



Note: *The draft you are looking for begins on the next page.*

Caution: DRAFT—NOT FOR FILING

This is an early release draft of an IRS tax form, instructions, or publication, which the IRS is providing for your information. **Do not file draft forms** and do **not** rely on draft forms, instructions, and publications for filing. We do **not** release draft forms until we believe we have incorporated all changes (except when explicitly stated on this coversheet). However, unexpected issues occasionally arise, or legislation is passed—in this case, we will post a new draft of the form to alert users that changes were made to the previously posted draft. Thus, there are never any changes to the last posted draft of a form and the final revision of the form. Forms and instructions generally are subject to OMB approval before they can be officially released, so we post only drafts of them until they are approved. Drafts of instructions and publications usually have some changes before their final release.

Early release drafts are at [IRS.gov/DraftForms](https://www.irs.gov/DraftForms) and remain there after the final release is posted at [IRS.gov/LatestForms](https://www.irs.gov/LatestForms). All information about all forms, instructions, and pubs is at [IRS.gov/Forms](https://www.irs.gov/Forms).

Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at [IRS.gov/Form1040](https://www.irs.gov/Form1040); the Pub. 501 page is at [IRS.gov/Pub501](https://www.irs.gov/Pub501); the Form W-4 page is at [IRS.gov/W4](https://www.irs.gov/W4); and the Schedule A (Form 1040/SR) page is at [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA). If typing in a link above instead of clicking on it, be sure to type the link into the address bar of your browser, not a Search box.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or publications at [IRS.gov/FormsComments](https://www.irs.gov/FormsComments). We cannot respond to all comments due to the high volume we receive and may not be able to consider many suggestions until the subsequent revision of the product.

If you have comments on reducing paperwork and respondent (filer) burden, with respect to draft or final forms, please respond to the relevant information collection through the Federal Register process; for more info, click [here](#).

**SCHEDULE G
(Form 8865)**

(Rev. December 2021)

Department of the Treasury
Internal Revenue Service**Statement of Application of the Gain Deferral Method
Under Section 721(c)**

▶ Attach to Form 8865. See the Instructions for Form 8865.

▶ Go to www.irs.gov/Form8865 for instructions and the latest information.

OMB No. 1545-1668

Name of person filing Form 8865

Filer's identification number

Name of partnership

☐ Successor
partnership

EIN (if any)

Reference ID number (see instructions)

Name of U.S. transferor (see instructions)

☐ Successor
U.S. transferor

Filing year: (see instructions)

☐ Tax year of gain deferral contribution☐ Annual reporting**Part I Section 721(c) Property** (see instructions)

1. Tax year of contribution	2. Description of property	3. Recovery period	4. Section 197(f)(9) property	5. Effectively connected income property	6. On the date of contribution			7. Events				
					(a) Fair market value	(b) Basis	(c) Built-in gain	(a) Acceleration (including partial acceleration event)	(b) Termination	(c) Successor	(d) Tax disposition of a portion of partnership interest	(e) Section 367 transfer
1			☐	☐				☐	☐	☐	☐	☐
2			☐	☐				☐	☐	☐	☐	☐
3			☐	☐				☐	☐	☐	☐	☐
4			☐	☐				☐	☐	☐	☐	☐
4a	From Part I additional statement(s), if any		☐	☐				☐	☐	☐	☐	☐

Do the tiered partnership rules of Regulations section 1.721(c)-3(d) apply to this partnership? See instructions ☐ Yes ☐ No**Part II Remaining Built-in Gain, Remedial Income, and Gain Recognition** (see instructions)

Part I, line number	(a) Remaining built-in gain at beginning of tax year	(b) Remaining built-in gain at end of tax year	(c) Remedial income allocated to U.S. transferor	(d) Gain recognized due to acceleration event	(e) Gain recognized due to section 367 transfer
1					
2					
3					
4					
Total*					

* Total must include any amounts included on an attached statement. See instructions.

Part III Allocation Percentages of Partnership Items With Respect to Section 721(c) Property (see instructions)

Part I, line number	1. Income			2. Gain			3. Deduction			4. Loss		
	(a) U.S. transferor	(b) Related domestic partners	(c) Related foreign partners	(a) U.S. transferor	(b) Related domestic partners	(c) Related foreign partners	(a) U.S. transferor	(b) Related domestic partners	(c) Related foreign partners	(a) U.S. transferor	(b) Related domestic partners	(c) Related foreign partners
1	%	%	%	%	%	%	%	%	%	%	%	%
2	%	%	%	%	%	%	%	%	%	%	%	%
3	%	%	%	%	%	%	%	%	%	%	%	%
4	%	%	%	%	%	%	%	%	%	%	%	%

Part IV Allocation of Items to U.S. Transferor With Respect to Section 721(c) Property (see instructions)

Part I, line number	1. Income		2. Gain		3. Deduction		4. Loss	
	(a) Book	(b) Tax	(a) Book	(b) Tax	(a) Book	(b) Tax	(a) Book	(b) Tax
1								
2								
3								
4								

Part V Additional Information (see instructions). If "Yes" to any question 1 through 6b below, complete Schedule H.

	Yes	No
1 During the tax year, did an acceleration event or partial acceleration event (as described in Regulations section 1.721(c)-4 or Regulations section 1.721(c)-5(d)) occur with respect to one or more section 721(c) properties?	1	
2 During the tax year, did a termination event (as described in Regulations section 1.721(c)-5(b)) occur with respect to one or more section 721(c) properties?	2	
3 During the tax year, did a successor event (as described in Regulations section 1.721(c)-5(c)) occur with respect to one or more section 721(c) properties?	3	
4 During the tax year, was there a tax disposition of a portion of an interest in the partnership (as described in Regulations section 1.721(c)-5(f))?	4	
5 During the tax year, was there a direct or indirect transfer of section 721(c) property to a foreign corporation subject to section 367 (as described in Regulations section 1.721(c)-5(e))?	5	
6a Was any additional section 721(c) property contributed to the section 721(c) partnership during the tax year? If "Yes," complete Schedule O, include each contributed property in Part I above and information with respect to the property in Parts II-IV above, and complete line 6b	6a	
b Is the gain deferral method applied with respect to one or more of such additional section 721(c) property contributed?	6b	
7a Was a copy of the waiver of treaty benefits (as described in Regulations section 1.721(c)-6(b)(2)(iii)) filed with respect to each section 721(c) property contribution to the section 721(c) partnership? If "Yes," complete line 7b	7a	
b With respect to each section 721(c) property for which a waiver of treaty benefits was filed, after exercising reasonable diligence, has the U.S. transferor determined that to the best of its knowledge and belief, all income from section 721(c) property allocated to the partners during the tax year remained subject to taxation as income effectively connected with the conduct of a trade or business within the United States (under either section 871 or 882) for all direct or indirect partners that are related foreign persons with respect to the U.S. transferor (regardless of whether any such partner was a partner at the time of the gain deferral contribution), and that neither the section 721(c) partnership nor any such partner has made any claim under an income tax convention to an exemption from U.S. income tax or a reduced rate of U.S. income taxation on income derived from the use of section 721(c) property? See Regulations section 1.721-6(b)(3)(vi)	7b	

Part VI Supplemental Information (see instructions)