**8558. What are the reporting requirements for capital gains and losses?**

New boxes have been added to Form 1099-DIV to allow for the reporting of qualified dividends (Box 1b) and post-May 5, 2003 capital gain distributions (Box 2b). Likewise, new boxes have also been added to Form 1099-B for reporting post-May 5, 2003 profits or losses from regulated futures or currency contracts.[[1]](#footnote-1) Payments made in lieu of dividends (“substitute payments”) are *not* eligible for the lower rates applicable to qualified dividends.[[2]](#footnote-2) For information reporting requirements for such payments, see Notice 2003-67;[[3]](#footnote-3) Announcement 2003-75;[[4]](#footnote-4) Treasury Regulation Section 1.6045-2(a)(3)(i); TD 9103.[[5]](#footnote-5)

1. . See Announcement 2003-55, 2003-38 IRB 597. [↑](#footnote-ref-1)
2. . H.R. Rep. No. 108-94, 108th Cong., 1st Sess. 31 n. 36 (2003). [↑](#footnote-ref-2)
3. . 2003-40 IRB 752. [↑](#footnote-ref-3)
4. . 2003-49 IRB 1195. [↑](#footnote-ref-4)
5. . 68 Fed. Reg. 74847 (12-29-2003). [↑](#footnote-ref-5)