

REGULATIONS AND FILING INSTRUCTIONS

Purpose - Reports on this form are required in order to provide reliable and up-to-date information on the foreign investment operations of U.S. business affecting the U.S. balance of international payments. Related information is collected on Forms BE-578, Foreign Unincorporated Branches; BE-35, Foreign Subsidiaries and Branches of U.S. Motion Picture Companies; BE-578(B), Foreign Unincorporated Branches of U.S. Banking Firms; BE-578(I), Foreign Subsidiaries and Branches of U.S. Insurance Companies; BE-577(A), Foreign Associated Companies, and BE-577(S), Secondary Foreign Corporations. (See definitions below.)

The following is a condensation of the applicable set of regulations; a complete set will be sent on request.

Authority - Reports on Forms BE-577, BE-578, BE-35, BE-578(B), BE-578(I), BE-577(A), and BE-577(S) are mandatory under Section 8(b) of the Bretton Woods Agreements Act (59 Stat. 515, 22 U.S.C. 286f). The report form has been approved by the Office of Management and Budget under the Federal Reports Act (Public Law No. 831, 77th Congress). All replies will be held in confidence under the provisions of Section 4(b) of the Act and Section 8(c) of the Bretton Woods Agreements Act.

Who Must Report - Separate reports on Form BE-577 are required from U.S. corporations and other U.S. residents for transactions with each foreign subsidiary or affiliated corporation in which they own 25 percent or more of the voting stock, either directly or together with other U.S. or foreign affiliates. In the case of joint ownership, one owner may file a combined report. Reports are also required for direct transactions with secondary foreign corporations (see definitions below), or with companies owned by affiliated U.S. owners.

Filing of Report - Form BE-577 is a quarterly report. A single copy of each report should be sent to the Bureau of Economic Analysis, BE-50(II), 1401 K Street, NW (Tower Bldg.), U.S. Department of Commerce, Washington, D.C. 20230, within 30 days after the close of each calendar or fiscal quarter, except for the final quarter of the calendar or fiscal year when reports may be filed within 45 days. Requests for extension of the filing dates, additional forms, or clarifications of the reporting requirements or instructions should be directed to the same address.

Exemption - A U.S. resident otherwise required to report is exempted from filing a report if the aggregate value of his investment, and that of his domestic subsidiaries or affiliates, in foreign branches, subsidiaries, affiliated or associated corporations, including applicable proportion of surplus accounts and debt, is less than \$2,000,000 based on the books of the foreign enterprises. Reports for foreign subsidiaries or affiliates which are inactive, or have a book value, including surplus accounts and intercompany indebtedness, of less than \$25,000 may be omitted with a note to that effect.

Consolidations - Consolidated reports may be filed covering more than one subsidiary or affiliate in the same country and industry (foreign branch operations should be reported on Form BE-578, investments in associated foreign companies on Form BE-577(A), and reports for secondary foreign affiliates on Form BE-577(S) unless already consolidated on Form BE-577).

DEFINITIONS

U.S. Resident - Any person (including corporations, trusts, estates) under the jurisdiction of the United States ordinarily residing in the United States, including its territories or possessions.

Foreign Subsidiary or Affiliated Company - For purposes of these reports, any foreign incorporated company in which a U.S. owner, or affiliated group of owners, holds 25 percent or more of the voting stock, directly or indirectly as provided below.

Associated Foreign Company - A foreign-incorporated company in which a U.S. owner, or affiliated group of owners, directly holds at least 10 percent but less than 25 percent of the voting stock (see Form BE-577(A)).

Primary Foreign Corporation - A foreign subsidiary or affiliated company in which 25 percent or more of the voting stock is owned by U.S. residents, either directly or together with domestic or foreign affiliates.

Secondary Foreign Corporation - A foreign subsidiary or affiliated company in which a U.S. ownership of 25 percent or more of the voting stock is held through ownership of at least 50 percent of the voting stock in a primary foreign corporation which in turn owns at least 50 percent of the voting stock of the secondary foreign corporation (see Form BE-577(S)).

Foreign Branch - An unincorporated foreign business operation conducted by a U.S. resident or group of persons (corporate or otherwise) in a foreign country (see Form BE-578).

SPECIFIC INSTRUCTIONS

Enter all amounts in thousands of U.S. dollars. The rounding must be done by dropping the last three digits as in the following example: (Example: \$1,033,242 should be reported as \$1,033). Amounts of less than \$500 should be entered as "0-." If the information is not readily available, provide your best estimate and mark entry "Est."

Items 1-4 - Enter only amounts actually received from, paid to, or entered into the intercompany accounts of the foreign affiliate during the reporting period. Stock dividends should be reported in item 7 (see below).

Item 3a - Report all royalties and fees for the sale or use of intangible property such as patents, processes, trade marks and copyrights, as well as license fees received from, paid to, or entered into intercompany accounts during the reporting period.

Item 3b - Report all rentals for the use of machinery, equipment, or other tangible property, received from, paid to, or entered into intercompany accounts during the reporting period.

Item 4 - Report all receipts, payments, or allocated charges of or to reporter for professional, administrative or management services.

Items 5-6 - If the currency unit used in accounts reported in items 5-6 is other than U.S. dollars, please convert to U.S. dollars using the exchange rate normally used by you for such conversions. If an account contains entries which are denominated in more than one currency, convert all of them to dollars and aggregate these accounts to one dollar total for entry on the form. Note that the quarter's opening balance should reconcile with the previous quarter's closing balance; therefore, the same exchange rate should be used for converting the opening balance as was used to convert the closing balance on the previous quarter's report. A different rate might be used to convert the closing balances given on this report. If the closing balance as given on the previous report was in error, please note the correction. Report in items 5 and 6 all accounts between the U.S. parent or its domestic affiliates and the foreign organization regardless of the currency in which these accounts are payable, including accounts which may be blocked or are not regularly carried on the reporter's books. Entries made in items 5 and 6 should be consistent with entries in items 1-4 insofar as they reflect these items.

Item 7 - Enter here any changes in the reporter's and/or its domestic affiliates' holdings of capital stock of the foreign subsidiary or affiliated company including preferred stock, and common or ordinary stock. Stock dividends, exchange of stock for intangible property, capital contributions by the parent company, and capitalization of intercompany accounts should also be included but should be identified separately. If a company is liquidated or sold wholly or partially to foreign interests, show in block 7.6 and/or 7.12 the amount obtained in liquidation, or sales price. Report on an attachment the amount of profit or loss on the liquidation or sale based on the book value of the reporter's equity as shown on the foreign company's books.

Item 7, Cols. (1) and (2) - Enter codes - See list on front of form.

Col. (1) - Enter one or more codes for each line (if more than one code is applicable please give amount for each).

Col. (2) - Enter one code for each line.

Item 8 - Earnings should be reported on a quarterly basis; do not report earnings on a cumulative basis. Earnings for the period shown at the top of the form should be entered in the "current quarter" column; include also in the "current quarter" column the earnings of subsidiaries or affiliates whose quarterly closing dates fall in the 90 day period preceding the reporter's closing date. If the data for a subsidiary or affiliate are not available at the time the report is filed enter NA in the "current quarter" column. **DO NOT DELAY FILING REPORT BECAUSE CURRENT QUARTER IS NOT AVAILABLE.** When the next quarter's report is filed, the omitted data should then be entered in the "preceding quarter" column; if again, the current quarter's data is not available, enter NA and continue the one quarter lag in reporting. The "preceding quarter" column should also be used to correct data which were substantially in error when given in the preceding report. Corrections for quarters prior to the preceding quarter should be given on a separate sheet.

The amount entered should represent your portion of the foreign company's net income (or loss) for the quarter, before provision for common and preferred dividends, but after provision for foreign income taxes. Unrealized gains or losses resulting from changes in exchange rates should be included in earnings at the time they are recognized, according to your established accounting practices. Companies whose foreign enterprises are engaged in extractive industries should report net income before depletion charges, except charges representing the amortization of the actual cost of capital assets. If the report covers transactions of primary and secondary foreign subsidiaries, the net income given should consolidate the income of the secondary companies.

Item 10 - Same instruction as for 8 applies except that this item refers to the annual figure. It should be reported on the report for the quarter during which the relevant figure becomes available.

Item 11 - Enter here your equity in holdings of the foreign company's capital stock and surplus accounts. Please show the proportion of the foreign company's capital stock owned by you together with your domestic affiliates as of the end of the year shown. The amounts entered in this item should be shown in U.S. dollars.