

# Financial Services - Insurance Tax Bulletin

April 12, 2012

ITB 12-16

*IRS seeks comments on collection requirements related to the application of section 338 to insurance businesses*

On April 6, 2012, the IRS announced in the Federal Register that it is soliciting comments concerning collection requirements related to the application of § 338 to insurance companies as addressed in final Regs (T.D. 9377). The relevant regulations address determining the adjusted basis of amortizable § 197 intangibles for insurance contracts, increases in reserves after a deemed asset sale, and the effect of a § 338 election to use a company's historical loss payment pattern.

Specifically, comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Written comments should be received by the IRS on or before June 5, 2012, and will become a matter of public record.

**For further information, please feel free to contact Anthony DiGilio at (703) 918-4812 or contact your local insurance tax professional. Please visit us at: <http://www.pwc.com/us/insurance/tax>**

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## SOLICITATION

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