

2011

FOREIGN OR ALIEN COMPANIES

Insurer NAIC Code Number \_\_\_\_\_

Type or print the requested information
FEDERAL EMPLOYER I.D. NUMBER

Insurer NAIC Group Code Number \_\_\_\_\_

COMPANY NAME

MAILING ADDRESS

IMPORTANT: THE FOLLOWING INSTRUCTIONS MUST BE ADHERED TO:

CITY STATE ZIP CODE

The Original Return must be filed with the Director, Division of Taxation on or before March 1 annually and shall be accompanied with a CHECK PAYABLE TO - " NJ DIVISION OF TAXATION -- INSURANCE TAX"

PLEASE REFER TO THE INSTRUCTIONS CONCERNING ELECTRONIC FUNDS TRANSFER (EFT) PAYMENTS

Mail to: Division of Taxation (160 South Broad Street)
PO Box 247
Trenton, NJ 08646-0247

ALSO

A duplicate return must be filed with the Commissioner of Banking and Insurance at the same time.

Mail to: Department of Banking and Insurance
PO Box 325 (20 West State Street)
Trenton, NJ 08625-0325

WHEN COMPLETING THIS RETURN, PLEASE BE SURE TO FOLLOW THE GENERAL FILING INSTRUCTIONS ON PAGE 5.

ANNUAL REPORT
Statement of Premium Taxes and Other Obligations
Life Insurance Companies

Commissioner of Banking and Insurance, State of New Jersey :
Director, Division of Taxation, State of New Jersey :

The \_\_\_\_\_

incorporated or organized under the laws of \_\_\_\_\_

and with offices located at \_\_\_\_\_

MAILING ADDRESS OF OFFICE PREPARING RETURN

hereby submit the following statement for the calendar year ending December 31, 20 \_\_\_\_, as required by, and in accordance with the New Jersey Revised Statutes Title 54 chapters 16, 17, 18 and 18A.

Alien Insurers: Indicate Port of Entry \_\_\_\_\_

State

Date of Incorporation or organized \_\_\_\_\_

Date first licensed in New Jersey \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_ } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20 \_\_\_\_\_ before me \_\_\_\_\_

personally appeared \_\_\_\_\_

(INSERT SECRETARY OR U.S. MANAGER)

\_\_\_\_\_ Insurance Company of \_\_\_\_\_

who being duly sworn according to law, on his oath did depose and say that the foregoing report is true and correct.

Subscribed and sworn to before me the
day and year aforesaid.

\_\_\_\_\_

(INSERT SECRETARY OR U.S. MANAGER)

\_\_\_\_\_

(OFFICIAL TITLE)

IMPORTANT:
THIS BLOCK MUST BE COMPLETED
FEDERAL EMPLOYER IDENTIFICATION
NUMBER \_\_\_\_\_

(NAME OF PARTY TO CONTACT REGARDING THIS RETURN) (TITLE) (PHONE NUMBER) (FAX NUMBER)

(SIGNATURE OF INDIVIDUAL PREPARING THIS RETURN) (PREPARER'S IDENTIFICATION NUMBER)

(NAME OF TAX PREPARER'S EMPLOYER) (EMPLOYER'S IDENTIFICATION NUMBER)

STATE OF INCORPORATION	(1) Life Insurance	(2) Annuity Considerations	(3) Individual Accident & Health	(4) Group Accident & Health	(5) Other Explain	(6) Other Explain	(7) TOTAL
1 . Premiums Per Schedule T (Attach reconciliation if different)							
2 . Dividends paid in Cash: excluding \$ dividends on Qualified Pension Plans							
3 . Dividends used for renewal; excluding \$ dividends on Qualified Pension Plans							
4 . Dividends left on deposit; excluding \$ dividends on Qualified Pension Plans							
5 . Life premiums on Qualified Pension Plans							
6 . All Other explain **							
7 . Total deductions lines 2 thru 6							
8 . Taxable Premiums line 1 less line 7							
9 . Tax Rate							
10 . Tax line 8 X 9							
STATE OF NEW JERSEY *							
<b>(Attach a copy of New Jersey State page of Annual Statement as filed with the New Jersey Department of Banking and Insurance)</b>							
11 . Premiums Per Schedule T (Attach reconciliation if different)		XXXXXX			XXXXXX		
12 . Dividends paid in Cash: excluding \$ dividends on Qualified Pension Plans		XXXXXX			XXXXXX		
13 . Dividends used for renewal; excluding \$ dividends on Qualified Pension Plans		XXXXXX			XXXXXX		
14 . Dividends left on deposit; excluding \$ dividends on Qualified Pension Plans		XXXXXX			XXXXXX		
15 . Life premiums on Qualified Pension Plans (Attach documentation)		XXXXXX			XXXXXX		
16 . All Other explain		XXXXXX			XXXXXX		
17 . Total deductions lines 12 thru 16		XXXXXX			XXXXXX		
18 . Taxable Premiums line 11 less line 17		XXXXXX			XXXXXX		
19 . Tax Rate	2.1%	XXXXXX	2.1%	1.05%	XXXXXX		
20 . Tax line 18 X 19		XXXXXX			XXXXXX		

\* Even if the premium basis for the State of Incorporation and the State of New Jersey are the same, lines 11 to 17 must be completed.

\*\* Supporting Documentation MUST be enclosed

**A copy of New Jersey State page, and, Schedule T as filed with the NAIC must be attached.**

Schedule B - Summary of Taxes and Other Obligations

		(1) State of Incorporation Tax		(2) State of New Jersey Tax	
21 . Total Life Tax Sch. A Col. 1, Line 10 -- Carry to Col. (1) Total Life Tax Sch. A Col. 1, Line 20 -- Carry to Col. (2)				•	
22 . Total Annuity Tax Sch. A, Col. 2, Line 10 -- Carry to Col. (1)				XXXXXXXXXXXX	
23 . Total Ind. A&H Tax Sch. A, Col. 3, Line 10 -- Carry to Col. (1) Total Ind. A&H Tax Sch. A, Col. 3, Line 20 -- Carry to Col. (2)				•	
24 . Total Group A&H Tax Sch. A, Col. 4, Line 10 -- Carry to Col. (1) Total Group A&H Tax Sch. A, Col. 4, Line 20 -- Carry to Col. (2)				•	
25 . Total Other Tax Sch. A Col. 5, Line 10 -- Carry to Col. (1)				XXXXXXXXXXXX	
26 . Total Other Tax Sch. A Col. 6, Line 10 -- Carry to Col. (1) Total Other Tax Sch. A Col. 6, Line 20 -- Carry to Col. (2)				•	
27 . Total Lines 21 to 26 Col. 1 and 2 (Should agree with Sch. A Col. 7 Line 10 and 20 respectively)				•	
<b>TAXABLE PREMIUMS AS DETERMINED WITH REFERENCE TO N.J.S.A. 54:18a-6</b> NOTE: If Taxable Premiums are determined as provided in N.J.S.A. 54:18A-6 (12.5% Limitation), then Schedule E -- Calculation of Taxable Premiums as Provided in N.J.S.A. 54:18A-6 -- must be completed.					
Type	Sch. E. Sec. II Col. B Total Premiums	Foreign Rate	Tax	New Jersey Rate	Tax
28 . Life				2.1%	•
29 . Individual A & H				2.1%	•
30 . Group A & H				1.05%	•
31 . Total (Lines 28 thru 30)		XXXXX		XXXXXX	•
32 . Total Tax (Lesser of Line 27 or 31, Sch.B Col. 1 and 2)					•
<b>All other taxes, fees and obligations:</b>		<b>State of Incorporation Tax</b>		<b>State of New Jersey Tax</b>	
33 . Company License				XXXXXXXXXXXX	
34 . Filing fees				XXXXXXXXXXXX	
35 . Income tax (Attach Schedule)				XXXXXXXXXXXX	
36 . Agents and brokers license fees		As of 01/01/2011, no longer a part of the EXM return			
37 . Other * -- Attach Supporting Documentation					
38 .					
39 . Total All Other -- (lines 33 thru 38, col. 1 & 2)				•	
40 . Total Tax -- (lines 32 plus 39, col. 1 & 2)				•	
41 . Retaliatory Tax -- (see instructions)			XXXXXXXXXXXX	•	
42 . Total Tax due New Jersey -- (line 40 col. 2 plus line 41 col. 2)			XXXXXXXXXXXX	•	
<b>CALCULATION OF TOTAL AMOUNT DUE</b>					
43 . Other Credits * -- Attach Supporting Documentation				•	
44 .					
45 . Guaranty Fund Assessment Credit (from Schedule D, Line 8 on Page 4)				•	
46 . Total Tax Credits (Total of Line 43 to line 45)				•	
47 . Balance of Tax Liability Due (Line 42 less line 46)				•	
48 . Credit for Prepayment of Premium Tax paid March 1 and June 1 of prior calendar year				•	
49 . Balance Due (Line 47 less line 48)				•	
50 . Prepayment of Tax liability due March 1st - (50% of line 32, column (2))				•	
51 . Total Amount Due State of New Jersey (Line 49 plus line 50)				•	
52 . If line 49 plus line 50 is less than zero enter the amount of the overpayment				•	
53 . Amount of line 52 to be applied to Prepayment of Tax liability due June 1st (see instructions)				•	
54 . The amount of line 52 to be refunded (If Line 52 plus Line 53 is less than zero)				•	
<b>PAYMENT OF THE AMOUNT INDICATED AT LINE 51 MUST BE SUBMITTED TO THE DIVISION OF TAXATION AT THE ADDRESS INDICATED ON THE FIRST PAGE OF THIS RETURN.</b>					
<b>NOTE:</b> If the taxpayer is currently paying or has previously paid to the Department of Banking and Insurance, license and/or filing fees attributable to the tax year covered by this return, such payments must be included at the appropriate Line(s) [Schedule B Column 1 and/or 2 Lines 33 to 38]. The taxpayer should take credit for the amount of any of the above referenced license and/or filing fees actually paid to the State of New Jersey. Such credits must be included at line 43 of Schedule B and a detailed schedule must be attached to this return or the credit will be disallowed.					
<b>A copy of New Jersey State page, and, Schedule T as filed with the NAIC must be attached.</b>					
<b>* Requires proof of payment i.e. copies of cancelled checks</b>					

SCHEDULE C – AGENTS AND BROKERS LICENSE FEES

AS of 1/01/2011, Schedule C is no longer required as part of the Insurance Premium Tax return.

SCHEDULE D-CALCULATION OF GUARANTY FUND ASSESSMENT CREDIT

Eligibility-Provided for by the New Jersey Life and Health Insurance Guaranty Association Act (N.J.S.A. 17B:32A-18), a member Life and Health insurer may offset against its premium tax liability, attributable to premiums written in that year, any assessments for which a certificate of contribution has been issued, to the extent of 10% of the amount of those assessments for each of the five calendar years following the second year after the year in which those assessments were paid, except that no member insurer may offset its premium tax liability by more than 20% of its tax liability in any one year. **Be sure to include proof of payment for all assessments listed below.**

YEAR ASSESSMENT PAID	YEARS IN WHICH A CREDIT FOR AN ASSESSMENT CAN BE CLAIMED (CREDIT IS 10% OF ASSESSMENT)							AMOUNT OF ASSESSMENT	MAXIMUM ALLOWABLE CREDIT 10% OF ASSESSMENT
	1	2	3	4	5	6	7		
2004	XX	XX	2007	2008	2009	2010	2011		1.
2005	XX	XX	2008	2009	2010	2011	2012		2.
2006	XX	XX	2009	2010	2011	2012	2013		3.
2007	XX	XX	2010	2011	2012	2013	2014		4.
2008	XX	XX	2011	2012	2013	2014	2015		5.
Maximum Credit Available for this Return (add lines 1 through 5 above)									6.
Enter 20% of the tax liability reported on Schedule B, Line 32 Column 2									7.
Enter the lesser of line 6 or 7 here and on Schedule B, Line 45 Column 2									8.

SCHEDULE E  
LIFE INSURANCE COMPANIES

CALCULATION OF TAXABLE PREMIUMS AS PROVIDED IN N.J.S.A. 54:18A-6

SECTION 1 – COMPLETE ONLY IF LICENSED SUBSEQUENT TO 6/30/84

WORLDWIDE PREMIUM DATA FOR COMPANY COMPLETING THIS RETURN AND ALL OF ITS AFFILIATES AS DEFINED IN N.J.S.A. 17:27A-1 et seq.

WORLDWIDE PREMIUM DATA	(A) WORLDWIDE PREMIUMS	(B) 12 ½% OF AMOUNT IN COLUMN (A)	(C) NEW JERSEY PREMIUMS
1. Life Insurance Premiums of Company and all of its Affiliates			
2. Individual Accident & Health Insurance Premiums of Company and all of its Affiliates			
3. Group Accident & Health Insurance Premiums of Company and all of its Affiliates			
4. TOTAL			

SECTION II – MUST BE COMPLETED BY ALL COMPANIES ELECTING TO CALCULATE TAXABLE PREMIUMS AS PROVIDED IN N.J.S.A. 54:18A-6.

WORLDWIDE PREMIUM DATA FOR COMPANY COMPLETING THIS RETURN

WORLDWIDE PREMIUM DATA	(A) WORLDWIDE PREMIUMS	(B) 12 ½% OF AMOUNT IN COLUMN (A)
1. Life Insurance premiums		
2. Individual Accident & Health Insurance Premiums		
3. Group Accident & Health Insurance Premiums		
4. TOTAL		

NOTE: IN ORDER TO DETERMINE WHICH FIGURES SHOULD BE APPLIED AS TAXABLE PREMIUMS AT LINE(S) 28, 29 AND 30 OF SCHEDULE B, PLEASE REFER TO THE INSTRUCTIONS FOR THE DETERMINATION OF TAXABLE PREMIUMS AS PROVIDED IN N.J.S.A. 54:18A-6.

## FOREIGN OR ALIEN COMPANIES GENERAL FILING INSTRUCTIONS

**Please note that material changes have been made to the tax form due to computerization of Department of Banking and Insurance and Division of Taxation records. Listed below you will find instructions which highlight special areas of concern when completing the tax return:**

1. **NAIC code**—At the top left side of the page of the return is a space to provide the insurer's five digit NAIC (National Association of Insurance Commissioners) code. This space must be completed by all taxpayers.
2. **Port of entry**—At the middle of the first page, a line has been added for alien insurers to indicate their port of entry.
3. When completing Schedule A of the return, please give your attention to the following instructions.
  - a. Please express tax rates inserted by taxpayers in percentage and not decimal format. (2.25%, **NOT** .0225 or 2¼.)
  - b. Only place one number in each cell. When completing State of Incorporation taxes on Schedule A (Lines 1-10) there must be only one tax rate attributable to the taxable premiums reported at line 8 of each column. If the premiums usually included at line 8 of a particular column are taxed at different rates in the taxpayer's home state then they must be placed in separate columns when completing lines 1 to 10. The taxpayer should use column 5 and/or 6 to report any premiums taxed at different rates. A schedule should be attached indicating the types of premiums included in column 5 and/or 6. If further columns are required, then a separate schedule should be attached. However, please note that line 27, Column 1 of Schedule B must include the total of all taxes reported at line 10 of schedule A, including any listed on a separate schedule.
4. **Schedule A**—Please note that Schedule A, including lines 1 to 20, must be completed by all taxpayers, even if the taxpayer is calculating the tax based on the 12.5% limitation indicated in Schedule E.
5. **Agents & Brokers License Fees**—The Department of Banking and Insurance has reviewed and determined that conditions giving rise to the inclusion of Agents & Brokers Fees in the EXM-Foreign or Alien Companies, Insurance Premium Tax (IPT) return form no longer apply. As of **January 1, 2011 tax year, line 36 and Schedule C will be eliminated from this return** and will not be included as a part of the calculation of the Total Tax on line 40 or the Retaliatory Tax on line 41.
6. **All credits** requested on Schedule A, require supporting documentation as proof of payment (i.e. copy of the check or cancelled check). These documents **MUST** be submitted with the return or the credit will be denied.
7. **Penalty and Interest**—Any taxpayer which shall fail to file its return when due or fail to pay tax when due shall be subject to penalties and interest as provided for in the State Tax Uniform Procedure Law N.J.S.A. 54:48-1 et seq. and N.J.S.A. 18:2-2.1 et seq.
8. **Overpayment**—Please note, any overpayment indicated on Line 52 must first be applied to the Prepayment of tax due June 1<sup>st</sup> before any overpayment is refunded.
9. Please note that attachments must be included with the return being filed with the Division of Taxation and with the duplicate original return which is simultaneously being filed with the Department of Banking and Insurance.

### INSTRUCTIONS FOR THE DETERMINATION OF TAXABLE PREMIUMS PROVIDED IN N.J.S.A. 54:18A-6 (SCHEDULE E)

If the company was licensed in this State, subsequent to 6/30/84 and the amount indicated at Section I, Line 4, Column C *is not greater* than the amount indicated at Section 1, Line 4, Column B, then the company does not qualify to use this limitation. Taxable premiums are then those included at line 20 of Schedule A.

If the company was licensed in this State, subsequent to 6/30/84 and the amount indicated at Section I, Line 4, Column C *is greater* than the amount indicated at Section 1, Line 4, Column B then taxable premiums are the amounts indicated at Section II, Column B. These amounts should be entered at the applicable Line(s) (28, 29, 30) of Schedule B. A detailed schedule of Worldwide and New Jersey Premiums of the Company and each affiliate must also be submitted with this schedule.

If the company was licensed in this State, prior to 7/1/84 and if the amount indicated at Section II, Line 4, Column B *is less* than taxable premiums indicated at line 20 of Schedule A, then enter amounts from Section II, Line 4, Column B at the applicable Line(s) (28, 29, 30) of Schedule B. If the amount indicated at section II, Line 4, Column B *is not less* than taxable premiums indicated at line 20 of Schedule A, then taxable premiums are those included at line 20 of Schedule A.

### INSTRUCTIONS FOR COMPLETING SCHEDULE E

1. This schedule is to be completed only by those companies electing to calculate taxable premiums as provided in N.J.S.A. 54:18A-6 (12.5% limitation).
2. If the company was licensed in this State, subsequent to 6/30/84 complete both Section I and Section II.
3. If the company was licensed in this State, prior to 7/1/84 complete only Section II.
4. Worldwide Premiums should be calculated in Section I and II in accordance with the provisions for calculating New Jersey Taxable Premiums as indicated at Schedule A, Line 20.
5. When completing Section 1, attach a separate schedule listing each affiliate and applicable premiums used in completing column A of Section 1.
6. **Schedule B, Lines 21 to 27 must be completed by ALL TAXPAYERS.**

### CALCULATING RETALIATORY TAX – SCHEDULE B LINE 41

Computation of the Retaliatory Tax on Schedule A, Line 41 is the same whether calculating Line 32 using Schedule B Line 27 or Line 31. When Total tax is arrived at by using Schedule E Section II, the 12.5% limitation cap should not be taken into account in the Retaliatory Tax computation, as per *American Fire & Casualty Company v. New Jersey Division of Taxation-Decided October 19, 2006*. The computation is as follows: the Excess of Line 27 plus Line 39 Column 1 over Line 27 plus Line 39 Column 2.

## SMART MOVES FOR BUSINESS PROGRAM CREDIT

The legislation expired for this credit effective December 31, 2007 and was not extended.

## ELECTRONIC FUNDS TRANSFERS

The Division of Taxation has established procedures to allow the remittance of tax payments through electronic funds transfer (EFT). Taxpayers with a prior year's liability of \$10,000 or more in any one tax are required to remit all tax payments using EFT.

For EFT program questions, visit the Division of Revenue website at <http://www.state.nj.us/treasury/revenue/enrolleft.shtml>, call the EFT Unit at (609) 292-9292 Opt #6, Fax (609) 984-6681 or write to the N.J. Division of Revenue, EFT Section, P.O. Box 191, Trenton, N.J. 08646-0191.

If remitting payment by EFT, the Total Amount Due indicated at line 51 must be transmitted in one transaction with an applicable year of 2011. The prepayment tax liability included in this amount, along with the prepayment tax liability due June 1<sup>st</sup>, will be credited automatically against the succeeding years' tax liability, when the taxpayer files that years' Insurance Premium Tax Return. A separate transaction for the prepayment tax liability due March 1<sup>st</sup> at line 50 is not required.

**HELPFUL HINT FOR EFT REMITTANCE:** Return Period Ending **MUST** read **111231** ((YY) Year, (MM) Month, (DD) Day) for **ALL** payments associated with the 2011 tax return. This includes any **PREPAYMENT** tax liabilities due with the return on March 1<sup>st</sup> and on June 1<sup>st</sup>. The same procedure should be followed for subsequent tax years, after adjusting the return period ending accordingly.

## IMPORTANT NOTE

**PAYMENT** for the amount indicated at Schedule B, Line 51 of the Insurance Premium Tax Return **MUST BE SUBMITTED TO THE DIVISION OF TAXATION** at the address indicated on the first page of this return. **DO NOT** send payment of this amount to the Department of Banking and Insurance.

However, if the taxpayer is simultaneously paying an Annual Statement Filing Fee, Renewal of Certificate of Authority Fee, Maintenance Fee, Insurance Development Fund Surcharge, etc. these amounts must be submitted under separate cover to the address indicated on the notice for the particular fee, surcharge, etc., and **MUST NOT** be included with the Insurance Premium Tax Return.

**\*\*ALL ATTACHMENTS MUST BE INCLUDED WITH BOTH THE ORIGINAL RETURN FILED WITH THE DIVISION OF TAXATION AND THE DUPLICATE RETURN FILED SIMULTANEOUSLY WITH THE DEPARTMENT OF BANKING AND INSURANCE.**