat these amounts as interest);
- capital gains dividends (to report capital gains dividends, follow the instructions for box 18);
- dividends paid to individuals who are not eligible for the federal dividend tax credit;
- eligible dividends; and
- taxable dividends, other than capital gains dividends, paid by a mortgage investment corporation to any of its shareholders (we treat these amounts as interest).

## **Box 11** – Taxable amount of dividends other than eligible dividends

Complete box 11 **only** for individuals resident in Canada (other than a trust that is a registered charity). Enter 25% more than the amount you reported in box 10. Do not enter an amount in box 11 if the dividends entered in box 10 are paid to a corporation.

## **Box 12** – Dividend tax credit for dividends other than eligible dividends

Complete box 12 **only** for individuals resident in Canada (other than a trust that is a registered charity). The amount you enter in box 12 is 13.3333% of the taxable amount you

entered in box 11. Do not enter an amount in box 12 if the dividends entered in box 10 are paid to a corporation.

### Box 13 - Interest from Canadian sources

Enter the following amounts, as long as you did not previously report them:

- interest on a fully registered bond or debenture;
- interest on money loaned to or on deposit with, or interest on any kind of property placed with, a corporation, association, organization, or institution;
- interest on an account with an investment dealer or broker;
- interest an insurer paid in connection with an insurance policy or annuity contract;
- interest on an amount owing as compensation for property that has been expropriated;
- the interest part of blended payments (see page 17);
- dividends paid or payable by a credit union to a member who has a share in the credit union, if the share is not listed on a designated stock exchange; and
- taxable dividends, other than capital gains dividends, that a mortgage investment corporation paid to any of its shareholders.

#### Do not include:

- interest from a source outside Canada (see the instructions for box 15); or
- the accrued income from an annuity described under former paragraph 56(1)(d.1), or accrued income of certain life insurance policies (see the instructions for box 19).

For more information on accrued interest on investment contracts, see page 16. For information on unclaimed interest, see page 17.

### Other information

The "Other information" area in the middle of the T5 slip has blank boxes for you to enter codes and amounts that relate to other income from Canadian sources, foreign income, foreign tax paid, royalties from Canadian sources, accrued income, annuities, and amounts eligible for a resource allowance deduction. You can also use this area for any other entries that apply.

The boxes are not prenumbered as in the top part of the slip. Enter the following codes that apply to the recipient.

#### Note

If more than three codes apply to the same recipient, use an additional T5 slip.

### Box 14 – Other income from Canadian sources

Other income includes:

 taxable dividends and deemed dividends (see "Deemed dividends" on page 17) paid to an individual by a corporation resident in Canada that is **not** a taxable Canadian corporation;

- amounts reported by life insurers, to be included in a policyholder's income under paragraph 56(1)(j); and
- amounts distributed from an eligible funeral arrangement (EFA) after 1995 to a taxpayer as a return of funds.

An EFA is an arrangement a qualifying person establishes and maintains solely to fund funeral or cemetery services for one or more individuals. The custodian then reports the amounts distributed from the arrangement after 1995 that are not payments for providing funeral or cemetery services and that do not reflect contributions previously made. The custodian can be the trustee of any trust governed by an EFA. If a trust is not involved, the custodian can be any person who receives a deposit under the EFA for providing funeral services. This person has to be licensed or authorized under the laws of a province or territory to provide funeral or cemetery services for individuals.

The EFA's custodian has to enter the code "14" in a generic box in the "Other information" area. The amount you have to report in the Amount box next to box 14 is the lesser of:

- the amount distributed from the EFA to a taxpayer (other than as payment for providing funeral or cemetery services for the individual from whose account the amount was distributed); and
- the amount on line 5 of the following chart:

1.	Enter the individual's balance under the EFA before the refund (excluding the value of property in a cemetery care trust).	 1
2.	Enter the total of all payments made from the EFA to provide funeral or cemetery services for the individual (other than cemetery services funded by property in a cemetery care trust).	2
		 -
3.	Line 1 <b>plus</b> line 2	3
4.	Enter the total of all <b>relevant</b> <b>contributions</b> made to the individual's EFA before the amount was distributed (other than contributions that were in a cemetery care trust).	4
5.	Line 3 minus line 4	 5
	elevant contributions are contributions made the contributions to another EFA later tran	e

and the contributions to another EFA later transferred to the EFA for the purpose of funding funeral or cemetery services for the individual.

#### Example

Mr. Gilbert contributed \$8,000 to a prepaid funeral arrangement. The balance in the arrangement grew to \$10,000 before Mr. Gilbert died. The total payments made from the arrangement for funeral services amounted to \$9,500. The \$500 balance was refunded to the estate. In this case, the custodian of the EFA would show \$500 in box 14 of the T5 slip issued in the name of Mr. Gilbert's estate. This amount is the lesser of:

■ \$500 (the refund amount); and

#### Note

Under proposed changes to the *Income Tax Act*, amount 4 in the chart on the previous page will be further reduced by any relevant contributions previously transferred from the EFA account to another EFA account. For more details, see the explanatory notes for changes to subsection 148.1(3) at **www.fin.gc.ca**.

### Box 15 - Foreign income

Identify a box in the "Other information" area as box 15. In the "Amount box", enter in Canadian currency the gross foreign income received from sources outside Canada. Do not reduce the amount by any foreign income tax that was withheld. Enter any amounts for foreign spin-off shares received from sources outside Canada. If you cannot report the amount in Canadian currency, see the instructions for box 27.

### Box 16 - Foreign tax paid

Identify a box in the "Other information" area as box 16. In the "Amount box", enter the foreign income tax, if any, that was withheld from the gross foreign income you reported in box 15. Report the amount of the foreign income tax withheld in Canadian currency. The recipient of the T5 slip will need to know this amount to calculate the federal, provincial, or territorial foreign tax credits.

### Box 17 - Royalties from Canadian sources

Identify a box in the "Other information" area as box 17. In the "Amount box", enter the royalties paid during the year. Royalties include payments for the use of a work or invention, or a right to take natural resources.

### Box 18 - Capital gains dividends

Enter the amount of capital gains dividends that we consider to be a capital gain and that were paid by:

- an investment corporation;
- a mortgage investment corporation; or
- a mutual fund corporation.

### Box 19 - Accrued income: Annuities

Identify a box in the "Other information" area as box 19, and in the amount box, enter:

- the accrued earnings on a life insurance policy to be included in a policyholder's income under section 12.2; and
- the annuity payments to be included in income under former paragraph 56(1)(d.1) for annuity contracts issued before 1990.

## **Box 20** – Amount eligible for resource allowance deduction

For tax years that begin after December 31, 2006, this deduction is no longer available.

For each tax year that ended after 2002 and began before 2007, the percentages that could be claimed were 25% for tax years before 2003, 22.5% for 2003, 18.75% for 2004, 16.25% for 2005, and 8.75% for 2006.

Identify a box in the "Other information" area as box 20. In the amount box, enter all amounts included in box 17 that qualify as production royalties for the purposes of the resource allowance deduction, for tax years that began before 2007.

### Box 21 - Report code

Enter on each slip one of the following codes to indicate whether the slip is:

- "O" original;
- "A" amended (changing the financial data or identification information); or
- "C" cancelled.

When using code "A," or "C," enter a description at the top of the T5 slip (for example, "AMENDED" or "CANCELLED") and include a letter of explanation when you file a copy of the slip with us. For more information, see "Chapter 6 – After you file" on page 14.

### Box 22 - Recipient identification number

If the recipient is an individual (other than a trust), enter the individual's social insurance number (SIN). For interest credited to a joint account, enter the SIN of only one of the individuals.

You have to make a reasonable effort to get the recipient's SIN. If you do not, you may be liable to a \$100 penalty for each time you do not provide the SIN on a slip. However, when a person tells you that he or she does not have a SIN but is applying for one, make sure you complete and file the return before the filing deadline. If you have not received the recipient's SIN by the time you prepare the T5 slip, leave box 22 blank.

See "Failure to provide a social insurance number (SIN) on a return" on page 6 for more information on your obligation to provide a valid SIN.

#### Note

If you are reporting a payment made in trust to an institution for an individual (for example, a payment of interest made to the trustee of a self-directed RRSP), **do not enter the individual's SIN in box 22**.

**If the recipient is not an individual**, enter the recipient's Business Number, if available.

### Box 23 - Recipient type

Enter one of the following codes to identify the recipient to whom the investment income was paid:

- "1" for an individual;
- "2" for a joint account (two or more individuals);
- "3" for a corporation;

- "4" for an association, trust (RRSP trustee, fiduciary-trustee, nominee, or estate), club, or partnership; or
- "5" for a government, government enterprise, or international organization.

### Box 24 - Actual amount of eligible dividends

Enter the actual amount of eligible dividends, or the amount we deem to be eligible dividends. Eligible dividends are paid after 2005 by corporations resident in Canada to individual shareholders resident in Canada.

Among other requirements, to be eligible dividends, taxable dividends must have been designated as such by the corporation paying the taxable dividend.

You can find more information about eligible dividends in the Guide T4012, *T2 Corporation – Income Tax Guide*.

#### Do not include:

- dividends paid or payable by a credit union to a member who has a share in the credit union, if the share is not listed on a designated stock exchange (we treat these amounts as interest);
- capital gains dividends (to report capital gains dividends, follow the instructions for box 18);
- dividends paid to individuals who are not eligible for the federal dividend tax credit;
- dividends other than eligible dividends; and
- taxable dividends, other than capital gains dividends, paid by a mortgage investment corporation to any of its shareholders (we treat these amounts as interest).

### Box 25 - Taxable amount of eligible dividends

Complete box 25 **only** for individuals resident in Canada (other than a trust that is a registered charity). Enter 45% more than the amount you reported in box 24. Do not enter an amount in box 25 if the dividends entered in box 24 are paid to a corporation.

## **Box 26** – Dividend tax credit for eligible dividends

Complete box 26 **only** for individuals resident in Canada (other than a trust that is a registered charity). The amount you enter in box 26 is 18.9655% of the taxable amount you entered in box 25. Do not enter an amount in box 26 if the dividends entered in box 24 are paid to a corporation.

### Box 27 - Foreign currency

Leave this area blank if you are reporting amounts in Canadian dollars.

If you cannot report amounts in Canadian dollars, identify the foreign currency according to the International Standard (ISO) 4217 called *Codes for the Representation of Currencies and Funds*. Enter the appropriate three-character alphabetic or numeric codes if you are filing on paper. If possible, use the alphabetic codes. For example:

- USD United States, dollar
- JPY Japan, yen
- HKD Hong Kong, dollar
- AUD Australia, dollar
- NZD New Zealand, dollar
- DKK Denmark, krone
- **GBP** United Kingdom, pound
- **EUR** European Union, euro
- OTH Other

#### Note

If you are filing electronically, you must use the alphabetic code.

When you report amounts in foreign currency, keep the following rules in mind:

- do not combine different foreign currency types on a T5 slip. Report only one type of foreign currency on each slip;
- print the name of the foreign currency on the slip (for example, U.S. DOLLARS) under generic boxes 15 and 16, for the recipient's benefit;
- if you file a paper T5 information return and leave box 27 blank, we will process the amounts on the T5 slips as Canadian dollars; and
- when completing your T5 Summary, you only have to enter one total income amount, whether or not the T5 slips are made up of different currency types.

### Box 28 - Transit

If you are reporting for a financial institution or any similar business, enter the recipient's transit code or branch identification code (up to eight characters) in this area.

### Box 29 - Recipient account

If you can identify the recipient by an account number or policy number, enter the appropriate characters (up to 12) in this area.

### **Distributing the T5 slip**

You can send recipients an electronic copy of their T5 slips, **on or before the last day of February** following the calendar year to which the information return applies, but they must have consented in writing or by email to receive the slips electronically.

#### Note

If you file your information return over the Internet or on electronic media, **do not** send us the paper copy of the forms that make up the return.

If you are filing on paper, send us each T5 slip (three slips printed per sheet), along with the T5 Summary, **on or before the last day of February** following the calendar year to which the information return applies. Send these forms to:

Ottawa Technology Centre Canada Revenue Agency P.O. Box 9633, Station T Ottawa ON K1G 6H3 Send two copies of the T5 slip to the recipient on or before the last day of February following the calendar year to which the information return applies.

You do not have to keep a copy of the T5 slips. However, you have to keep the information from which you prepared the slips in an accessible and readable format.

#### Note

When a business or activity ends, you have to send the appropriate copies of the T5 slips to the recipients and us no later than 30 days after the date the business or activity ended.

## Chapter 5 – T5 Summary

You have to complete a T5 Summary if you prepare one or more T5 slips.

### **Completing the T5 Summary**

Before you complete the T5 Summary, see the information in "Chapter 3 – Filing methods" on page 7.

Do not include amounts on the T5 Summary for which you have not prepared a T5 slip.

### Return for the year ended

Enter the four digits of the calendar year to which the information return relates.

### Account Number

As of January 2010, the Filer Identification Number (FIN) will no longer be processable on original T5 returns.

Enter the 15 characters of your Account Number in this area.

The Account Number consists of three parts—the Business Number (BN), the Program Identifier and the reference number.

- The BN is a 9-digit number that identifies the business. It simplifies and streamlines the way businesses deal with the federal government;
- The 2-letter Program Identifier identifies the type of BN account, in this case, "RZ"; and
- The 4-digit reference number identifies each account a business may have.

#### Note

Due to the conversion from FIN to BN, as of January 2010, if you are filing a T5 information return, you must do so using the BN with RZ Program Identifier (for example, 123456789RZ0001) instead of the FIN (for example, HA1234567). If you have filed your T5 information return using the FIN between January 2008 and September 2009, the CRA will notify you of your converted Account Number by mail. If you do not receive your notification by the end of December 2009, please call **1-800-959-5525** to find out how to obtain a BN with RZ Program Identifier for your T5 information return. Please note, in order to create or maintain Account Numbers, you must be authorized to do so.

In the case of amendments for 2008 and prior tax years, or if you have been unable to obtain a BN with RZ Program Identifier, enter your FIN (for example, HA1234567).

For more information on the FIN to BN conversion, see the "What's new?" section at the beginning of this guide.

### **Additional T5 Summary**

Use this box if you are preparing more than one T5 information return and the returns are:

- for the same filer with the same filer identification number; and
- for the same year.

Enter an "X" in this box on the T5 Summary for the second return and on each following T5 Summary as described above.

## Name and address of filer or nominee (four lines)

Enter the name of the filer or nominee, and the full address of the branch or office filing the T5 Summary. Use the two-letter code for the province or territory. The codes are listed in Appendix C on page 23.

## Have you filed a T5 information return before?

If you have sent us a T5 information return in a previous year, enter an "X" in the "Yes" box.

If this is the first year you are sending us a T5 information return, enter an "X" in the "No" box.

### Language

Enter an "X" in the appropriate box. Any future correspondence and information we send you will be in the language you choose.

## **Line 10** – Actual amount of dividends other than eligible dividends

Enter the total from box 10 on all T5 slips.

## Line 11 – Taxable amount of dividends other than eligible dividends

Enter the total from box 11 on all T5 slips.

## **Line 12** – Dividend tax credit for dividends other than eligible dividends

Enter the total from box 12 on all T5 slips.

**Line 13** – Interest from Canadian sources Enter the total from box 13 on all T5 slips.

**Line 14** – Other income from Canadian sources Enter the total from box 14 on all T5 slips.

### Line 15 - Foreign income

Enter the total from box 15 on all T5 slips. You have to report this amount in Canadian currency. If you cannot report the amount in Canadian currency, see the instructions for box 27 on page 12.

### Line 16 – Foreign tax paid

Enter the total from box 16 on all T5 slips. You have to report this amount in Canadian currency.

### Line 17 – Royalties from Canadian sources

Enter the total from box 17 on all T5 slips.

### Line 18 - Capital gains dividends

Enter the total from box 18 on all T5 slips.

### Line 19 – Accrued income: Annuities

Enter the total from box 19 on all T5 slips.

## **Line 20** – Amount eligible for resource allowance deduction

Enter the total from box 20 on all T5 slips.

Line 24 - Actual amount of eligible dividends

Enter the total from box 24 on all T5 slips.

## Line 25 – Taxable amount of eligible dividends

Enter the total from box 25 on all T5 slips.

## **Line 26** – Dividend tax credit for eligible dividends

Enter the total from box 26 on all T5 slips.

### Line 31 - Total number of T5 slips filed

Enter the total number of T5 slips (there are three slips per sheet) you are filing with the T5 Summary. Do not include in this total any slips you marked as being void or that you left blank.

## Lines 32 and 33 – Unclaimed amounts later paid out

We require special reporting when you have been holding an unclaimed amount and you finally identified the rightful owner and paid out the amount. A separate information return is required to report these amounts. For information on how to complete the T5 Summary and T5 slips to report unclaimed amounts you later paid out, see "Chapter 10 – Unclaimed amounts: Dividends or interest" on page 17.

## Line 32 – Unclaimed amounts: Dividends and interest

Enter the total of the amounts you identified as unclaimed dividends or unclaimed interest later paid out. These amounts are included in box 10, 13, or 24 of the T5 slips that you identified as "UNCLAIMED DIVIDEND ACCOUNT" or "UNCLAIMED INTEREST ACCOUNT." For more information, see "Chapter 10 – Unclaimed amounts: Dividends or interest" on page 17.

### Line 33 - Tax deducted from unclaimed amounts

Enter the total amount of tax deducted shown on the T5 slips you identified as "UNCLAIMED DIVIDEND ACCOUNT" or "UNCLAIMED INTEREST ACCOUNT." The amount of tax deducted is shown on the T5 slip directly below the recipient's postal code. For more information, see "Chapter 10 – Unclaimed amounts: Dividends or interest" on page 17.

## Lines 41 and 42 – Person to contact about this information return

Enter the name and telephone number of a person who can answer any questions we may have about the T5 information return.

### Certification

Sign and date the information return in this area of the T5 Summary.

### Filing the T5 Summary

You can file your T5 Summary by Internet File Transfer or electronic media. For more information, see "Chapter 3 – Filing methods" on page 7.

If you are filing on paper, send the completed T5 Summary, along with the related T5 slips to:

Ottawa Technology Centre Canada Revenue Agency P.O. Box 9633, Station T Ottawa ON K1G 6H3

You must send these on or before the last day of February following the calendar year to which the T5 information return relates.

When a business or activity ends, you have to send the T5 Summary and the related T5 slips no later than 30 days after the date the business or activity ended.

You may want to keep a working copy of the T5 Summary for your records.

## Chapter 6 – After you file

When we receive your information return, we check it to see if you have prepared it correctly. After an initial review, we enter your return into our processing system, which captures the information and performs various validity and balancing checks. If there are any problems, we may contact you.

# Amending, cancelling, adding, or replacing slips

For information on the Filer Identification Number (FIN) to Business Number (BN) conversion and how it relates to amended and additional slips, see the "What's new?" section at the beginning of this guide.

### Amending slips

After you file your information return, you may notice that you made an error when preparing the T5 slips. If so, you will have to prepare amended slips to correct the information.

#### Amending slips electronically

No matter how you originally filed, you can file amended returns (slips) electronically. Amended slips are indicated with report type code "A". For information on amending slips electronically, go to **www.cra.gc.ca/iref** and select "Amending returns."

#### Amending paper slips

Clearly identify the new slips as amended slips by writing "AMENDED" at the top. When you amend a slip, make sure you complete all the necessary boxes, including the information that was correct on the original slip. Send two copies of the amended slips to the recipient in the same way you sent the originals.

Send one copy of the amended slips to any tax centre with a letter explaining the reason for the amendment. The addresses of our tax centres are listed on page 25.

#### Note

Do not file an amended summary when you send in amended slips.

### **Cancelling slips**

#### **Cancelling slips electronically**

A cancelled slip is considered to be an amended slip. Cancelled slips are indicated with report type code "C". See "Amending slips electronically" on this page.

#### Cancelling paper slips

Send us a copy of the original clearly marked "CANCELLED." The addresses of our tax centres are listed on page 25. Do not file a cancelled summary. Send two copies of the cancelled slip to the recipient in the same way you sent the originals.

#### Note

If you notice errors on the slips **before** you file them with us, you can correct them by preparing new slips and **removing** any incorrect copies from the information return. If you do not prepare a new slip, initial any changes you make on the slip. Ensure you also correct the summary.

### Adding slips

After you file your T5 information return, you may discover that you need to send us additional T5 slips. If you have original slips that were not filed with your return, file them in a separate original return. If the total number of T5 slips you file (original plus additional slips) is more than 50 slips for the same calendar year, you have to file the additional slips over the Internet.

#### Adding slips electronically

We accept additional original T5 slips in electronic format. Additional slips are indicated with report type code "O". Go to **www.cra.gc.ca/iref**.

#### Adding slips on paper

When submitting additional slips on paper, clearly identify the new slips by writing "ADDITIONAL" at the top. Send a copy of the slips to any tax centre. The addresses of our tax centres are listed on page 25. Do not file an additional summary.

### **Replacing slips**

If you issue slips to replace copies that are lost or destroyed, do not send us copies of these slips. Clearly identify them as "DUPLICATE" copies, and keep them with your records.

# Chapter 7 – Payments to non-residents of Canada

You have to file an NR4 information return to report amounts paid or credited, or amounts we consider to be paid or credited, by residents of Canada to non-resident persons.

You have to do this if the total annual amount you paid or credited is \$50 or more, or if you withheld tax (regardless of the amount you paid or credited).

For more information on how to complete the NR4 return, see Guide T4061, *NR4 – Non-Resident Tax Withholding, Remitting, and Reporting.* 

You have to withhold income tax of 25% (or the percentage established under a tax convention or agreement) on amounts you paid or credited to non-residents.

Complete the remittance part (Part 2) of Form NR76, *Non-Resident Tax – Statement of Account*, and send it with the tax to:

International Tax Services Office Canada Revenue Agency 2204 Walkley Road Ottawa ON K1A 1A8

Alternatively, you can make the payment to your chartered bank by the 15th day following the month in which the tax was withheld.

For more information, see Information Circular IC76-12, Applicable Rate of Part XIII Tax on Amounts Paid or Credited to Persons in Countries With Which Canada Has a Tax Convention, and Information Circular IC77-16, Non-Resident Income Tax.

If, as a resident of Canada who pays or credits amounts to or for a non-resident of Canada, you do not withhold (or you withhold but do not remit) non-resident tax, you are liable for the amount of tax you should have withheld and remitted, plus a penalty of 10% of the tax. We charge interest, compounded daily at the prescribed rate, on the total of the tax, penalties, and outstanding interest.

For more information about how we determine an individual's residence for tax purposes, see Interpretation Bulletin IT-221-Consolid, *Determination of an Individual's Residence Status*.

## **Chapter 8 – Accrued interest**

### **Contracts acquired after 1989**

You have to prepare T5 slips each year for all investment contracts acquired after 1989. You have to prepare these slips annually even if you did not pay the interest.

### What is an investment contract?

An investment contract is any debt obligation other than those excluded by the definition of **investment contract** in subsection 12(11). For example, a debt obligation that provides for the payment of interest at least annually is not an investment contract because it is excluded by paragraph (i) of the investment contract definition.

A common type of investment contract would be a written agreement with a financial institution where a sum of money is invested for more than one year and the accrued interest on the funds invested is only paid at maturity (when the term of the contract expires).

On the T5 slip, enter the total of all interest accrued to each **anniversary day**. Do not include any interest you previously reported.

The anniversary day is:

- the day that is one year minus a day after the day the contract was issued (and every successive one-year interval after that day); or
- the day the contract was disposed of.

We consider an investment contract to be disposed of when it is converted, cancelled, sold, or redeemed.

### Example

An investment contract was issued on October 29, 2005. It is disposed of on April 7, 2009, and all the interest is paid then. You have to prepare and file a T5 slip each year to report the interest that accrues to:

- October 28, 2006;
- October 28, 2007;
- October 28, 2008; and
- April 7, 2009.

### Contracts acquired after November 12, 1981, and before 1990

For investment contracts (other than Canada Savings Bonds and debt obligations in bearer form) acquired after November 12, 1981, and before 1990, you have to prepare a T5 slip to report the interest that accrues to every third anniversary of the investment contract. Do not include interest you previously reported.

The third anniversary is the third December 31 after the end of the year in which the contract was originally issued, and each third December 31 after that.

If a contract is disposed of before its third anniversary date, or between third anniversary dates, you have to prepare a T5 slip to report the interest earned from the date it was acquired, or its previous third anniversary, to the date of disposal.

The first three-year anniversary for investment contracts acquired before 1982 began on December 31, 1988.

## Contracts acquired before November 13, 1981

Investment contracts acquired **before** November 13, 1981, are exempt from the three-year reporting requirement if they meet all the conditions in former subsection 12(10). However, contracts that the recipient can cancel that are subject to a penalty on payout are not exempt.

## Interest adjustments and penalties

Sometimes an individual may withdraw funds from an investment contract after receiving T5 slips for a number of years. Withdrawing funds can often mean an early redemption penalty, which lowers the interest rate you previously calculated on the investment contract. As a result, the actual interest you pay to the recipient is less than the total of the accrued interest reflected on the T5 slips you issued to the recipient in previous years.

In such cases, do not issue a negative T5 slip or amend the slips for previous years. Under subsection 20(21), the recipient is entitled to deduct, in the year in which the investment was disposed of, the excess interest previously included in income.

## Indexed debt obligations issued after October 16, 1991

An indexed debt obligation is a debt obligation with terms or conditions that provide for an adjustment (determined by a change in the buying power of money) to the amount owing under the obligation for a period during which it was outstanding.

We treat as interest any increase or decrease in the amount owing under an indexed debt obligation relating to a change in the buying power of money.

If the buying power of money decreases, you have to treat as interest any additional amount the holder of the obligation received or was entitled to receive in the year.

If the buying power of money increases, treat the decrease in the amount owing under an indexed debt obligation as interest the debtor received or was entitled to receive in the year. In this situation, the holder of the obligation can deduct the amount paid to the debtor.

## Chapter 9 – Blended payments and deemed dividends

### Blended payments

A **blended payment** is an amount made up partly of capital and partly of interest or some other type of income. You may not be able to easily identify the interest and capital parts. Treat as interest on a debt obligation the part that can be reasonably considered to be interest. Report this amount in the same way you would report any other interest.

We do not consider a payment to be a blended payment if:

- the interest or income element is definitely known;
- the amount is received either as an annuity payment or in satisfaction of the recipient's rights under an annuity contract; or
- the payment is from certain obligations issued at a discount.

For more information, see archived Interpretation Bulletin IT-265, *Payments of Income and Capital Combined*.

## **Deemed dividends**

### Section 84 - Deemed dividends

In some situations, we consider that an amount paid by a corporation resident in Canada and received by a shareholder is a dividend. In general terms, the situations include the following:

- a) the paid-up capital of the corporation increases other than by means of a stock dividend without a corresponding increase in net assets or decrease in net liabilities;
- b) property is distributed to shareholders when a corporation's business is wound-up, discontinued, or reorganized;
- c) any of the company's own shares are redeemed, acquired, or cancelled, other than by an ordinary purchase in the open market; or
- d) the paid-up capital for any class of shares of capital stock is reduced.

Generally, you calculate the deemed dividend for each of the situations described above as follows:

- For situation a), include the increase in paid-up capital of the shares in that class. However, subtract any increase in the value of net assets (or decrease in the value of net liabilities) or any decrease in the paid-up capital of the shares of any other class.
- For situation b), include the full amount or value of the funds or property distributed. However, subtract any reduction in the paid-up capital for the class of shares for which the distribution was made.
- For situation c), include the full amount paid. However, deduct the paid-up capital for the shares that were redeemed, acquired, or cancelled.

■ For situation **d**), include the amount paid **minus** any decrease in paid-up capital.

For more information on deemed dividends, visit **www.cra.gc.ca** or call **1-800-959-5525**.

### Subsection 15(3) - Deemed dividends

Under certain circumstances, we may consider the interest or dividends paid by a corporation resident in Canada on an income bond or income debenture to be dividends.

If they are eligible dividends, report these deemed dividends in boxes 24 and 25 of the T5 slip if the corporation pays them to an individual. Report them in box 24 only, if they are paid to a corporation.

If they are dividends other than eligible dividends, report these deemed dividends in boxes 10 and 11 of the T5 slip if the corporation pays them to an individual. Report them in box 10 only if they are paid to a corporation.

Report amounts we do not consider to be dividends as interest income in box 13 or 14. For more information, see archived Interpretation Bulletin IT-52, *Income Bonds and Income Debentures*.

# Chapter 10 – Unclaimed amounts: Dividends or interest

### Remittances

We use the term **unclaimed dividends** or **unclaimed interest** to refer to dividends or interest you receive in a year for another person (the beneficial owner) who remains unknown at the end of the next year.

If you received any of these unclaimed amounts, you have to deduct a specified percentage (see the following table) as tax payable by that beneficial owner. Send the tax you withhold, along with a statement showing the period covered, the gross income amount, and the amount of tax you deducted to your tax centre, no later than 60 days after the end of the next year (due date). Send the payment and statement separately from any T5 information returns you are filing.

Type of unclaimed amount	Percentage to be withheld and remitted	Remitting method
Dividend	33.3333%	Statement
Interest	50%	Statement

We charge interest, compounded daily at the prescribed rate, on amounts you deduct but do not send us before the due date. We will charge interest from the date the remittance is due to the actual date you remit the amounts you deducted. Both the interest charges and the tax you deduct are payable to the Receiver General.

A penalty applies if you do not remit tax withheld. The penalty is 10% of the amount you withheld but did not remit. If we have assessed this penalty, and then for a second time in the same calendar year you do not remit tax knowingly or under circumstances amounting to gross negligence, you could be subject to a penalty of 20% of the amount you withheld but did not remit.

#### Note

You do not have to withhold and remit tax for unclaimed amounts you included in your income for the current or any previous year, or on which you withheld and remitted tax in a previous year.

### **Reporting requirements**

You have to follow special procedures to report unclaimed amounts you held and later paid out to the rightful owner. An owner who is a resident of Canada must report the gross amount of dividends or interest for the year during which you originally received the amount.

You have to prepare a separate T5 slip and T5 Summary stating the amount you received for the recipient, the year in which you received the amount, and the amount of tax you remitted on it.

If you pay unclaimed amounts you received in different calendar years to the same claimant in the same year, make sure you prepare separate T5 slips and T5 Summary forms for each calendar year in which you actually received the amounts. The calendar year on each T5 slip you issue must be the calendar year in which you received the amount, **not** the year you paid it to its rightful owner.

Prepare a T5 slip for the previously unclaimed amount in all cases, regardless of the amount of income.

When completing the T5 slip, enter the year you made the payment and the amount of tax you deducted in the space directly above the dividends from Canadian corporations and the federal credit (above boxes 25 and 26). Identify the T5 slip with the words "UNCLAIMED DIVIDEND ACCOUNT" or "UNCLAIMED INTEREST ACCOUNT" directly below the area for your name and address. Also, enter the name of the person paying the amount, if different from that of the filer, directly below this description. See the examples of T5 slips on page 19.

A separate T5 Summary has to accompany these T5 slips. Identify the T5 Summary by entering either "UNCLAIMED DIVIDEND ACCOUNT" or "UNCLAIMED INTEREST ACCOUNT" on the second line provided for the name and address of the filer or nominee.

#### Note

Submissions for unclaimed dividends and unclaimed interest must be filed on paper.

To calculate the federal dividend tax credit on unclaimed dividends later paid out, use the rate in effect for the calendar year in which you received the dividends.

#### Note

For 2006 and later-year eligible dividends, the taxable amount of dividends is 45% more than the amount paid. The dividend tax credit that applies to these dividends is 18.9655% of the taxable amount.

For dividends received from 1988 to 2005 and for 2006 and later-year dividends other than eligible dividends,

the taxable amount of dividends is 25% more than the amount paid. The federal dividend tax credit that applies to these dividends is 13.3333% of the taxable amount.

For more information, see Information Circular IC71-9, *Unclaimed Dividends*.

If unclaimed interest or dividends received in 1987 or previous years are eligible for the interest and dividend income deduction, indicate this on the T5 slip.

#### Example

Over a period of several years, Agents Inc. (Agents) received dividend payments from XYZ Company Limited (XYZ), a Canadian public corporation subject to the general corporate income tax rate. Some of the dividends were on shares held by Agents for an unidentified shareholder. The dates and amounts appear in columns A and B of the table.

These amounts represent unclaimed dividends. They remained unclaimed on April 30, Agents' next fiscal year end. Before the due date (no later than 60 days after the year-end following the year in which the amounts are received), Agents deducted 33.3333% of the dividend amount (as shown in column D) and sent it to us.

On June 7, 2009, Mr. Albert Chang advised Agents that he had inherited some stock in XYZ and was expecting dividends totalling \$3,000.

Agents paid Mr. Chang \$2,667 (as shown in column E), the amount remaining after the unclaimed dividend tax was remitted. They gave him separate T5 slips for 2007 and 2008 showing the actual amounts in column B. The T5 for 2009 will be issued on or before the last day of February 2010.

The \$333.33 tax remitted is available as a credit to Mr. Chang for the 2009 tax year when he files his income tax and benefit return.

Date dividend received by Agents	Dividend amount	Deadline for remitting tax on unclaimed amount	Amount of tax remitted by Agents	Available for Mr. Chang
Α	в	С	D	E
March 6, 2007	\$1,000	June 30, 2008	\$333	\$ 667
April 28, 2008	\$1,000	June 29, 2009*	N/A	\$1,000*
May 27, 2009	\$1,000	N/A*	N/A	\$1,000*
Totals	\$3,000		\$333	\$2,667
* The owner of	the dividend	d amounts was ide	ntified on June	e 7, 2009.

Unclaimed dividends later paid out – Complete the T5 slip for the 2007 dividends as follows:

*	Canada Revenue Agence Agency du Cana	uu levellu	O CLAIMANT IN 2009 TAX DEDUCTED 333.33		T5 MENT OF INVESTMENT INCOME
24	Dividends from Canadian corporations -		Federal credit – Crédit fédéral	ETATD	ES REVENUS DE PLACEMENTS
24		25 Taxable amount of eligible dividends	26 Dividend tax credit for eligible dividends	13 Interest from Canadian sources	18 Capital gains dividends
	1,000.00	1,450.00	274.99		
	Montant réel des dividendes déterminés	Montant imposable des dividendes déterminés	Crédit d'impôt pour dividendes déterminés	Intérêts de source canadienne	Dividendes sur gains en capital
10	Actual amount of dividends other than eligible dividends	11 Taxable amount of dividends other than eligible dividends	12 Dividend tax credit for dividends other than eligible dividends	21 Report Code 22 Recipient in	entification number 23 Recipient type
				0 123 4	56 789 1
	Montant réel des dividendes autres que des dividendes déterminés	Montant imposable des dividendes autres que des dividendes déterminés	Crédit d'impôt pour dividendes autres que des dividendes déterminés	Code du feuillet Numéro d'identific	ation du bénéficiaire Type de bénéficiaire
13		: / Case Amount / Mont e first) and address – Nom, prénom e		Amount / Montant Box / Cr Payer's name and address AGENTS INC. 95 MAIN STREET ANYTOWN SK K1G UNCLAIMED DIVIDE XYZ COMPANY LIM	- Nom et adresse du payeur 7G7 ND ACCOUNT
	ncy and identification codes de devise et d'identification	Foreign currency Tran Devises étrangères			or information, see the back obtenir des renseignements lisez le verso

Unclaimed dividends later paid out – Complete the T5 slip for the 2008 dividends as follows:

*	Canada Revenue Agence Agency du Car	du lovellu	O CLAIMANT IN 2009 OME TAX DEDUCTED		T5 MENT OF INVESTMENT INCOME
24	Dividends from Canadian corporations Actual amount of eligible dividends	- Dividendes de sociétés canadiennes 25 Taxable amount of eligible dividends	Federal credit – Crédit fédéral 26 Dividend tax credit for eligible	13 Interest from Canadian sources	18 Capital gains dividends
-	1,000.00		dividends	interest from Canadian sources	Capital gains dividends
		1,450.00 Montant imposable des dividendes	274.99 Crédit d'impôt pour dividendes	Intérêts de source canadienne	Dividendes sur gains en capital
10	Montant réel des dividendes déterminés Actual amount of dividends	déterminés 11 Taxable amount of dividends	déterminés 12 Dividend tax credit for dividends	041 [00]	Ientification number 23 Recipient type
	other than eligible dividends	other than eligible dividends	other than eligible dividends		
	Montant réel des dividendes autres que des dividendes déterminés	Montant imposable des dividendes autres que des dividendes déterminés	Crédit d'impôt pour dividendes autres que des dividendes déterminés		56 789 1 sation du bénéficiaire Type de bénéficiaire
13		x / Case Amount / Mon ne first) and address – Nom, prénom e		Amount / Montant Box / Cr Payer's name and address AGENTS INC. 95 MAIN STREET ANYTOWN SK K1G UNCLAIMED DIVIDE XYZ COMPANY LIMI	- Nom et adresse du payeur 7G7 ND ACCOUNT
	cy and identification codes de devise et d'identification	E 27 28 28 Foreign currency Tran Devises étrangères Tran	15it – Succursale Numéro	F	or information, see the back. obtenir des renseignements, lisez le verso.

## Appendix A – Forms

## T5 slip

	Dividends from Canadian corpor 24 Actual amount of eligible divider		Federal credit – Crédit fédéral 26 Dividend tax credit for eligible	Année ÉTAT	Ces 18 Capital ga	PLACEMEN
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	Other information (see the back)					
	Autres renseignements (voir au verso)	Box / Case Amount / Mo				mount / Montant
-	Hecipients name (la	ist name first) and address – Nom, prénom	et adresse du beneficiaire	Payers name and add	ress – Nom et adresse d	u payeur
c	umency and identification codes	27 28	[29]		For information	
	odes de devise et d'identification		ansit - Succursale	Po Recipient account ro de compte du bénéficiaire	ur obtenir des re	lisez le ver
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## T5 Summary

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Information return for the year ended Déclaration de renseignements pour l		lécembre	Year – Anne				
Account number Numéro de compte							
If this is an <b>additional</b> T5 Summary, S'il s'agit d'un formulaire T5 <i>Sommair</i> inscrivez un «X».	enter "X" here. e additionnel,						
Name of filer or nominee, and addres Nom du déclarant ou du mandataire é			produit ce formulaire	9			
Name – Nom							
Address – Adresse							
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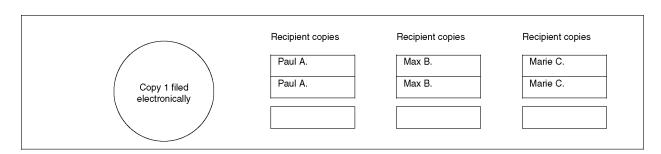
## Appendix B – Distributing your copies

### How to prepare, distribute and file your T5 slips with your T5 Summary

You can use this form whether you file your information return electronically or on paper. For more information on how to complete the T5 slip and the T5 Summary, see "Completing the T5 slip" on page 8 and "Completing the T5 Summary" on page 13 respectively.

When filing electronically: Follow the instructions and technical specifications at www.cra.gc.ca/iref to file your information return to us. Produce two paper copies for the recipient and one copy (optional) for your records.

#### Example



#### When filing by paper:

- Use one sheet for three different recipients for the copy you are sending to the CRA. Do not separate the slips when you send them with your T5 Summary.
  Use a separate sheet for the two copies you are giving to the recipient and the copy you are keeping in your records.

#### Example

Paul A.	Paul A.	Max B.	Marie C.
Max B.	Paul A.	Max B.	Marie C.
Marie C.			
Marie C.			

## Appendix C – Provincial and territorial codes

Use the following abbreviations when you enter the province or territory on the T5 slip and T5 Summary.

Newfoundland and Labrador	NL
Prince Edward Island	PE
Nova Scotia	NS
New Brunswick	NB
Quebec	QC
Ontario	ON
Manitoba	MB

Saskatchewan.....SK Alberta .....AB British Columbia ....BC Nunavut .....NU Northwest Territories ....NT Yukon....YT

## Appendix D – References

The following publications relate to topics in this guide and are available at **www.cra.gc.ca/forms** or by

L calling 1-800-959-2221.

### Guides and other publications

- T4012 T2 Corporation Income Tax Guide
- T4013 T3 Trust Guide
- T4061 NR4 Non-Resident Tax Withholding, Remitting and Reporting
- T4091 T5008 Guide Return of Securities Transactions
- RC4268 Handbook on Securities Transactions A Summary of the Reporting Requirements under the Income Tax Regulations (available in electronic format only)

### Information circulars

- IC07-1 Taxpayer Relief Provisions
- IC71-9 Unclaimed Dividends
- IC76-12 Applicable Rate of Part XIII Tax on Amounts Paid or Credited to Persons in Countries With Which Canada Has a Tax Convention
- IC77-16 Non-Resident Income Tax
- IC82-2 Social Insurance Number Legislation that Relates to the Preparation of Information Slips
- IC97-2 *Customized Forms* (available in electronic format only)

### Interpretation bulletins

- IT-66 *Capital Dividends*
- IT-67 Taxable Dividends From Corporations Resident in Canada
- IT-88 Stock Dividends
- IT-149 Winding-up Dividend
- IT-221 Determination of an Individual's Residence Status
- IT-396 Interest Income
- IT-448 Dispositions Changes in Terms of Securities (and its Special Release)
- IT-531 Eligible Funeral Arrangements

### **Archived Interpretation bulletins**

The following interpretation bulletins are archived and kept for historical purposes. They are no longer available in print but can be accessed

at **www.cra.gc.ca/menu/ITSA-e.html**. These bulletins may contain law not currently in force.

- IT-52 Income Bonds and Income Debentures
- IT-265 Payments of Income and Capital Combined
- IT-507 Small Business Development Bonds and Small Business Bonds

## Appendix E – Income Tax Act references

 $\mathbf{Y}_{Act,}$  except where preceded by the letters "Reg.", in which case the reference is to the *Income Tax Regulations*.

Topic	Income Tax Act reference	Page
Accrued interest	12(4), (9), (11), 20(14), (21), Reg. 201(4)	16
<b>B</b> lended payments	16(1), (2), (3), (4), (5)	17
Capital gains dividends	130(2), 130.1(4), 131(1)	11
<b>D</b> eemed dividends Distribution of taxpayers' portions of returns Dividends from Canadian corporations Due date	Reg. 209(1), (2) 82(1), 130.1(2), 137(4.1)	5 9
<b>E</b> lectronic filing (Mandatory electronic filing) Eligible funeral arrangements (EFA)	Reg. 205.1 148.1(1), (2), (3), 12(1)(z.4), Reg. 201(1)	7 10
<ul> <li>Failure to file in appropriate manner – prescribed information returns</li> <li>Failure to make or file an information return</li> <li>Failure to provide identification number</li> <li>Failure to provide information on a form</li> <li>Failure to provide a social insurance number</li> <li>Failure to remit amount withheld</li> <li>Federal dividend tax credit</li> <li>Foreign spin-offs</li> </ul>		
Indexed debt obligations Interest from Canadian sources Interest on penalties Investment contracts	130.1(2), 137(4.1), Reg. 201(1) 161(11)	13 6
Late-filing penalty Late-filing penalty – prescribed information returns	162(7) 162(7.01)	5 5
Payments to non-residents	Reg. 202(1)	15
<b>R</b> equirements for preparing an information return Royalties from Canadian sources	221(1), Reg. 201 Reg. 201(1)(c)	7 
Unclaimed interest and dividends	153(4)	17

## Addresses of tax centres

F ilers served by a tax services office on the left side of the following list should deal with the corresponding tax centre or office on the right.

Bathurst, Nova Scotia, Kingston, Moncton, Newfoundland and Labrador, Peterborough, Saint John, St. Catharines, and Sydney	St. John's Tax Centre 290 Empire Avenue St. John's NL A1B 3Z1	
Chicoutimi, Montérégie-Rive-Sud, Outaouais, Québec, Rimouski, and Trois-Rivières	Jonquière Tax Centre 2251 René-Lévesque Boulevard Jonquière QC G7S 5J1	
Laval, Montréal, Ottawa, Rouyn-Noranda, Sherbrooke, and Sudbury (Northeastern Ontario* only)	Shawinigan-Sud Tax Centre 4695 – 12th Avenue Shawinigan-Sud QC G9N 7S6	
Belleville, Charlottetown, Hamilton, and Kitchener/Waterloo	Summerside Tax Centre 275 Pope Road Summerside PE C1N 6A2	
Sudbury (Sudbury/Nickel Belt** only), Toronto Centre, Toronto East, Toronto North, and Toronto West	Sudbury Tax Centre 1050 Notre Dame Avenue Sudbury ON P3A 5C1	
Calgary, Edmonton, Lethbridge, London, Red Deer, Saskatoon, Thunder Bay, Windsor, and Winnipeg	Winnipeg Tax Centre 66 Stapon Road Winnipeg MB R3C 3M2	
Burnaby-Fraser, Northern B.C. and Yukon, Regina, Southern Interior B.C., Vancouver, and Vancouver Island	Surrey Tax Centre 9755 King George Highway Surrey BC V3T 5E1	
* Northeastern Ontario includes all areas outside Sudbury/Nickel Belt (see below) that are served by the Sudbury Tax Services Office.		
** The Sudbury/Nickel Belt area includes all postal codes beginning with P3A, P3B, P3C, P3E, P3G, P3L, P3N, P3P, and P3Y, as well		

The Sudbury/Nickel Belt area includes all postal codes beginning with P3A, P3B, P3C, P3E, P3G, P3L, P3N, P3P, and P3Y, as well as postal codes beginning with P0M and ending with 1A0, 1B0, 1C0, 1E0, 1H0, 1J0, 1K0, 1L0, 1M0, 1N0, 1P0, 1R0, 1S0, 1T0, 1V0, 1W0, 1Y0, 2C0, 2E0, 2M0, 2R0, 2S0, 2X0, 2Y0, 3A0, 3B0, 3C0, 3E0, and 3H0.

## For more information

If you need more help after reading this guide, visit **www.cra.gc.ca** or call **1-800-959-5525**. To get any forms and publications you may need, go to **www.cra.gc.ca/forms** or call **1-800-959-2221**. For help with using the CRA electronic filing options, call the *e-service* Helpdesk at **1-877-322-7849**.

### Our service complaint process

### Step 1 – Talk to us

If you are not satisfied with the **service** you have received from us, you have the right to make a formal complaint. Before you make a complaint, we recommend that you try to resolve the matter with the CRA employee you have been dealing with (or call the number you have been given).

If you still disagree with the way your concerns are being addressed, ask to discuss the matter with the employee's supervisor.

### Step 2 – Contact CRA – Service Complaints

This service is available to individual and business taxpayers and benefit recipients who have dealings with us. It is meant to provide you with an extra level of review if you are not satisfied with the results of the **first step** of our complaint process. In general, service-related complaints refer to the quality and timeliness of the work we performed.

If you choose to bring your complaint to the attention of CRA – Service Complaints, complete Form RC193, *Service-Related Complaint*, which you can get by going to **www.cra.gc.ca/complaints** or by calling **1-800-959-2221**.

## Step 3 – Contact the office of the Taxpayers' Ombudsman

If, **after following steps 1 and 2**, you are still not satisfied with the way that the CRA has handled your complaint, you can file a complaint with the Taxpayers' Ombudsman.

For more information on the Taxpayers' Ombudsman and on how to file a complaint, visit their Web site at **www.taxpayersrights.gc.ca**.

### Your opinion counts

If you have any comments or suggestions that could help us improve our publications, we would like to hear from you. Please send your comments to:



Taxpayer Services Directorate Canada Revenue Agency 750 Heron Road Ottawa ON K1A 0L5