

§ 1.6039-2

26 CFR Ch. I (4-1-02 Edition)

any of the Internal Revenue Service Centers.

(2) If a return is made by the authorized "transfer agent" of the corporation, as described in paragraph (b)(3) of this section, it shall be filed with the district director for the district where the income tax return of the principal corporation is filed after the close of the calendar year for which the return is required, but on or before February 28th of the following calendar year.

(3) For provisions relating to the extension of time for filing the returns required by this section, see §1.6081-1.

(4) For provisions relating to the time for performance of an act when the last day prescribed for performance falls on Saturday, Sunday, or a legal holiday, see §301.7503-1 of this chapter (Regulations on Procedure and Administration).

(d) *Stock to which this section applies.* The rules of this section shall apply to any full share of stock acquired pursuant to the exercise of any qualified or restricted stock option, or any option granted under an employee stock purchase plan, irrespective of whether the transfer of stock pursuant to such exercise qualified for the special tax treatment of section 421 and the regulations thereunder. In addition, the rules of paragraph (b) of this section shall apply to any full shares of stock received in respect of stock which was originally acquired pursuant to the exercise of an option described in the preceding sentence. See section 425(b). For definitions of the terms "exercise" and "transfer" see paragraphs (f) and (g) of §1.421-7. A return is required under paragraph (b) of this section irrespective of whether the transfer of the title constitutes a disposition of such stock as defined by section 425(c).

[T.D. 6887, 31 FR 8813, June 24, 1966]

§ 1.6039-2 Statements to persons with respect to whom information is furnished.

(a) *Requirement and form of statement.* Every corporation required to make a return on Form 3921 or 3922 under section 6039(a) and §1.6039-1 shall furnish to each person whose identifying number is (or should be) shown on such return a written statement containing the information required to be shown

on such return. This requirement may be met by furnishing a copy of the appropriate return to such person. A statement shall be considered to be furnished to a person within the meaning of this section if it is mailed to such person at his last known address.

(b) *Time for furnishing statements—(1) In general.* Each statement required by this section to be furnished to any person for a calendar year shall be furnished to such person on or before January 31, of the year following the year for which the statement is required.

(2) *Extension of time.* For good cause shown upon written application of the corporation required to furnish statements under this section, the district director may grant an extension of time not exceeding 30 days in which to furnish such statements. The application shall be addressed to the district director with whom the income tax returns of the applicant-corporation are filed and shall contain a full recital of the reasons for requesting the extension to aid the district director in determining the period of the extension, if any, which will be granted. Such a request in the form of a letter to the district director signed by the applicant (or its agent) will suffice as an application. The application shall be filed on or before the date prescribed in subparagraph (1) of this paragraph for furnishing the statements required by this section.

(3) *Last day for furnishing statement.* For provisions relating to the time for performance of an act when the last day prescribed for performance falls on Saturday, Sunday, or a legal holiday, see §301.7503-1 of this chapter (Regulations on Procedure and Administration).

(c) *Penalty.* For provisions relating to the penalty provided for failure to furnish a statement under this section, see §301.6678-1 of this chapter (Regulations on Procedure and Administration).

[T.D. 6887, 31 FR 8814, June 24, 1966]

§ 1.6041-1 Return of information as to payments of \$600 or more.

(a) *General rule.* (1) *Information returns required—(i) Payments required to be reported.* Except as otherwise provided in