

§ 44.7262-1

26 CFR Ch. I (4-1-01 Edition)

attached to such form a statement setting forth the reason for claiming the refund, the month in which such tax was paid, the date of payment, and whether any previous claim for refund covering the amount involved or any part thereof has been filed. There shall also be attached to the Form 843 the certificate prescribed below. In the case of a credit, the statement and certificate shall be attached to the monthly return on which the credit is claimed.

(c) *Credit or refund not allowed.* No credit or refund will be allowed under this section if the wager is laid off with a person or organization not liable for tax under section 4401 with respect to such laid-off wager. No interest shall be allowed on any amount of tax credited or refunded under this section.

(d) *Certificate required.* The certificate prescribed for use in support of a credit or refund with respect to a laid-off wager shall be in the following form:

CERTIFICATE

(In support of credit or refund with respect to laid-off wagers under section 6419(b) of the Internal Revenue Code.)

I hereby certify that I, or the _____ (Corporation, partnership, or syndicate) of which I am an officer or member, doing business at _____, (Address) registered with the District Director of Internal Revenue at _____, _____ under Registration No. _____ as a person accepting wagers within the meaning of section 4401 of the Internal Revenue Code, accepted laid-off wagers, in the amounts and on the dates indicated below, from _____, (Name) of _____, (Address) during the month of _____, 19____.

Date	Amount of laid-off wager	Subject of laid-off wager (Identify horse and track, particular contest, or contestant, etc.)
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(Attach supplemental sheets for additional entries, if necessary.)

The undersigned further certifies that he, or the corporation, partnership, or syndicate of which he is a member will make return of and account for the tax, under section 4401 of the Internal Revenue Code, with respect to the laid-off wagers so accepted.

It is understood by the undersigned that this certificate is given for the purpose of en-

abling the person from whom the laid-off wagers were accepted to claim credit with respect to the tax due on such laid-off wagers or to claim credit or refund of the tax, if any, paid on such laid-off wagers.

It is further understood that the fraudulent use of this certificate will subject the undersigned and all guilty parties to a fine of not more than \$10,000 or to imprisonment for not more than five years, or both, together with costs of prosecution.

(Signed) _____
 (Date) _____
 (Title) _____
 (Owner, President Partner, Member, etc.)

§ 44.7262-1 Failure to pay special tax.

Any person liable for the special tax who does any act which makes him liable for such tax, without having paid the tax, is, besides being liable for the tax, subject to a fine of not less than \$1,000 and not more than \$5,000.

PART 46—EXCISE TAX ON POLICIES ISSUED BY FOREIGN INSURERS AND OBLIGATIONS NOT IN REGISTERED FORM

Subpart A—Introduction

- Sec.
- 46.0-1 Introduction.
- 46.0-2 General definitions and use of terms.

Subpart B—Tax on Policies Issued by Foreign Insurers

- 46.4371-1 Applicability of subpart.
- 46.4371-2 Imposition of tax on policies issued by foreign insurers; scope of tax.
- 46.4371-3 Rate and computation of tax.
- 46.4371-4 Records required with respect to foreign insurance policies.
- 46.4374-1 Payment of tax.

Subpart C—Excise Tax on Obligations Not in Registered Form

- 46.4701-1 Tax on issuer of registration-required obligation not in registered form.

AUTHORITY: 26 U.S.C. 7805.

SOURCE: T.D. 8497, 25 FR 6461, May 6, 1960, unless otherwise noted.

Subpart A—Introduction

§ 46.0-1 Introduction.

The regulations in this part 46 relate to the taxes on policies issued by foreign insurers imposed by chapter 34 of the Internal Revenue Code and the tax