

NOTE.—See Page Four before  
filling out form.

SAMPLE COPY

# CLAIM OF EXEMPTION FROM CALIFORNIA FRANCHISE TAX UNDER SECTION 4(6) OF THE CALIFORNIA BANK AND CORPORATION FRANCHISE TAX ACT

To THE COMMISSIONER:

SANTA CLARA COUNTY AMATEUR RADIO ASSOCIATION, the

Full name of organization

address of which is \_\_\_\_\_

Give complete address

hereby claims exemption from California franchise tax pursuant to subsection(s) (e)

of Section 4 (6) of the California Bank and Corporation Franchise Tax Act as

Educational

State nature of institution, i.e. charitable, religious, business league, etc.

and in that behalf does hereby submit the following information:

1. Is the organization the outgrowth, successor to, or continuation of an unincorporated predecessor? Yes.

Yes or No

If so, state the name of such predecessor and the period during which it was in existence Santa Clara County Amateur Radio Association, in existence 1921 to date.

2. Has the organization filed Federal income tax returns? NO. If so, for what year or years?

Yes or No

In what district? \_\_\_\_\_

3. State briefly in outline the specific purposes for which the organization was or is being formed. (Do not quote from, or make reference to, the articles of incorporation or by-laws for this purpose.)

In order to lease premises for meetings and to limit liability of members.

4. If the organization is already incorporated, give date and state of organization \_\_\_\_\_

5. State fully all activities in which the organization is presently engaged or in which it will engage on granting of certificate of exemption Members meet periodically in order to exchange ideas

for the improvement of amateur radio communications and to discuss technical matters relating to radio communications.

6. Does the organization intend to carry on business at a profit incidental to its main purpose? NO. If so, give details -  
Yes or No

7. State all sources from which the organization's income is or will be derived Dues of members

8. Specify purposes for which funds are or will be expended Supplies, postage, rent for meeting places, attorneys' fees.

9. If exemption is claimed under Section 4(6)(f), state whether the organization performs or will perform particular services for members, shareholders, or others, such as making credit investigations, furnishing credit reports, collecting accounts, inspecting products, or other similar undertakings? - If so, attach a separate statement containing full details regarding such activities. Yes or No

10. Is the organization authorized to issue capital stock? NO. If so, state (a) the class or classes of such stock, (b) the number and par value of shares of each class outstanding, and (c) the consideration paid for outstanding shares Yes or No

11. If capital stock is outstanding, state whether any dividends or interest has been or may be paid thereon - If so, give facts. Yes or No

12. Does any part of the net income of the organization inure to the benefit of any private shareholder, member or individual? NO. Explain - Yes or No

13. In the event of the dissolution of the organization, what disposition would be made of its property?

Return to members.

14. Is the organization now, or has it ever been, engaged in carrying on propaganda, or otherwise either advocating or opposing pending or proposed legislation? NO. If so, furnish a detailed explanation of such activities, and furnish copies of literature, if any, distributed by the organization -

SANTA CLARA COUNTY AMATEUR RADIO ASSOCIATION  
Name of organization

By \_\_\_\_\_  
Incorporator, attorney, officer or other authorized representative

Mail Certificate of Exemption to:

Robert Beresford, Attorney at Law  
Name

Anglo Bank Building  
Address  
San Jose, California

STATE OF CALIFORNIA,  
COUNTY OF SANTA CLARA . } ss.

MILES W. WEEKS  
Name of person making affidavit

being first duly sworn,

deposes and says: He is Secretary of the

Title, such as president, etc.

Santa Clara County Amateur Radio Association  
Name of organization

and makes the foregoing claim of exemption on behalf of said organization as such officer or representative thereof; that the answers, statements and data submitted herewith are complete and true to the best of affiant's knowledge and belief.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 194\_\_\_\_\_

[NOTARY'S SEAL]

Signature of officer administering oath

Title

## Please Read Before Filling in This Form

A mere claim or contention by an organization that it is exempt from income tax under Section 4(6) of the Bank and Corporation Franchise Tax Act will not relieve the organization from filing franchise tax returns and paying the tax. Unless the Commissioner has determined that an organization is exempt, it must prepare and file a complete franchise tax return for each taxable year of its existence. Accordingly, every organization that claims to be exempt should furnish the information and data specified herein, together with any facts deemed material to the question, with the least possible delay, in order that the Commissioner can determine whether or not it is exempt. As soon as practicable after the information and data are received, the organization will be advised of the Commissioner's determination, and, if it is held to be exempt, no further returns of income will be required. Any changes in your form of organization or method of operation, as shown by the evidence submitted, must be immediately reported to the Commissioner in order that the effect of such changes upon your exempt status may be determined.

If additional space is required to answer above questions in detail, attach same size paper, writing on one side only, and using corresponding numbers.

Section 4(6) of the California Bank and Corporation Franchise Tax Act provides as follows:

SEC. 4(6). **Exempt Corporations.** The following corporations shall be exempt from taxation under this act:

- (a) Incorporated labor organizations.
- (b) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this act.
- (c) Corporations classified as diversified management companies under Section 5 of the Federal Investment Company Act of 1940, and registered as provided in that act.
- (d) Cemetery companies owned and operated exclusively for the benefit of their members; or which are not operated for profit; or any corporation chartered for cemetery purposes and permitted by its charter to engage in any business related to that purpose, no part of the net earnings of which inures to the benefit of any shareholder or member thereof.
- (e) Corporations organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation.
- (f) Business leagues, chambers of commerce, real estate boards, or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual.
- (g) Clubs organized and operated exclusively for pleasure, recreation, and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder.
- (h) Religious or apostolic corporations, if such corporations have a common treasury or community treasury, even if such corporations engage in business for the common benefit of the members, but only if the members thereof include (at the time of filing their returns) in their gross income their entire pro rata shares, whether distributed or not, of the net income of the corporation for such year. Any amount so included in the gross income of a member shall be treated as a dividend received.