



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF THE TREASURY
PO BOX 9022501 SAN JUAN PR 00902-2501

INCOME TAX RETURN FOR EXEMPT BUSINESSES UNDER THE PUERTO RICO INCENTIVES PROGRAMS

MESSAGE FROM THE SECRETARY OF THE TREASURY

Dear taxpayer:

I am pleased to provide the 2011 Income Tax Returns for Exempt Businesses under the Puerto Rico Incentives Program under the Puerto Rico Internal Revenue Code of 2011, as amended (hereinafter "the Code"). The due date for filing the tax return is April 17, 2012.

This booklet will advise you of the most significant changes introduced by the Code with respect to your tax responsibility.

If you have additional questions related to the preparation of the tax return, you can contact our tax assistance personnel at (787) 722-0216, or by email to infoserv@hacienda.pr.gov. Also, you can visit our Taxpayer Service Centers located in our principal office in San Juan, regional offices and in the taxpayer's orientation centers located across the island.

In our website www.planillas.pr.gov you will find the Code, as well as the most recent regulations issued under it. In addition, you will find other publications, such as circular letters and informative bulletins.

I encourage you to comply promptly and thoroughly with your tax responsibility. You will be contributing to the welfare of your family as well as that of all of Puerto Rico.

Cordially,

Jesús F. Méndez Rodríguez, CPA

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TAXPAYER'S BILL OF RIGHTS

The Taxpayer's Bill of Rights grants the following rights under the Code:

To receive a proper, considerate and impartial treatment.

Confidentiality of the information submitted.

All interviews must be at a reasonable time and place for the taxpayer, in coordination with the employees of the Department of the Treasury (Department).

The interview or audit must not be used to harass or intimidate in any manner the person interviewed.

To receive an explanation of the process to which the taxpayer will be exposed and subject, and the rights that assist him.

Be assisted by an attorney, accountant, certified public accountant or any other authorized person, at any moment during the interview.

Be informed prior to the interview, of the intention to tape the interview, and to be able to obtain an exact copy of such recording prior to the payment of the cost thereof.

Be informed of the nature of your tax liability.

Be advised of your right against self-incrimination, to remain silent and that your silence should not be taken or commented against you, in case of a possible exposure to a criminal action.

Consult, and be advised by an attorney, accountant, certified public accountant, or authorized agent to represent you within the Department, or to be able to finish the interview even when it had commenced.

Be notified in writing of any adjustment made by the Department as a result of a tax audit when it involves the addition of interest, penalties and surcharges, as provided by the Code, as well as the exact amount of the adjustment and the reasons for such changes.

Waive the rights described in the preceding paragraphs, if such waiver is made knowingly and voluntarily.

Grant a written power to authorize any person to represent you during a tax interview or process. Such person shall receive, for purposes of the interview, equal treatment as you, unless you are notified that such person is responsible for an unreasonable delay or interference with the audit.

Not to be discriminated because of race, color, sex, birth, origin or social condition, or political, religious ideas or association of any taxpayer or his representative. No records will be kept containing tax information for these purposes.

The Department's employees will explain and protect your rights during all phases of the process. If you believe that your rights have been violated, you should discuss this matter with the supervisor of the employee. If you do not agree with the action taken by the supervisor, you may file a complaint with the Office for the Protection of Taxpayer's Rights.

OFFICE FOR THE PROTECTION OF TAXPAYER'S RIGHTS

The Office for the Protection of Taxpayer's Rights (Ombudsman of the Taxpayer) was created to assure the compliance of the provisions of the Taxpayer's Bill of Rights. Said office is located at the Department of the Treasury in Old San Juan, Office 105. For assistance, please call **(787) 977-6622, (787) 977-6638, or (787) 721-2020, extension 2180.**

The Ombudsman of the Taxpayer is responsible for attending to the problems and claims of the taxpayers and to facilitate the process between the taxpayers and the Department of the Treasury. Also, the Ombudsman of the Taxpayer has authority to prevent or correct any infringement by any employee of the Department that goes against the rights of the taxpayer.

For additional information, you can request the booklet: "*Carta de Derechos del Contribuyente*".

RELEVANT FACTS

TAX REFORM

Act 1-2011, better known as the Puerto Rico Internal Revenue Code of 2011 (Code), was designed to, among other objectives, to simplify the tax system of Puerto Rico. The changes made to our tax system by this legislation provide relief and incentives for, among others, corporations.

In the following topics we list the new tax benefits that apply to taxpayers that are corporations and the most significant changes made to the return.

We encourage you to review the educational material available in our website: www.hacienda.pr.gov, which provides more detailed information about the changes brought about by the Code.

NEW TAX BENEFITS

- ☞ A deduction of \$750,000 is allowed for purposes of computing the net income subject to surtax. In addition, rates and levels of net income associated with this tax are reduced. In the case of a controlled group, the deduction will be distributed among all group members and they shall add the net taxable income subject to surtax to determine the applicable level.
- ☞ The recapture that applied to corporations whose taxable net income exceeded \$500,000 is eliminated.
- ☞ The tentative minimum tax is reduced from 22% to 20% for purposes of calculating the alternative minimum tax.
- ☞ A deduction for charitable contributions is allowed up to 10% of the net income.
- ☞ The maximum basis to depreciate an automobile acquired and used in industry or business, or for the production of income is increased to \$30,000. The maximum amount that can be claimed annually is increased to \$6,000.
- ☞ There is a new line on the return for claiming the credit for the payment of additional duties on luxury cars under Act 42-2005.

SIGNIFICANT CHANGES IN THE RETURN

- ☞ The format of the return is modified. Now the Income Tax Return for Exempt Businesses under the Puerto Rico Incentives Program is divided in five returns according to the act under which the business operates. The returns are:
 - Form 480.30(II)DI – Industrial Development
 - Form 480.30(II)DT – Tourism Development
 - Form 480.30(II)EV – Green Energy
 - Form 480.30(II)C – Film Industry
 - Form 480.30(II)LE – Special Acts

☞ Page 1 of the Return

Line 3 is provided to claim the credit for the payment of additional

duties on luxury cars under Act 42-2005 and **line 10** to indicate the portion of the tax overpaid that you choose to contribute to the University of Puerto Rico Special Fund.

☞ Page 3 of the Return

Part V is provided to indicate if expenses related to the ownership, use, maintenance and depreciation of automobiles, vessels, aircrafts or residential property outside of Puerto Rico are being claimed.

☞ Schedule B1 Incentives

This Schedule is modified to adjust it to the new provisions related to the credits for purchases of products manufactured in Puerto Rico and the Puerto Rican agricultural products.

☞ Schedule B3 Corporation

A new schedule is provided to determine the amount of the Employee Retention Credit under the HIRE Act and to inform the details of the eligible employees which qualify for its computation. This applies for trade or business or to claim the credit from a partnership or special partnership.

☞ Schedules N, L and P Incentives

It is provided to indicate whether the deduction for purposes of the surtax comes from Form AS 2652.1 (Apportionment of the Deduction for the Additional Tax Calculation - Group of Related Corporations). Furthermore, line 5 of Part II is provided to indicate the net income reported in Form AS 2652.1 that is subject to the 5%.

☞ Deductions and Net Operating Income

It is modified to distinguish between automobile expenses subject to the mileage limitation, and the expenses for other motor vehicles.

PAYMENTS FOR THE PREPARATION OF THE RETURN AND SANCTIONS TO RETURNS SPECIALISTS

Indicate if you paid for the preparation of your return and make sure that the specialist signs the return and includes his/her registration and employer identification number. THE CODE PROVIDES CIVIL AND CRIMINAL SANCTIONS TO THOSE INCOME TAX RETURN SPECIALISTS WHO FAIL TO SUBMIT THIS INFORMATION OR WHO DO NOT MEET ANY OTHER STATUTORY REQUIREMENTS.

The Specialist must declare under penalty of perjury that he/she examined the return and to the best of his/her knowledge and belief, it is correct and complete.

If the return is prepared by an accounting firm duly registered as a Tax Return Specialist, it must include the employer identification number, the registration number and be signed by the authorized person.

AREA CODE

You must indicate the area code (**787** or **939**) in the parenthesis located in the spaces provided in the heading of the return to write the phone number.

RETURNED CHECKS FOR INSUFFICIENT FUNDS

Every check drawn on behalf of the Secretary of the Treasury that is returned, will be subject to a \$25.00 minimum charge. This charge is in addition to any other interest, surcharges or penalties provided by the Code or any other fiscal law for omissions in fulfilling your tax responsibility. The Department will make the collection in a traditional or electronic manner.

FINANCIAL STATEMENTS REQUIREMENT

If the entity has a volume of business from taxable operations of more than \$3 millions, financial statements reporting the operations of the taxable year must be included with the return.

In cases in which the entity generates a volume of business equal to or greater than \$1 million but less than \$3 million, the entity may choose to submit financial statements which reflect the results of its operations for the taxable year. Every business that is up to date with its tax responsibility and under these conditions choose to include the financial statements, shall be entitled to a withholding waiver of the 7% on payments for services rendered.

The financial statement must include a balance sheet, an income statement and a statement of cash flows. These statements should be submitted with an Audit Report issued by a certified public accountant (CPA) licensed in Puerto Rico.

A report that includes consolidated financial statements in which the operations in Puerto Rico are presented as supplementary information will not be accepted. Also, compiled or reviewed statements are not acceptable. They must be audited.

CONTRACTS WITH GOVERNMENTAL ENTITIES

Every person, natural or juridical, contracted by a governmental entity, must comply with the Executive Order 91-24, as amended, and the provisions of the Circular Letters in force at the time of processing the contracts. According to said provisions, every contract subscribed by a governmental entity must include a clause to certify that the contracted party filed the income tax returns for the last five years, and that the income, property, unemployment, temporary disability and drivers social security taxes, as applicable, have been paid.

In addition, in order to approve a contract or purchase order, the governmental entity must require the tax return filing (Form SC 6088) and debt (Form SC 6096) certifications from the Internal Revenue Area of this Department, the property tax certification from the CRIM and the corresponding certification from the Department of Labor and Human Resources. These documents must be requested annually.

In order to expedite the process of issuing the certifications, every person who has filed income tax returns for the last 5 years and who does not have tax debts, or if having debts, has formalized a payment plan, will receive the Tax Return Filing and Debt Certification (Form SC 2628) automatically by mail.

For this purpose, if the corporation is contracted by a governmental entity, it is necessary to indicate so in the heading of the return, page 1.

Sometimes a certification cannot be issued in connection with the return corresponding to the last taxable year, since such return may have not been already processed. Because of this possibility, it is recommended to personally hand in the original return along with a copy, in order to receive back said copy sealed with the Department's receipt stamp. This service will be offered at the Department of the Treasury, Intendente Ramírez Building in Old San Juan, at the District Offices, at the Internal Revenue Collections Offices, and at the Orientation and Return Preparation Centers.

COUPON'S BOOKLET FOR THE PAYMENT OF ESTIMATED TAX (FORM 480.E-2)

The four installments of estimated tax corresponding to the 2012 calendar year or to the 2012-2013 taxable period, will be made with the booklet revised on 08.11. Payments made with coupons revised on previous dates may have problems in their application.

TAXPAYER'S SERVICE FACILITIES

In the Taxpayer Service Centers, besides **informing about the status of your refund**, other services are offered such as: Tax Return Filing Certifications, Return Copies, assistance for Cases of Inheritance and Donations, Individuals, Corporations or Partnerships and Professional Services Withholding Waivers.

Following are the postal address and telephone number of the Calls and Correspondence Center and the location of each one of our Service Centers:

- ☞ **Call and Correspondence Center**
PO BOX 9024140
SAN JUAN PR 00902-4140
Telephone: **(787) 722-0216**
- ☞ **San Juan Services Center**
Intendente Ramírez Building
10 Paseo Covadonga
Office 101
- ☞ **San Juan Services Center - Mercantil Plaza**
Mercantil Plaza Building
255 Ponce de León Ave.
Stop 27½, Hato Rey
- ☞ **Aguadilla Services Center**
Punta Borinquen Shopping Center
Bert St., East Parade St. Intersection
Malezas Abajo Ward, Ramey Base
- ☞ **Arecibo Services Center**
Governmental Center
372 José A. Cedeño Ave.
Building B, Office 106

↵ **Bayamón Services Center**

Road #2
2nd Floor, Gutiérrez Building

↵ **Caguas Services Center**

Goyco Street, Acosta Corner
1st Floor, Governmental Building, Office 110

↵ **Mayagüez Services Center**

Governmental Center
50 Nenadich Street, Office 102

↵ **Ponce Services Center**

Governmental Center
2440 Las Américas Ave., Office 409

TECHNICAL ASSISTANCE

For additional information on the technical contents of this booklet or to clarify any doubts, please call **(787) 722-0216, option number 8 in the directory.**

HACIENDA MAKING CONNECTION

Access the Department of the Treasury's website: **www.hacienda.pr.gov**. Here you can find information about the following services, among others:

- ↵ Electronic transfer of the Individual Income Tax Return using programs or applications certified by the Department
- ↵ 2011 W-2 and Informatives Returns Program
- ↵ Payments Online
- ↵ Puerto Rico Internal Revenue Code of 1994, as amended (Spanish only)
- ↵ Act 1-2011, Internal Revenue Code for a New Puerto Rico, as amended (Spanish only)
- ↵ Forms, Returns and Informative Booklets, such as:
 - Income Tax Return of Taxable Corporations
 - Form AS 4809 - Information of Identification Number - Organizations (Employers)
 - *Modelo SC 2800 - Planilla de Contribución sobre Caudal Relicto* (Spanish only)
 - *Modelo SC 2800A - Planilla Corta de Contribución sobre Caudal Relicto* (Spanish only)
 - *Modelo SC 2800B - Planilla de Contribución sobre Caudal Relicto (Causantes fallecidos a partir del 1 de enero de 2011)* (Spanish only)
 - *Modelo SC 2788 - Planilla de Contribución sobre Donaciones* (Spanish only)

- Informative Booklet to Provide Orientation about your Income Tax Return (Spanish and English)
- Informative Booklet to Provide Orientation on the Income Tax Responsibilities of Federal, Military and Other Employees
- Informative Booklet regarding the Withholding of Income Tax at Source in Case of Professional Services (Spanish and English)
- *Folleto Informativo de Contribución sobre Ingresos de Sacerdotes o Ministros* (Spanish only)
- *Folleto Informativo para Aclarar sus Dudas sobre Aspectos Contributivos en la Venta de Ciertas Propiedades* (Spanish only)
- Employer's Quarterly Return of Income Tax Withheld (Spanish and English)
- Withholding of Income Tax at Source on Wages - Instructions to Employers (Spanish and English)

INSTRUCTIONS TO COMPLETE THE RETURN

WHO MUST FILE THIS RETURN?

Every corporation engaged in a trade or business in Puerto Rico which derives fully or partially exempt income under any of the following acts:

- ☞ Puerto Rico Industrial Incentives Act of 1963, as amended (*Act No. 57 of 1963*)
- ☞ Hospital Facilities Tax Incentives Act of 1968, as amended (*Act No. 168 of 1968*)
- ☞ Tourism Incentives Act of 1983, as amended (*Act No. 52 of 1983*)
- ☞ Puerto Rico Tax Incentives Act of 1987, as amended (*Act No. 8 of 1987*)
- ☞ Puerto Rico Tourism Development Act of 1993, as amended (*Act 78-1993*)
- ☞ Puerto Rico Agricultural Tax Incentives Act, as amended (*Act 225-1995*)
- ☞ Tax Incentives Act of 1998, as amended (*Act 135-1997*)
- ☞ Economic Incentives for the Development of Puerto Rico Act (*Act 73-2008*)
- ☞ Puerto Rico Tourism Development Act of 2010 (*Act 74-2010*)
- ☞ Puerto Rico Green Energy Incentives Act (*Act 83-2010*)
- ☞ Municipal Economic and Tourism Development Incentives Act (*Act 18-2010*)

Furthermore, this return must be filed by a corporation which has derived income from the sale of admission tickets for artistic and cultural shows that are performed according to the provisions of one of the following acts:

- ☞ Special Act for the Rehabilitation and Development of Santurce, as amended (*Act No. 148 of 1988*)
- ☞ Special Act for the Creation of the Theatrical District of Santurce (*Act 178-2000*)
- ☞ Special Act for the Rehabilitation and Development of Río Piedras (*Act 75-1995*)
- ☞ Special Act for the Rehabilitation and Development of Castañer (*Act 14-1996*)

Also, this return must be filed by every corporation or partnership which has derived income from a Film Entity engaged in a Film Project or an Infrastructure Project under the following act:

- ☞ Film Industry Development Act (*Act 362-1999*)

In case of corporations operating under a tax exemption decree effective during any part of the taxable year, they will use this return to report all income received during the taxable year. The fully taxable income must be reported on Schedule P Incentives.

WHEN AND WHERE TO FILE?

This return must be filed not later than the 15th day of the fourth month following the end of the taxable year. In case of a foreign corporation not having any office or place of business in Puerto Rico, the return must be filed not later than the 15th day of the sixth month following the close of the taxable year.

The return can be mailed to the following address:

- (a) **Returns with Refund:**
DEPARTMENT OF THE TREASURY
PO BOX 50072
SAN JUAN PR 00902-6272
- (b) **Returns with Payment and Others:**
DEPARTMENT OF THE TREASURY
PO BOX 9022501
SAN JUAN PR 00902-2501

The return can also be delivered at the Department of the Treasury, 10 Paseo Covadonga, Intendente Alejandro Ramírez Building in Old San Juan, the Internal Revenue Collections Office of your municipality, the District Offices of the Department or the Orientation and Return Preparation Centers.

AUTOMATIC EXTENSION OF TIME TO FILE THE RETURN

A 3 month automatic extension of time will be granted to file the return if it is requested not later than the due date to file the return. This will be done using Form AS 2644.

Every corporation must pay with the request for an automatic extension of time, the entire amount of tax determined, the special surtax and the tollgate tax under Act No. 8 of 1987, if applicable.

An extension of time to file the return does not extend the time for the payment of tax or any payment or installment of the same.

SPECIFIC INSTRUCTIONS – FORMS 480.30(II)

Every corporation that during the taxable year derives partially exempt income under one or more tax, industrial tourism incentives acts, or tourism development acts and other special acts, must file the corresponding Form 480.30(II), in addition to a separate schedule for each one of the acts under which it earned said partially exempt income.

In those cases where the corporation or partnership is tax exempt under two or more tax exemption decrees issued under the same industrial, tax, tourism incentives or tourism development act, only one schedule under the applicable act must be filed. Such schedule should include all the operations covered by the applicable act.

If the corporation, in addition to income from industrial incentives, tax incentives, tourism incentives or development, or partially exempt under other special acts, also derives income from fully taxable operations, it must file Schedule P Incentives along with Schedules L, N, N1, V, V1, W, X, X1, Y, Y1 and Z Incentives, as applicable.

The schedules and their instructions are available in our web page: www.hacienda.gobierno.pr.

HEADING OF THE RETURN

If the taxable year of the corporation is a calendar year, there is no need to enter the dates on which the taxable year begins and ends. Only the corresponding year should be indicated. If it is a fiscal year, you must enter the dates in the spaces provided on the return.

NAME, EMPLOYER IDENTIFICATION NUMBER AND ADDRESS

Enter in the corresponding box the name of the corporation. Enter the registration number assigned by the Department of the State.

In addition, enter the employer identification number in the space indicated. **The employer identification number is required to process the return.**

Corporations that do not have an employer identification number, shall request it from the Federal Internal Revenue Service and notify it to the Department of the Treasury using Form AS 4809.

Enter the Merchant's Registration Number assigned by the Department, the complete address where the business or principal office is located, and the telephone number.

Inform the type of industry or business (principal business activity). For example, if your principal activity is construction of furniture, enter **furniture manufacturing**; if it is retail sale of furniture, enter **furniture retail trade**. **Use the industrial code list provided on page 35, in order to facilitate the description of the commercial activity and enter the corresponding code.**

If the corporation informs a change of address at the moment of filing the return, check the applicable box. Do not use the label and write the new address clearly and legible on the return. On the other hand, if the change of address is made at any other moment during the year, you must report it using Form SC 2898 (Change of Address). The same is available at the Forms and Publications Division, Office 603 of the Department of the Treasury in Old San Juan, or you may request it calling (787) 722-0216. Also you may obtain it accessing our webpage: www.hacienda.gobierno.pr.

PART I - TAX LIABILITY**Line 2 - Payments**

Enter on lines 2(a) through 2(g) the tax paid for the specified concepts to be credited against the tax liability for the year.

Line 3 – Credit for the payment of additional duties on luxury automobiles under Act 42-2005

The amount of the credit to be claimed will be equal to the amount of the duty paid for the government level (*marbete*) for the luxury vehicle plus 5% annual interest on that amount from March 16, 2007 to December 31, 2011, minus 33% for attorney's fees. The credit shall be claimed in two installments: 50% in the 2011 return and the remaining 50% in the 2012 return. Enter on this line the amount that was notified to you by the Department of the Treasury for the tax year 2011.

Line 4 - Balance of Tax Due

If the amount on lines 2(h) and 3 is larger than the total of line 1, there is an excess of tax withheld or paid. The excess must be credited against the addition to the tax for failure to pay estimated tax. Any surplus may be credited against next year's estimated tax, contributed to the San Juan Bay Estuary Special Fund or to the Special Fund for the University of Puerto Rico or refunded, as indicated on line 8, 9, 10 or 11. If you filed the return after the due date established by the Code to file it or requested an extension of time, but you did not pay the total amount due, you must compute the interest and surcharges that apply from the due date to file the return to the date on which the return was filed. Refer to section **Interest, Surcharges and Penalties** later on.

Line 5 - Addition to the Tax for Failure to Pay Estimated Tax

Enter the addition to the tax for failure to pay the minimum estimated tax required, previously determined on Schedule T Incentives. (See instructions to complete the Schedules).

Line 6 - Excess of tax withheld or paid

Enter on this line the difference between total of line 1, and the sum of lines 2(h) and 3 only in those cases where the sum of lines 2(h) and 3 is more than the total of line 1.

If lines 5 is zero, transfer the amount indicated on this line to line 8, 9, 10 or 11, whichever applies. Otherwise, enter the difference between lines 5 and 6 on line 8, 9, 10 or 11, as applicable.

Line 7 - Amount paid with this return

Enter the amount paid for each concept, as applicable.

Make the check or money order payable to the Secretary of the Treasury. **Indicate the employer identification number and the corresponding Form 480.30(II).**

If you decide to pay in cash, you can do it at any of our Internal Revenue Collections Offices. Make sure to keep the official payment receipt provided by the Collector.

SIGNATURE AND OATH OF THE RETURN

The return must be signed by the president, vice president or other principal officer and by the treasurer or assistant treasurer or agent of the exempt business.

PARTS II AND III - COMPARATIVE BALANCE SHEET AND RECONCILIATION OF NET INCOME (OR LOSS) PER BOOKS WITH NET TAXABLE INCOME (OR LOSS) PER RETURN

The financial statements and reconciliation must be totally completed in order to consider the return as filed. Therefore, do not submit this information in loose sheets to substitute the statements or the reconciliation. **Returns that do not comply with these requirements, will be returned to the taxpayer.**

PART V – QUESTIONNAIRE

Enter all the information required on the questionnaire in order to process the return.

PART VI – COMPENSATION TO OFFICERS

Enter the total compensation paid or accrued to officers of the entities for salaries or other allowances. Also, you must include the name, social security number and the percentage of stocks or shares owned, if any. The total amount reflected in this part as compensation must be equal to the amount claimed on Schedules L, N, P, V, W, X, Y and Z Incentives. If the entity files more than one of these Schedules, the amount entered in this part must be equal to the sum of the amounts reflected on each schedule for this concept.

INCOMPLETE RETURN

The return must be completed in all of its parts. All the information of the Income Statement, Balance Sheet, Reconciliation of Net Income (or Loss) per Books with Net Taxable Income (or Loss) per Return, and Analysis of Unappropriated Retained Earnings per Books must be detailed. **Returns that do not comply with this requirement will be considered as not filed.**

INSTRUCTIONS TO COMPLETE THE SCHEDULES

SCHEDULE B INCENTIVES - RECAPTURE OF CREDIT CLAIMED IN EXCESS AND TAX CREDITS

Use this schedule to determine the recapture of credit for investment and for donation of a conservation easement or eligible land claimed in excess, the tax credits to entities under certain acts, and the detail of the purchase of tax credits.

PART I - RECAPTURE OF CREDIT FOR INVESTMENT AND FOR DONATION OF A CONSERVATION EASEMENT OR ELIGIBLE LAND CLAIMED IN EXCESS

In Columns A, B and C you must enter the name and the employer identification number of the entity to which the credit for investment or donation of a conservation easement or eligible land claimed in excess belongs, and check the box that identifies the act that regulates the investment or donation made.

Enter the credit claimed in excess in previous years as a result of the intervention of the Secretary or Director of the Agency or Department, or the Board who regulates each of the following acts: Puerto Rico Tourism Development Act (Act 78-1993, as amended), Solid Waste Authority Act (Act No. 70 of June 23, 1978, as amended), Capital Investment Fund Act (Act No. 3 of October 6, 1987, as amended), Act for the Creation of the Theatrical District of Santurce (Act 178-2000), Act for the Development of the Film Industry (Act 362-1999), Act for Tax Credits from Investment in Housing Infrastructure (Act 98-2001), Act for Tax Credits for Investment in the Construction or Rehabilitation of Rental Housing Projects for Low or Moderate Income Families (Act 140-2001), Act for Credit to Investors in an exempt business that is in the process of closing its operations in Puerto Rico (Act 109-2001), Conservation Easement Act (Act 183-2001, as amended), Economic Incentives for the Development of Puerto Rico Act (Act 73-2008) and Puerto Rico Green Energy Incentives Act (Act 83-2010).

The total investment carried out by the exempt business in the project is subject to the revision of the Secretary or Director of each Agency or Department, or the Special Work Board (Board) in case of the Theatrical District of Santurce. If the investment credit claimed by the investors exceeds the investment credit computed by the Secretary, the Director or the Board, this excess shall be due as income tax. In some cases this debt must be paid by the investors in one installment, and in other cases in two installments beginning with the first taxable year following the date in which the unfulfillment or revocation of the credits is determined or any other date provided by law. The Director, the Secretaries or the Board will notify the Secretary of the Treasury the excess of credit claimed by the investors.

The provisions of credit recapture previously mentioned will not apply to participants and investors that are not developers in a project under the Tourism Development Act or the Solid Waste Authority Act.

In case of condohotels, the integrated leasing program operator must file an annual report to the Director and to the Secretary identifying the participant units in the integrated leasing program. Said report must indicate the participation beginning date of the participant units, as well as the date or dates in which one or more units were withdrawn from the program.

In case of Act 178-2000 (theatrical business), Act 140-2001 (rental housing), and Act 109-2001 (business closing operations), if any unit or business is withdrawn from the program, cease its operations or do not comply with any of the requirements provided by the corresponding act before the expiration of the 10 year period or other period provided by law, the investor will owe as income tax an amount to be computed as provided by the act or as follows, as applicable:

$$\begin{array}{rcl} \text{Income Tax} & & \text{Total investment} \\ \text{owed} & = & \text{credit claimed} \\ & & \text{per unit or business} \end{array} \times \begin{array}{r} \text{Balance of the} \\ \text{10 year period} \\ 10 \end{array}$$

In case of owners of a levied property by a conservation easement or donors, in case of an eligible land, they shall be subject to the recapture of the tax credits granted in the event that the obligations included in the constitution deed of the conservation easement or donation of an eligible land are not fulfilled, as applicable, but only in those cases in which it is impossible to return the land to its original condition. These dispositions will also apply when the perpetuity requirement is not fulfilled by the owners and the titular of the easement.

The income tax amount owed must be paid in one or two installments, whichever applies, beginning with the first taxable year following the date of the withdrawal of the unit, the first taxable year following the cease of operations or any other date provided by law.

Line 1 - Enter the total excess of credit notified by the Director, the Secretary or the Board, or in the case of condohotels, theatrical business, business closing operations or rental housing projects for low income families, the total of income tax debt according to the formula previously mentioned or established by law.

Line 3 - Multiply line 1 by 50% and enter the result. Transfer the resulting amount to Schedule L Incentives, Part II, line 9, to Schedule N Incentives, Part II, line 7, Schedule P Incentives, Part II, line 9, to Schedule V Incentives, Part III, line 3, to Schedule W Incentives, Part II, line 6, to Schedule X Incentives, Part IV, line 3, or to Schedule Y Incentives, Part II, line 3, as applicable. If part of the excess was paid in the previous year, enter the balance owed.

Line 4 - If this is the first year that you make the recapture, subtract line 3 from line 1 and enter the difference. This will be the tax debt to be paid for next year. If this is the second year of recapture, subtract lines 2 and 3 from line 1.

Part II - Tax Credits

Some of the following credits, such as the Credit for Investment in Capital Investment Fund or in Housing Infrastructure, may be claimed subject to the terms and conditions established in Act 7-2009, as amended, and the Administrative Determination or Certification under which they were granted.

Line 1 - Enter the amount determined on Schedule C Corporation (Credit for Taxes Paid to Foreign Countries, the United States, its Territories and Possessions).

If the tax was paid in a foreign currency, you must determine the equivalent value in dollars at the date of payment. You must submit with the return a schedule indicating the conversion in dollars, and copy of the United States or foreign countries tax return and cancelled checks as evidence of the tax paid or accrued in said country.

Line 2 - Enter the credit granted as a result of an adjustment made by the Federal Internal Revenue Service or by means of Final Agreement. In the case of credits of foreign entities which operations were covered by Section 936 of the Federal Internal Revenue Code of 1986, as amended, they are limited to 50% of the tax determined for each year. Also include on this line credits granted by means of Final Agreement as a result of a mutual agreement procedure between the competent authorities of the corresponding jurisdictions. In the case of credits granted by means of Final Agreement, they will only be claimed up to the limit established in the Final Agreement.

Line 3 - If the subsidiary of a parent company of an entity doing business in Puerto Rico and operating under Act No. 8 of 1987, is under bankruptcy proceedings, a credit against the Puerto Rico income tax payment can be claimed, subject to compliance with certain requirements.

To enjoy of this credit, the parent company must:

- be incorporated under the laws of any state of the United States,
- be under bankruptcy proceedings, and
- reflect a loss on the consolidated federal income tax return after including the income of the exempt entity.

This benefit will be granted as a credit, which is determined as follows:

Tax for the particular year of the loss	x	Average employment during the taxable year <hr style="width: 100%; border: 0.5px solid black;"/> Employment required in the tax exemption decree
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Nevertheless, said credit is limited to the total tax for the particular year in which the loss was incurred.

This credit shall be requested from the Secretary through a sworn statement and it will be subject to recapture at the time the parent company recovers said loss.

Line 4 – The exempt business can claim a credit against the industrial development income determined tax, for purchases of products manufactured in Puerto Rico including component parts and accessories, equal to 25% of the purchases of such products during the taxable year in which the credit is claimed (subject to certain limitations). For additional information, refer to Section 5(b) of Act 135-1997, as amended by Act 110-2001. **The business that claims this credit can not benefit simultaneously from the deduction provided on Schedule N Incentives, Part I, line 8.**

Line 5 - Enter the tax credit acquired, if any, during the year through purchase, exchange or transfer made by a primary investor. See instructions of Schedule Q for the percentages and limitations to claim in the return.

To claim this credit, the assignor and the cessionary will submit with the income tax return, a sworn statement notifying the Secretary the cession, in the year on which the same took place and in every year in which a credit is claimed.

Line 7 - In those cases in which the entity has paid an alternative minimum tax on the income derived from fully taxable operations from previous years, it may claim a credit against the regular tax from taxable operations, as long as it complies with certain requirements. To be eligible to this credit, the regular tax of the year must exceed the alternative minimum tax for said year and must have paid the alternative minimum tax for previous years. The credit will be determined as follows:

1. **Normal Tax** (Schedule P Incentives, Part II, line 4) _____
2. **Less: Tentative Minimum Tax** (Schedule A Corporation, Part V, line 31) _____
3. **Regular Tax Subject to Credit** (Subtract line 2 from line 1) _____
4. **Credit for Alternative Minimum Tax Paid in Previous Years** (Which had not been used. Submit schedule) _____
5. **Allowable Credit** (The smaller of line 3 or 4) _____

If line 4 exceeds line 3, the balance will be carried forward to future years.

Line 8 - Enter the credit attributable to dividends received from industrial development income corresponding to 3% of the investment made by the branch in the acquisition, construction and enlargement of buildings and other structures used in manufacture, in excess of the investment in such properties possessed by the subsidiary as of March 31, 1997.



In those cases of corporations which have not benefited from tax exemption under Act No. 8 of 1987 for two taxable years, this credit will be granted to the parent company for the increase in investments made by the subsidiary after the end of its second year of tax exemption.

To be entitled to the credit, the investment should have been made prior to January 1, 1993.

This credit can be carried forward to the following taxable years. Nevertheless, investments made in real property to obtain the exemption indicated on paragraph 6, Subsection (a) of Section 4 of Act No. 8 of 1987, cannot be used for purposes of this credit.

Line 10 – Enter the amount of credit for the establishment and donation of an eligible conservation easement, equal to 50% of the value of the eligible conservation easement.

In order to claim this credit you must include the certification issued by the Secretary of the Treasury.

For additional details, refer to Act 183-2001, as amended, and the Regulations No. 7777 of November 30, 2009.

Line 11 – Enter the amount of credit for construction investment in urban centers. Every person that carries out a construction or improvement project in a urban center, as provided by law, may claim a credit against the tax.

The concession of the credit is subject to the taxpayer's request and the approval by the Secretary of the Treasury of an administrative determination. You must include with the return copy of the administrative determination, along with the information required in such determination.

The taxpayer must include with the return for every year in which the credit is claimed, a schedule detailing the date in which the credit was granted, the taxable years in which the tax credit has been claimed, its expiration date, as well as the amount of the credit and the amounts claimed in previous years.

For additional details, refer to Act 212-2002, as amended, and Regulation No. 7777 of November 30, 2009.

Line 12 – Enter the amount of Tax Credit for Merchants Affected by Urban Center Revitalization. Every commercial entity established in the area affected by the construction of the revitalization projects in urban centers, will be entitled to claim an 8% tax credit from the 50% of the gross sales generated during the construction period.

The amount of this credit can not exceed the tax responsibility reported on previous year return. To claim this credit, you must include with the return a certification issued by the Puerto Rico Commerce and Exportation Company in which the taxpayer is identified as a merchant affected by the construction work.

For additional details, refer to Act 212-2002, as amended, and Regulation No. 7777 of November 30, 2009.

Line 13 – Enter the amount of credit for the 2006 extraordinary tax determined and paid, as established by Act 98-2006.

The total amount paid for the extraordinary tax may be claimed as credit for taxable years beginning after July 31, 2006. The amount claimed as credit for each one of such years shall not exceed 25% of the total extraordinary tax.

Line 14 – Act No. 168 of June 30, 1968, as amended (Hospital Units Tax Exemption Act), grants a tax credit up to 15% of the total expenses incurred for the payment of payroll to personnel who works rendering medical/hospital services. For purposes of the credit, subcontracted payroll expenses will not be considered as part of the payroll. The credit can be used to reduce up to 50% of the income tax determined attributable to the net income from medical/hospital services rendered in a hospital unit.

It is important to clarify that every person that maintains a decree in force as of January 1, 2005 under Act No. 168 of June 30, 1968, as amended, may benefit from the credit for a period of 10 years, once the current exemption expires. The 10 year period will be in effect beginning from the date in which the application regarding this matter is presented to the Secretary of the Treasury.

On the other hand, those persons whose benefits expired before January 1, 2005, may benefit from the credit if an application was presented to the Secretary of the Treasury not later than December 31, 2006. In these cases, the 10 year period will be in effect for taxable years beginning after December 31, 2004.

Lines 15 through 20 - Refer to the instructions of Schedule X1 Incentives.

Line 21 - Enter the amount determined on Schedule B3 Corporation. For rules and limitations of this credit, refer to the instructions of Schedule B3 Corporation.

Line 22 - Enter the total amount of other income tax credits not included on the preceding lines, like for example, but not limited to, **credit for extraordinary investment in housing infrastructure, credit for investment in new construction or substantial rehabilitation of rental housing units for low or moderate income families, credit for industrial investment in an exempt business that is in the process of closing its operations in Puerto Rico and credit for contributions to Santa Catalina's Palace Patronage.**

Act 98-2001 grants a tax credit for infrastructure investment to developers of housing projects, recommended by the designated officials of the Housing Department and the Department of the Treasury. It will be subject to the taxpayer's request and the approval by the Secretary of the Treasury of an administrative determination under Act No. 98 and the applicable regulations. You must include with the return copy of such determination, along with the information required in the determination letter.

For additional details, refer to Act 98-2001 and its regulations, Act 212-2002, as amended, and Regulation No. 7777 of November 30, 2009.

On the other hand, Act 140-2001 provides that every owner of a rental housing project for low or moderate income families may qualify for a tax credit for investment in a new construction or substantial rehabilitation of such housing units.

The petitioner must file an application with the Housing Finance Authority.

The concession of the credit is subject to the taxpayer's request and the approval by the Secretary of the Treasury of an administrative determination. You must include with the return copy of such determination, along with the information required in the determination letter.

For additional details, refer to Act 140-2001 and its regulation.

Also, Act 109-2001 provides that every investor may claim an industrial investment credit for the investment in an exempt business that is in process of closing its operations in Puerto Rico, equal to 50% of its eligible investment to be claimed in two installments: the first half in the year that the eligible investment was made and the balance in subsequent years.

Every investor must request an Administrative Determination to the Secretary of the Treasury before claiming the industrial investment credit.

Every industrial investment credit not used in the taxable year may be carried over to subsequent years, until totally used.

For additional details, refer to a Act 109-2001 and the corresponding regulations.

Section 1051.06 of the Code grants a tax credit for contributions made to Santa Catalina's Palace Patronage (Patronage) equal to 50% of the contributions made. The tax credits to be granted cannot exceed \$2,500,000 for any taxable year.

To claim this tax credit you must accompany the certification issued by the Patronage as evidence that the contribution was made and accepted. Such part of the credit not used in the taxable year in which the contribution was made, may be carried over to subsequent taxable years, until totally used.

Remember that contributions to the Patronage generate a tax credit. Therefore, such contribution cannot be claimed as part of the deduction for charitable contributions.

If on this line you included credits from different concepts, you must submit a schedule showing a breakdown of such credits. Also, you must submit documents or evidence to support such credits.

Do not include on this line Tax Credits for the Acquisition of New Construction Housing or Existing Housing. For additional details, refer to Internal Revenue Circular Letter No. 09-02 of March 16, 2009.

SCHEDULE B1 CORPORATION – CREDITS FOR PURCHASE OF PRODUCTS MANUFACTURED IN PUERTO RICO AND PUERTO RICAN AGRICULTURAL PRODUCTS

PART I – CREDIT FOR INCREASE IN PURCHASES OF PUERTO RICAN AGRICULTURAL PRODUCTS (SECTION 1051.07)

Section 1051.07 of the Code provides a credit to all eligible business that increases its purchases of Puerto Rican agricultural products to replace imported products available for sale on the local market.

The credit shall not be less than 5% and up to a maximum of 20% of the increase in purchases of agricultural products grown, produced and elaborated in Puerto Rico during the taxable year in which the credit is claimed, over the average of purchases of such products during the 3 preceding taxable years, or such part of that period that is applicable, or in some cases, the average of the 3 taxable years ending with the close of the taxable year that ended during calendar year 2003.

For purposes of the credit under Section 1051.07, an eligible business is the one that acquires Puerto Rican agricultural products through a contract between such business, the Secretary of Agriculture and an agricultural production group promoted by the Department of Agriculture or an Agricultural Sector organized under the Puerto Rico Agriculture and Livestock Industry Regulating Act or with a Qualified Farmer.

Enter in the spaces provided, the name of each Agricultural Production Group, Agricultural Sector or Qualified Farmer from which you made the purchases; the purchases increase; the percentage granted; and the amount of each credit according with the Tax Credit Certification issued by the Department of Agriculture.

Line 2 - Enter the amount of credit under Section 1040F of the Internal Revenue Code of Puerto Rico of 1994, as amended, of the previous years that was not used and is carried over due to the 25% limitation. Submit a detailed schedule to reflect the composition of the carryover.

PART II - CREDIT FOR PURCHASES OF PRODUCTS MANUFACTURED IN PUERTO RICO (SECTION 1051.09)

Section 1051.09 of the Code provides a credit against income tax of those eligible businesses that purchase eligible products manufactured in Puerto Rico, including components and accessories.

The credit is equal to 10% of the increase in purchases of such products during the taxable year in which it is claimed, over the average of the purchases made for the 3 years out of the 10 preceding taxable years in which the purchases were the least amount, that is, excluding the 7 years of higher purchases.

Eligible businesses for purposes of the credit under Section 1051.09 are: (1) manufacturing businesses and (2) any other

company engaged in trade or business in Puerto Rico whose annual sales volume does not to exceed \$ 5,000,000. However, businesses that have a tax exemption decree are not considered eligible businesses.

Eligible products are only those manufactured in Puerto Rico by a manufacturing business that, individually or in the aggregate with its affiliates, has had a net sales volume (within or outside of Puerto Rico) of one hundred million (100,000,000) dollars or less for the calendar year 2010. A product will be considered as a product manufactured in Puerto Rico only if more than thirty (30) percent of its value has been added in Puerto Rico.

Enter in the spaces provided for each manufacturing business from which the products were acquired the name, employer identification number, manufacturing business identification number and the value (cost) of each purchase. In case of manufacturing businesses with a tax exemption decree, the manufacturing business identification number will be the decree number. If the business does not have a decree, enter the number assigned by the Industrial Development Company. Also indicate if the manufacturer provided you with a certification to the effect that the product(s) acquired are eligible products. Do not include purchases of products that have been manufactured in Puerto Rico by a business related to the business claiming the credit.

The eligible business must keep the necessary records evidencing the value of purchases for which the credit is claimed, as well as, any certificate issued by the manufacturer or other evidence of the nature of the eligible products purchased.

SCHEDULE E – DEPRECIATION

This Schedule will be used by those taxpayers that are engaged in trade or business to provide detailed information related to the depreciation and amortization expense.

It will be used to inform each of the properties for which you claim depreciation. There are spaces for current, flexible and accelerated depreciation; amortization, automobiles and vehicles under financial leases.

On this schedule you must provide the following information:

- ☞ classification of the property;
- ☞ date acquired;
- ☞ allowable cost or basis;
- ☞ depreciation claimed in previous years;
- ☞ estimated useful life to determine the depreciation; and
- ☞ depreciation claimed in the current year.

For properties acquired from January 1, 2010, it is allowed to use the provisions of the Federal Internal Revenue Code and its Regulation in those cases in which Section 1033.07 or 1040.12 of the Code does not establish depreciation periods for certain tangible property.

Line (b) - Flexible Depreciation

In order to be entitled to claim flexible depreciation in lieu of

current depreciation, the Code requires you to make an option through a sworn statement to be filed not later than 30 days after the end of the taxable year. Said option may be exercised only for property acquired by the taxpayer prior to June 30, 1995.

Line (c) - Accelerated Depreciation

The Code grants a deduction for accelerated depreciation in lieu of current depreciation. In order to be entitled to this deduction, the taxpayer is required to make an election with his/her return to use the accelerated depreciation method. Said election may be exercised only for property acquired by the taxpayer during taxable years commenced after June 30, 1995. The aforesaid election, once made, is irrevocable.

Refer to the Code and its regulations for other requirements and provisions in connection with the deduction under the flexible and accelerated depreciation methods. Submit this Schedule with your return.

Line (e) – Automobiles

For property that is an automobile it is allowed a deduction for depreciation up to \$6,000 annually per automobile, up to a maximum of \$ 30,000 for the automobile's life.

If the case of automobiles used by sellers, the amount of the depreciation deduction cannot exceed \$ 10,000 per year per vehicle, up to a maximum of \$ 30,000 for the automobile's life.

If the automobile is used in a trade or business or for the production of income and is also used for personal purposes, the amount of this deduction will be reduced by the amount of personal use of it.

In the case of automobiles under operating leases, the amount of rent paid during the taxable year shall be allowed as a deduction for **depreciation** up to a maximum of \$6,000 annually per car or \$10,000 if used by a seller. Include on this line, the lease rental payments for vehicles under operating leases up to the limits indicated above. Do not include them as a deduction for rent, interest, motor vehicles expenses or any other item other than depreciation.

Line (f) - Automobiles under financial leases

In the case of leased automobiles **that are essentially equivalent to a purchase**, instead of current depreciation, it is allowed a deduction for the use of the vehicle for the amount paid during the taxable year up to \$6,000 per year per car, up to a maximum of \$30,000 for the lifetime of the automobile. See Section 1033.07 (a)(3)(D) for the definition of a lease that is essentially equivalent to a purchase.

If the case of automobiles used by sellers, it will be allowed as a deduction the amount paid for the lease of the car during the taxable year for an amount not exceeding \$10,000 per year per automobile, up to a maximum of \$30,000 for the automobile useful life.

Enter on this line the amount of lease payments that are substantially equivalent to a purchase, subject to the limits indicated above. Do not include as part of the payments the interest portion. **Include with your return Form 480.7D.**

Do not include on this line in regular lease payments for leased cars (“operating leases”). These are reported on line (e).

Include this Schedule with your return.

SCHEDULE F INCENTIVES – DEDUCTION FOR CONTRIBUTIONS TO PENSION OR OTHER QUALIFIED PLANS

Complete this Schedule if you claim a deduction for contributions to pension or other qualified plans on line 33, Part IV of Schedules L Incentives, line 33, Part VII of Schedule N Incentives, line 36, Part IV of Schedule P Incentives, line 33, Part V of Schedule V Incentives, line 24, Part IV of Schedule W Incentives, line 33, Part VI of Schedule X Incentives, line 33, Part IV of Schedule Y Incentives, and line 24, Part IV of Schedule Z Incentives of the corresponding Form 480.30(II). You must complete a Schedule F Incentives for each plan that you sponsor and to which you had contributed during the corporation's taxable year.

Indicate the name and type of plan for which you are completing the schedule. The effective date is the date established in the plan document, on which the employees began to participate of the benefits provided by the plan. The qualification date is the date on which the Department granted the determination indicating that the plan meets the requirements established in Section 1081.01 of the Code and that the trust that is part of the same is exempt from the payment of tax.

Indicate the name and identification number of the trust established according to the plan. Also, indicate the total employer contributions made during the taxable year to the plan for which a Schedule F Incentives is being completed and that are being claimed as deduction.

Complete the questionnaire in all of its parts for the plan's taxable year that ended in the same date of the corporation's taxable year. If the plan's taxable year is different from the corporation's taxable year, complete the information for the plan's taxable year that ended within the corporation's taxable year for which Form 480.30(II) is being completed.

PART II – COVERAGE REQUIREMENTS

You can check more than one option if the plan complied with more than one of the tests required by the Code.

PART III – DISCRIMINATION

You can check more than one option if the plan complied with more than one of the tests required by the Code.

PART IV – EMPLOYER CONTRIBUTIONS

Line 1 – The total compensation paid or accrued during the year to all employees that participated in the plan will be according to the definition of compensation as established in the plan document and over which the benefits of the participating employees are determined.

PART V – PARTICIPANT’S CONTRIBUTIONS

Line 2 – The participants who are age 50 or older before the closing of the plan's taxable year, can make an additional contribution of up to \$1,000.

PART VI – EMPLOYEES’ INFORMATION

The information regarding the employees will be determined at the closing of the plan's taxable year, with the exception of line 3. Include on line 1 all employees of the corporation, whether or not they are participating in the plan.

GENERAL INSTRUCTIONS FOR SCHEDULES L, N, P, V, W, X, Y AND Z INCENTIVES

If an entity made an election under Section 3(f) of Act No. 8 of 1987 or Section 6(f) of Act 135-1997, it must submit with the return a copy of the sworn statement through which such election was made.

PART III - SCHEDULES L, P, W, Y AND Z INCENTIVES; PART IV - SCHEDULE V INCENTIVES; PART V - SCHEDULE X INCENTIVES; AND PART VI - SCHEDULE N INCENTIVES - GROSS PROFIT ON SALES OR PRODUCTION AND OTHER INCOME

In this part you will determine your gross profit on sales, production or other income. Check the applicable box to indicate the appraisal method for the inventory at the beginning and end of the year.

Detail in Part V of Schedules L, P and Y Incentives the Other Direct Costs claimed on line 5 of Part III. If you are completing Schedule V Incentives, detail the Other Direct Costs in Part VI and claim the same in Part IV, line 5. If you are completing Schedule X Incentives, detail in Part VII and claim the same in Part V, line 5. If you are completing Schedule N Incentives, detail such costs in Part VIII and claim the same in Part VI, line 5.

The assets used in any activity that generates partially exempt income under Act No. 52 of 1983, Act No. 57 of 1963, Act No. 168 of 1968, Act No. 8 of 1987, Act 135-1997, Act 73-2008, Act 78-1993, Act 362-1999, Act 178-2000, Act 225-1995, Act 83-2010 or Act 118-2010 **cannot be depreciated under the flexible or accelerated depreciation method.**

**PART IV - SCHEDULES L, P, W, Y AND Z INCENTIVES;
PART V - SCHEDULE V INCENTIVES; PART VI - SCHEDULE
X INCENTIVES AND PART VII - SCHEDULE N INCENTIVES
- DEDUCTIONS AND NET OPERATING INCOME**

In this part of Schedules L, N, P, V, W, X, Y and Z Incentives enter the deductions related to your operations. Following we present information related to some of these items:

a. Meal and entertainment expenses

You may deduct 50% of the total expenses actually paid or incurred, up to 25% of the gross income for the taxable year for meal and entertainment expenses directly related with the conduct of a trade or business or with the production of income. Do not consider those that do not constitute ordinary and necessary expenses from the trade or business.

No deductions shall be allowed for meal and entertainment expenses considered sumptuous or extravagant.

b. Contributions to pension and other qualified plans

Enter the amount contributed to pension plans, profit sharing or other qualified plans approved by the Secretary of the Treasury. This deduction is subject to certain limitations. See Section 1033.09 of the Code.

To claim this deduction, you must complete Schedule F Incentives - Deduction for Contributions to Pension or Other Qualified Plans. (See instructions for Schedule F Incentives).

c. Current depreciation and amortization

Submit detail of the current depreciation and amortization in Parts (a) and (d) respectively, of Schedule E - Depreciation.

The maximum basis to depreciate an automobile acquired and used in the trade or business or for the production of income is \$30,000; the deduction shall not exceed \$6,000 annually per automobile. If the taxpayer is a seller, the amount of the depreciation deduction can not exceed \$10,000. In the case of leased automobiles that are essentially equivalent to a purchase, instead of current depreciation, it is allowed a deduction for the use of the vehicle.

In case of an ordinary lease, the total amount of rent paid during the taxable year, excluding financial charges, shall be considered as current depreciation, up to a maximum of \$6,000 annually per vehicle.

An automobile may be depreciated over a 3 year period if it is used exclusively in selling activities, and over a 5 year period if it is used for other purposes.

The basis limitation (\$30,000) and the useful life term do not apply to those automobiles acquired by corporations or partnerships engaged in the leasing, transportation of passengers or cargo businesses.

Also, a deduction for goodwill amortization is granted, as long as the goodwill is purchased from third parties during taxable years beginning after June 30, 1995. This deduction will be determined using the straight-line method and a useful life of 15 years.

Every corporation or partnership which total income for the taxable year does not exceed \$3,000,000 may choose to depreciate the total cost, including installation, of the computer systems equipment in the year of its acquisition and installation. Equipment previously depreciated by a shareholder or partner of such corporation or partnership or acquired from a related person, will not qualify for the acceleration of the depreciation allowance. During the same period, they may also depreciate under the straight-line method, based on a useful life of 2 years, the land transportation equipment, except automobiles, and environmental conservation equipment.

d. Flexible depreciation

Enter the amount of flexible depreciation you are entitled, and submit a copy of the authorization for the flexible depreciation option.

The detail of the flexible depreciation will be included in Part (b) of Schedule E - Depreciation.

This deduction applies only against the fully taxable income (Schedule P Incentives) and is limited to property used in the activities indicated in the Code.

Said option may be exercised only over property acquired prior to June 30, 1995.

e. Accelerated depreciation

In order to be entitled to this deduction, an election to use the Accelerated Depreciation Method must be exercised with the return. Said election can be exercised only for property acquired by purchase during taxable years beginning after June 30, 1995. Once the option is exercised, the same is irrevocable.

This depreciation method does not apply to automobiles, property used outside Puerto Rico, property used by exempt entities and property used totally or partially in activities under the Industrial, Tax and Tourism Incentives Acts or Tourism Development Act, Agricultural Tax Incentives Act or any other special act or to intangible property.

Also, Act 212-2002, as amended (Act 212), provides a type of accelerated depreciation, where the constructed structure, that constitutes housing, can be depreciated using the straight-line method over a 7 year period. However, this deduction is available to persons that invest in housing construction or improvement in an urban center and that has not benefited from the credit provided in Article 4.03 E or 4.03 F of Act 212. For additional details, refer to Act 212 and Internal Revenue Circular Letter No. 08-14 of October 31, 2008.

The detail of the accelerated depreciation will be included in Part (c) of Schedule E - Depreciation.

f- Automobile expenses

You may claim a deduction on this line, based on a standard mileage rate, for the expenses related to the use and maintenance of an automobile which are incurred to carry on an industry or business or for the production of income. Include on the mileage line the total miles used in the industry or business or for the production of income and multiply it by sixty cents (\$ 0.60).

The expenses of automobile use and maintenance includes repairs, insurance, gasoline, oil and filter changes, cleaning, tires, annual license fees and other expenses of a similar nature. This expense does not include depreciation, rental payments on ordinary leases or financial leases which are claimed on the line for depreciation and amortization using Schedule E. Also, do not include expenses related to the use of tolls or parking.

For these purposes, the term "automobile" does not include the following:

- ☞ those used directly in the business of transporting passengers or property for which compensation or payment is made, such as limousines, taxis and public vehicles;
- ☞ funeral cars, flower carriages, buses, ambulances, motorcycles, trucks, vans and any other similar vehicle used primarily for transport of cargo, and
- ☞ cars rented or held for rental by persons regularly engaged in the business of car leasing.

If you incurred expenses for vehicles which are not considered automobiles according to the above definition, you should claim them on line for other motor vehicle expenses and submit the details.

For taxable years beginning after December 31, 2010 and before January 1, 2012, it will be allowed to claim on this line the actual expenses incurred for the use and maintenance of automobiles in those cases where the mileage information is not available.

g - Other motor vehicles expenses

If you incurred expenses related to the use and maintenance of vehicles which are not considered automobiles according to the definition of the previous line, these should be claimed on this line and submit detail.

For taxable years beginning after December 31, 2010 and before January 1, 2012, it will be allowed to claim on this line the actual expenses incurred for the use and maintenance of automobiles in those cases where the mileage information is not available.

h. Bad debts

Enter the accounts receivable that are considered uncollectible. The reserve method cannot be used to compute de deduction for bad debts. Instead, a deduction may be claimed for debts that become uncollectible within the taxable year (direct write-off method).

i. Other deductions

Those expense items for which a specific line is not provided in Part IV (Schedules L, P, W and Z Incentives), Part V (Schedule V Incentives), Part VI (Schedule X Incentives) and Part VIII (Schedule N Incentives) will be added and the total will be entered as Other Deductions. Among these deductions, include the amount of contributions to educational contribution accounts for the employee's eligible beneficiaries up to the maximum amount of **\$500 for each beneficiary**, as provided by law. Employer's contributions will be considered as ordinary and necessary expenses of the industry or business, and can be deducted as such in the year they are made. These contributions must be included as part of the employee's income by the employer in the year they are made, and can be claimed as a deduction by the employee in the same year. The trust's constitutive instrument must state that the participants will be those individuals that through a contract or application claim the benefits provided by such trust. **For more information, refer to Act 409-2000 and Regulation No. 6419 of March 27, 2002.**

Every industry or business that meets the requirements established in Act 212-2002, as amended (Act 212), that creates new employments as part of a urban center revitalization process, will be entitled to a special additional deduction equivalent to 5% of the minimum salary applicable to each new employment created. Also, the transfer of your business with a minimum of 5 employees to a urban center, will entitle you to an additional deduction equivalent to 15% of the payroll expenses related to the employees transferred during the year in which the business was transferred. This deduction will be limited to 50% of the net income according to the Code, adjusted by the special deductions provided by Act 212, without considering this deduction.

This act also grants other benefits like an exclusion for parking development, special exemption over income from loan interest, and accelerated depreciation.

For additional details, refer to Act 212 and Internal Revenue Circular Letter No. 08-14 of October 31, 2008.

Submit with the return a schedule itemizing these deductions.

SCHEDULE L INCENTIVES - PARTIALLY EXEMPT INCOME UNDER ACT 52 OF 1983, ACT 78-1993 OR ACT 74-2010

This schedule must be used by those entities that operate under Act No. 52 of 1983, Act 78-1993 or under Act 74-2010. Check the applicable box for the act under which the entity operates and indicate the effective period for income, and the actual and required number of jobs directly related with tourism development.

In case of a corporation that operates under Act No. 52 of 1983, Act 78-1993 or Act 74-2010, and has made the election under Section 5(b) or 3(a)(1)(D), as applicable, must submit with the return a copy of the notification addressed to the Secretary of the Treasury making such election.

Any exempt business under Act 78-1993 or Act 74-2010, must include with the return a copy of the order issued by the Director of the Tourism Company indicating the date in which the exemption began.

PART I - NET INCOME SUBJECT TO TAX

Line 2 - Enter the carryover balance of net operating loss reflected at the end of the preceding year. The net operating losses under tourism incentives or tourism development acts can be deducted only against income derived from touristic activities. The net operating losses not covered under any of the previously mentioned acts, may be deducted only against the totally taxable income. **You must submit with the return a schedule supporting the deduction claimed.**

The excess of income losses from touristic activities from preceding years can only be carried over and claimed against income from touristic activities. Said loss will be deductible up to an amount equal to the percentage in which the income from touristic activities would have been taxable. The losses will be carried over in the order in which they were incurred.

Any net loss incurred during the year in which the entity made the election under Section 3(a)(1)(D) of Act 78-1993 or Act 74-2010, can be carried over and taken as a deduction only against the tourism development income derived by the exempt business in which the election was made under said Section. In case of an entity that has renegotiated its decree under Act 78-1993 or Act 74-2010, it may take as a deduction the net operating losses incurred from operations under previous decrees (Industrial or Tourism Incentives Act).

Losses incurred on a year in which the election was made under Section 5(b) of Act No. 52 of 1983 or under Section 3(a)(1)(D) of Act 78-1993 or Act 74-2010, may be claimed as a deduction against income from touristic or touristic development activities for which the election was made.

Line 4 - Enter in the space provided the exemption percentage to which you are entitled in accordance to the Concession under the Tourism Incentives Act or Tourism Development Act.

Multiply the net operating income from eligible activities subject to the computation, by the applicable exemption percentage. Enter the amount on this line.

PART II – TAX COMPUTATION

Line 2 – Enter \$750,000. If you have more than one operation covered under an exemption decree or partially exempt under a special act, or totally taxable income, you may claim only up to \$750,000 in aggregate.

Also, if the entity is a member of a controlled group, as defined in Section 1010.04 of the Code, the credit will apply only to the controlled group. If an entity is a member of a controlled group as of December 31, the credit allowed to said entity for the taxable year which includes such December 31, will be equal \$750,000 divided among the number of entities that are component members of the controlled group. Nevertheless,

the controlled group may elect, through an agreement, a different apportionment plan, as long as the sum of the amounts distributed among the members of the group does not exceed \$750,000.

In case of a group of related entities, the deduction for the computation of the surtax must be prorated among all entities that are members of the related group of entities. The group of entities must file Form AS 2652.1 where the deduction distribution shall be reported. This form must be filed electronically.

For additional information refer to Internal Revenue Information Bulletin No. 12-01 of February 24, 2012.

Line 5 – Multiply line 3 by the applicable tax rate and enter the result on this line.

If the net income subject to surtax is:	The tax will be:
Not over \$1,750,000	5%
In excess of \$1,750,000	\$87,500 plus 10% of the excess over \$1,750,000

In case of a group of related corporations, enter the **net income subject to 5%** in the corresponding part, as indicated on Form AS 2652.1.

Line 7 – Enter the amount determined on line 39 of Schedule D Corporation – Gains and Losses from Sale or Exchange of Property and Computation of Tax at Preferential Rates.

If during the taxable year the corporation's net long-term capital gains exceeded the net short-term capital losses, the corporation may elect to pay the alternative tax.

The alternative tax is determined on the net income at the normal tax rates, without including the long-term capital gain, plus the special rate on such gain, as applicable.

SCHEDULE N INCENTIVES - PARTIALLY EXEMPT INCOME UNDER ACT 8 OF 1987

This schedule must be used by those entities that derive partially exempt income under Act No. 8 of 1987. Indicate in the corresponding box the effective period for income, and the current and required number of jobs directly related with manufacture or designated service.

PART I - NET INCOME SUBJECT TO TAX

Line 2 - Enter the income derived from qualified investments under Section 2(j) of Act No. 8 of 1987.

Line 4 - Enter the carried over balance of net operating loss reflected at the end of the preceding year. The net operating losses covered under the Tax Incentives Acts may only be deducted against the industrial development income (IDI). The loss excess of IDI from previous years can only be carried over and claimed as a deduction against the IDI. Said loss will be deductible up to an amount equal to the IDI percentage that would have been taxable.

Any loss incurred in the year in which the entity made the election under Section 3(f) of Act No. 8 of 1987, can be carried over and claimed totally as a deduction against the IDI derived by the exempt business under the decree in which the election was made under Section 3(f) or against the IDI percentage that would have been taxable in case that the entity has not made the election.

Line 8 – Enter the amount of the deduction for the purchase of products manufactured in Puerto Rico equal to 15% of the purchases of such products, reduced by the average of the purchases of such products made during the year 2000. This deduction is granted only for the purchases of products that had been manufactured by businesses not related with the exempt business. For purposes of the previous calculation, such purchases to non related businesses will be excluded from the total purchases of products manufactured in Puerto Rico realized by the exempt business.

This deduction will be used only in the taxable year in which you earn the industrial development income against which the deduction is claimed and it can not be carried forward to subsequent taxable years. **The business claiming this deduction can not benefit simultaneously from the credit provided on Schedule B Incentives, Part II, line 5.**

Line 11(a) - Enter in the space provided the exemption percentage you are entitled to claim, according to your decree under Act No. 8 of 1987.

PART II – TAX COMPUTATION

Line 2 – Refer to the instructions of Schedule L Incentives, Part II, line 2.

Line 5 – Refer to the instructions of Schedule L Incentives, Part II, line 5.

PART III - SPECIAL SURTAX SECTION 3(a) OF ACT 8 OF 1987

This special surtax applies to every entity that has derived a total gross income from industrial development of more than \$1,000,000 during the taxable year. For purposes of this computation, the **term gross income from industrial development includes** the following:

- 1) Income derived from certain investment activities eligible under Section 2(j).
- 2) Net income derived from patent sales, royalties or any other entitlement to receive income, related to activities or intangible property resulting from exempt operations under Act No. 8 of 1987.
- 3) Income derived from insurance policies for business interruption, as long as there is no reduction on the job employment level of the exempt business as a result of the action that motivated the collection of such income.

The tax will be .00075 of the sales volume of the exempt business, but never more than half of one percent (.005) of the net industrial development income.

Line 8 - Balance of tax due

If you filed the return after the due date established by the Code to file it or you requested an extension of time, but you did not pay the total amount due, you must compute the interest and surcharges that apply from the due date to file the return to the date on which the return was filed. Refer to section **Interest, Surcharges and Penalties** later on.

Line 9 - Amount paid with this return

The payments made by check or money order must be made payable to the Secretary of the Treasury. Indicate the employer identification number and Form 480.30(II)DI.

If you decide to pay in cash, you can do it at any of our Internal Revenue Collections Offices. Make sure to keep the official payment receipt provided by the Collector.

The Special Surtax must be paid to the Secretary of the Treasury in a separate check attached to the Income Tax Return.

PART IV - CONDITIONS THAT EXONERATE FROM THE PAYMENT OF TOLLGATE TAX

Complete this questionnaire if the entity derives income from partially exempt activities under Act No. 8 of 1987. Generally, every entity operating under this act, must make a tollgate tax prepayment of 5% on the industrial development income (IDI).

If the entity is not subject to the tollgate tax prepayment, please check the applicable box. In case that the tax exemption decree provides and establishes special rules for the distribution and taxation of the IDI, you must attach to the return a schedule indicating such rules.

PART V - COMPUTATION OF PREPAYMENT OF TOLLGATE TAX

Line 2 - Adjustments

Enter on line 2(a) the interest income from eligible investments (Section 2(j)) derived from obligations issued by the Government of Puerto Rico, its instrumentalities or political subdivisions.

Enter on line 2(b) any adjustments required to determine the amount of IDI that constitutes income and profits available for dividend distribution. **You must submit a detailed schedule.** For example:

- 1) Expenses incurred but not deductible (i.e. meal and entertainment, charitable contributions, etc.)
- 2) Income earned but not taxed on the return (i.e. proceeds from life insurance when the beneficiary of the policy is the corporation, etc.)
- 3) Special deductions granted by Law which do not represent a cash disbursement (i.e. deduction of \$400 for each severely handicapped employee, etc.)

Line 4(c) - Other taxes

Enter on line 4(c) any tax paid to the United States, its possessions and foreign countries attributable to the IDI. **You must submit with the return evidence of the tax paid and claimed as a credit, such as a copy of the federal income tax return.**

Line 6 - Determination of prepayment of tollgate tax

Enter in the corresponding box the 5% tax rate, unless the entity's decree provides for special distribution rules and it has been convened through a Closing Agreement with the Secretary to pay 50% of the applicable rate. Multiply line 5 by the applicable tax rate and enter the amount on this line.

Line 7 - Dividends declared from current earnings

Enter the amount of dividends declared and paid related to earnings accrued during the current year.

Line 8 - Prepayment of tollgate tax attributable to current earnings

Enter 5% of line 7. If the entity is subject to a tollgate tax rate lower than 10% because its decree provides special distribution rules, and it has been convened through a Closing Agreement with the Secretary to prepay 50% of the aforementioned tollgate tax, you must enter 50% of your tax rate in the space indicated and determine the applicable tollgate tax prepayment.

Line 10(b) - Other credits

Any business exempt under Act No. 8 of 1987, including those covered under previous laws, that invests in Puerto Rico part of its IDI for a particular taxable year in plant expansion, purchases of products manufactured in Puerto Rico, research and development of new products or industrial processes and in eligible activities under Section 2(j), is entitled to a credit against the tax, but subject to certain terms and conditions. For additional details, refer to Section 4(b) and (d) of said act.

Also, if the parent company of an exempt business is under Federal Bankruptcy proceedings, the exempt business is entitled to claim a credit against the income tax payment and the prepayment of tollgate tax, subject to compliance with certain conditions. For additional information, refer to Section 3(a)(3) of Act No. 8 of 1987.

Line 11 - Total prepayment of tollgate tax

This tax shall be paid to the Secretary of the Treasury in a **separate check** attached to the Income Tax Return.

Every entity that requests an extension of time to file the income tax return, must include the payment of the Prepayment of Tollgate Tax with said request, in a separate check.

Any payment made after the due date, is subject to interest and surcharges. If you filed the return after the due date established by the Code to file it or you requested an extension of time, but you did not pay the total amount due, you must compute the interest and surcharges that apply from the due date to file the return to the date on which the return was filed. Refer to section **Interest, Surcharges and Penalties** later on.

Line 12 - Tollgate tax applied against the tax withheld attributable to current year distribution

Enter the prepaid amount during the year on which you elected to apply the total tax paid in advance, if the tax determined over the distributed industrial development income (IDI) is equal to or larger than the prepaid amount.

Line 15 - Balance of tax due

If you filed the return after the due date established by the Code to file it or you requested an extension of time, but you did not pay the total amount due, you must compute the interest and surcharges that apply from the due date to file the return to the date on which the return was filed. Refer to section **Interest, Surcharges and Penalties** later on.

Line 16 - Amount paid with this return

Enter the amount paid for each concept, as applicable (See instructions for line 17).

Line 17 - Amount overpaid to be credited to estimated prepayment of tollgate tax for next year

Any overpayment of this tax will be credited only against the estimated prepayment of tollgate tax of the following year.

INTEREST, SURCHARGES AND PENALTIES

Interest

The Code provides for the assessment of interest at a 10% annual rate over any tax not paid by its due date.

Surcharges

In case that imposition of interest is applicable, a surcharge of 5% of the amount due will be assessed, if the delay in paying exceeds 30 days, but not over 60 days; or 10% of the amount due, if the delay exceeds 60 days.

Penalties

The Code imposes a progressive penalty from 5% to 25% of the total tax when the return is filed after the due date established by the Code unless you can show reasonable cause for the delay.

Also, any person required under the Code to file a return, declaration, certification or report, who voluntarily fails to file such return, declaration, certification or report, within the term or terms required by the Code or regulations, in addition to other penalties, shall be guilty of a misdemeanor.

If any person voluntarily fails to file the above mentioned return, declaration, certification or report (within the terms required by the Code or regulations) with the intention to avoid or defeat any tax imposed by the Code, in addition to other penalties, shall be guilty of a third degree felony.

SCHEDULE P INCENTIVES - INCOME FROM FULLY TAXABLE OPERATIONS OR PARTIALLY EXEMPT INCOME OR SUBJECT TO TAX CREDIT

This schedule must be used by those entities that in addition to enjoy exemption under a decree, derive income from fully taxable activities. Those entities that derived partially exempt income under Act No. 168 of 1968, Act No. 148 of 1988, Act 75-1995, Act 225-1995, Act 14-1996 or Act 178-2000 must also use this schedule. Check the corresponding box if your activities are fully taxable or if they are partially exempt under one of the acts described.

If you have fully taxable operations, and at the same time you have partially exempt operations under one of the special acts, a schedule for each activity must be used and check the corresponding box. If there are no specific instructions for a particular line in this section, refer to General Instructions - Schedules L through Z Incentives.

Act No. 168 of 1968 exclude from the payment of income tax the 50% of income from medical/hospital services rendered in a "hospital unit".

"Hospital unit" means:

- (1) General hospitals, of tuberculosis, of mental illnesses or any other kind of hospital engaged in the treatment of human illnesses, as well as the facilities related with their normal operation.
- (2) Extensions or expansions in the existent institution that are constructed within the hospital grounds. In order to qualify an extension or expansion, it is necessary that it constitutes a substantial investment to improve the medical-hospital services and it must be notified to the Secretary of the Treasury and the concerning agencies. Under no circumstance a "hospital unit" will be considered as such if it is operating without a license issued by the Health Department.

- (3) Nursing, and resident and intern physicians homes, when this units are located within the grounds of the hospital to which they belong.
- (4) Clinics and convalescent homes for sick persons.

"Net income derived from medical/hospital services rendered in a hospital unit" means:

- (1) The gross income derived from, or related with the medical/hospital services provided to the general public in the different facilities which constitute such "hospital unit", reduced by those expenses, losses and any other deductions that can not be specifically assigned to an item or any kind of gross income. The proportional part will be based on the proportion between the gross income derived from the previous indicated source and the total gross income.
- (2) In case of extensions or expansions which constitute a "hospital unit", the net income derived from medical/hospital services rendered in a "hospital unit", for purposes of their tax exemption under this Act, will be the proportion between the services offered in the extension and the total of services offered in such hospital facilities, including the referred extension, with respect to the extensions total net operating income of the hospital facilities subject to the extension or expansion.

It is important to clarify that only persons that maintain a Concession in force as of January 1, 2005 under Act No. 168 of 1968, may benefit from this exemption.

The hospital unit income not derived from medical/hospital services rendered, as defined, is totally taxable and is reported on Schedule P Incentives.

Those industries or businesses established in a special planning zone or in a theatrical district that do not derive exempt income under Act No. 148 of 1988, Act 75-1995, Act 14-1996 or Act 178-2000, must use Form 480.20.

PART I - NET INCOME SUBJECT TO TAX

Line 2 - Enter the carried over balance from the net operating loss reflected on previous years returns.

The net operating loss under the act of the hospital units can be claim only against the income received from the medical/hospital services provided.

Line 4 - This line must be completed only by those entities that derived exempt income under one or more of the following acts:

- Act No. 168 of 1968, as amended
- Act No. 148 of 1988, as amended
- Act 75-1995, as amended
- Act 225-1995, as amended
- Act 14-1996, as amended
- Act 178-2000

If the operations are partially covered by Act No. 148 of 1988, Act 75-1995 or Act 178-2000, enter the 50% exemption of net income derived from the sale of admission tickets for artistic and cultural shows performed in new structures, substantially rehabilitated or subject to improvements for a 5 years period, beginning on the date the construction, substantial rehabilitation or improvement is completed. In order to be entitled to those benefits, said construction, rehabilitation or improvement must be performed within 5 years beginning on the date of the designation of the zone in which the business will be located.

If the operations are covered under Act 14-1996, enter 90% of the exemption from the net income derived from the sale of admission tickets to artisanal, agricultural, artistic and cultural fairs, and sport events, if you meet the following requirements:

- (1) The activity or event must be celebrated within one of the special designated zones established by the Puerto Rico Planning Board in accordance to said Act;
- (2) At least 50% of the persons employed in the activity or event by the person claiming the exemption, must be bona fide residents of Castañer.

For additional details, see Regulation No. 5553 of February 14, 1997.

If the operations are partially exempt under Act 225-1995, enter the 90% exemption, if you meet the following requirements:

- (1) you have a certification issued by the Secretary of Agriculture of Puerto Rico, certifying that you are a bona fide farmer dedicated to an agricultural business;
- (2) you have derived at least 50% of your income from agricultural activities; and
- (3) you have not elected the provisions of Section 1033.12 of the Code.

This exemption of income tax payment applies to taxable years beginning on January 1, 1996. This exemption is not extensive to income from interest, dividends, royalties or gains derived from the sale of assets, including those assets used in the agricultural business, or any other income derived by bona fide agricultural businesses and that does not come directly from the agricultural activity.

To claim such exemption, you must include with the return a copy of the certification issued by the Secretary of Agriculture of Puerto Rico and a schedule showing the income percentage derived from agricultural activities over the total income of the entity.

For purposes of calculating 50% or more of the gross income, the income from all sources will be considered, realized and recognized, adjusted or reduced by the following items:

- (i) The cost of raw material used, if any;

- (ii) In case of sale of real property, the capital restoration which is considered the adjusted basis of such real properties, and excluding:
 - (a) the total amount of exclusions from gross income under Section 1031.01(b) of the Code;
 - (b) the total amounts received for which credits are allowed under Section 1033.19(a) of the Code; and
 - (c) those amounts that by law do not constitute income.

Those "hospital units" that, in lieu of the exemption, are entitled to claim the credit for eligible payroll, must claim the same on Schedule B Incentives, Part II, line 14. **You must submit with your return an schedule supporting the credit claimed.**

Line 6 - Enter 85% of the amount received as dividends or profits from a domestic corporation subject to taxation under the Code, but limited to 85% of the net income of the corporation.

If the dividend received is from industrial development income (IDI) derived from operations covered by the provisions of Act No. 57 of 1963, the credit will be 82.70% of the amount received, but limited to 82.70% of the net taxable income.

This credit does not apply to dividends or profit distributions derived from operations covered under Act 78-1993 or Act No. 8 of 1987.

However, the Code provides the following exceptions:

- (1) In case of a small business investment company operating in Puerto Rico under the Small Business Investment Act of 1958, there shall be allowed as a credit an amount equal to 100% of the total amount received as dividends or profits from a domestic corporation or partnership taxable under the Code.
- (2) Subject to certain requirements imposed by the Code, a credit is allowed against the net income, equal to 100% of the total amount received as dividends from corporations organized under the laws of any state of the United States or the Commonwealth of Puerto Rico, whose principal income is derived from IDI accrued during taxable years beginning prior to January 1, 1993 and invested in obligations of the Commonwealth of Puerto Rico, its instrumentalities or political subdivisions, or invested in mortgages secured by the Puerto Rico Housing Bank and Finance Agency or in loans or other securities guaranteed by mortgages granted under any pension or retirement system of a general character established by the Legislative Assembly of Puerto Rico, the municipalities and the agencies, entities or public corporations of the Commonwealth of Puerto Rico.
- (3) A 100% credit will be granted against the net income from the total amount received as dividends by corporations organized under the laws of any state of the United States or of the Commonwealth of Puerto Rico, whose principal income is derived from IDI accrued during taxable years beginning prior to January 1, 1993 invested in obligations

of the Governmental Development Bank for Puerto Rico or any of its subsidiary corporations, for the financing through the purchase of mortgages, or the construction, purchase or housing improvements in Puerto Rico made after December 31, 1984.

- (4) A 100% credit will be granted against the net income of the total amount received as dividends from a domestic controlled corporation.

PART II – TAX COMPUTATION

Line 2 – Refer to the instructions of Schedule L Incentives, Part II, line 2.

Line 5 – Refer to the instructions of Schedule L Incentives, Part II, line 5.

Line 7 - Refer to the instructions of Schedule L Incentives, Part II, line 7.

Line 12 – This tax will apply only to income derived from taxable operations. Said tax will be equal to the excess, if any, of:

- 1) the Tentative Minimum Tax for the taxable year over,
- 2) the Regular Tax of the year.

The Tentative Minimum Tax for the taxable year will be 20% of the total for which the Alternative Minimum Net Income for the taxable year exceeds the exempt amount or 1% of the value of purchases of personal property from a related person, whichever is greater. The Tentative Minimum Tax will be reduced by the Alternative Minimum Credit for taxes paid to a foreign country.

Enter the amount determined on Schedule A Corporation, Part V, line 35.

Line 13 – In addition to any other tax imposed by the Code, those foreign corporations or partnerships engaged in trade or business in Puerto Rico that operates as branches, **are subject to a 10% tax** of the amount equivalent to the dividend or profit distribution for the taxable year.

This provision shall not be applicable to any taxable year in which the foreign corporations engaged in trade or business in Puerto Rico derive at least 80% of its gross income, during the 3 taxable years period ended at the closing of said taxable year, from sources within Puerto Rico or from income effectively connected or treated as effectively connected with the conduct of a trade or business in Puerto Rico.

Corporations subject to this tax must file Form AS 2879 (Branch Profits Tax) and include it with your return.

PART IV - DEDUCTIONS AND NET OPERATING INCOME

If there are no specific instructions for a particular line in this section, refer to section of General Instructions for Schedules L, N, P, V, W, X, Y and Z Incentives.

Following we explain certain special deductions applicable to operations that qualify for benefits granted under Act No. 148 of 1988, Act 75-1995, Act 14-1996 and Act 178-2000.

Any industry or business established in a special planning zone in Santurce, Río Piedras or Castañer in the period beginning on the designation date of said zone or in a theatrical district, may claim a special deduction based on the following:

- (1) 10% of the lease paid for a period of 10 years in the zone of Santurce and Río Piedras, as well as in the theatrical district, and 15% for a period of 5 years in the Castañer zone.
- (2) 5% of the minimum wage applicable for every new job created. To be entitled to this deduction, it is necessary that the new job does not eliminate or substitute an existing job, be a complete working week of 40 hours per week (35 hours per week in case of the Castañer zone), and be occupied in a continuous basis by the same person for a period of not less than six months. This deduction is for a 5 years period beginning on the date the business is designated to that zone by the Planning Board.

SCHEDULE T INCENTIVES – ADDITION TO THE TAX FOR FAILURE TO PAY ESTIMATED TAX IN CASE OF EXEMPT BUSINESSES UNDER THE PUERTO RICO INCENTIVES PROGRAMS

Use this Schedule to determine the addition to the tax for failure to pay estimated tax.

PART I – DETERMINATION OF THE MINIMUM AMOUNT OF ESTIMATED TAX TO PAY

Line 1 – Add lines 8 and 9, Part II of Schedule L Incentives, lines 6 and 7, Part II of Schedule N Incentives, lines 8, 9 and 12, Part II of Schedule P Incentives, lines 2 and 3, Part III of Schedule V Incentives, lines 5 and 6, Part II of Schedule W Incentives, the larger of lines 4 or 8, Part IV of Schedule X Incentives, the larger of lines 4 or 8, Part II of Schedule Y Incentives, and line 5, Part II of Schedule Z Incentives.

Line 2 – Include the total of withholdings and credits provided by the Code or special laws for the taxable year, including the non refunded tax paid in excess corresponding to the previous taxable year. **Add lines 2(a), 2(c), 2(d), 2(f) and 2(g), Part I of the return, line 10, Part II of Schedule L Incentives, line 10, Part II of Schedule P Incentives, line 8, Part II of Schedule N Incentives, line 4(o), Part III of Schedule V Incentives, line 7, Part II of Schedule W Incentives, line 5(m) or 9 (as applicable), Part IV of Schedule X Incentives, line 5(h) or 9 (as applicable), Part II of Schedule Y Incentives, line 5, Part II of Schedule Z Incentives and line 3, Part I of the return.**

Line 3 – If the amount of estimated tax to be paid is zero or less, you were not required to pay estimated tax, thus, do not complete this Schedule.

Line 5 – Add line 10 (Columns A, B and C), line 11 (Columns A, B and C) and line 14, Part I of Schedule K Incentives, lines

2 and 3, Part IV of Schedule V Incentives, lines 5 and 6, Part II of Schedule W Incentives, the larger of lines 4 or 8, Part V of Schedule X Incentives, the larger of line 4 or 8, Part II of Schedule Y Incentives, line 5, Part II of Schedule Z Incentives, and lines 2 and 7, Part I of the preceding taxable year's return.

PART II – ADDITION TO THE TAX FOR FAILURE TO PAY

Section A – Failure to Pay

Fill in completely the oval for calendar year if your taxable year ends on December 31, otherwise, fill in the oval which indicates fiscal year. If you filled in the oval for fiscal year, enter in Columns (a), (b), (c) and (d), the date corresponding to the 15th day of the fourth month, sixth month, ninth month and twelfth month of the taxable year, respectively.

Line 8 – If the obligation to pay the estimated tax was met **for the first time** before the first day of the fourth month of the taxable year, enter in each one of the columns 25% of line 7. If the obligation was met **for the first time** after the last day of the third month and before the first day of the sixth month of the taxable year, enter in Columns (b), (c) and (d) 33% of line 7. If the obligation was met **for the first time** after the last day of the fifth month and before the first day of the ninth month of the taxable year, enter in Columns (c) and (d) 50% of line 7. If the obligation was met **for the first time** after the last day of the eighth month and before the fifteenth day of the twelfth month of the taxable year, enter in Column (d) 100% of line 7.

If there is any change in the computation of the estimated tax, enter the amount of the installment according with the corresponding change.

Line 9 – Enter in Column (a) the amount of estimated tax paid not later than April 15 of the taxable year (the 15th day of the fourth month of the taxable year if you have a fiscal year); in Column (b), the estimated tax paid after April 15 of the taxable year (the 15th day of the fourth month of the taxable year if you have a fiscal year) and not later than June 15 of the taxable year (the 15th day of the sixth month of the taxable year if you have a fiscal year); in Column (c), the estimated tax paid after June 15 of the taxable year (the 15th day of the sixth month of the taxable year if you have a fiscal year) and not later than September 15 of the taxable year (the 15th day of the ninth month of the taxable year if you have a fiscal year); and in Column (d), the estimated tax paid after September 15 of the taxable year (the 15th day of the ninth month of the taxable year if you have a fiscal year) and not later than December 15 of the taxable year (the 15th day of the twelfth month of the taxable year if you have a fiscal year).

Line 10 – If various payments were made in the periods described in the instructions for line 9, indicate the amount and date of the payments.

Line 11 – To determine the amounts to be entered in Columns (b), (c) and (d), you must complete lines 11 through 17 of the previous column.

Any overpayment, after covering the estimated tax payment of the corresponding installment, will be attributed first to the amount of estimated tax of previous installments due and not paid and then to the subsequent installments.

Section B – Penalty

Line 18 – 10% of the estimated tax of each installment due but not paid will be added to the tax.

Line 19 – The amount determined on this line reflects the proportion of the penalty attributable to the installments of estimated tax paid after the due date, if applicable.

SCHEDULE V INCENTIVES - INCOME TAX FOR EXEMPT BUSINESSES UNDER ACT 135-1997

This schedule must be used by those exempt businesses under Act 135-1997. Indicate in the corresponding boxes the enforcement period for income, and the current and required number of jobs directly related with manufacture or designated service.

PART II - NET INCOME SUBJECT TO TAX

Line 2 - Enter the income from qualified investments under Section 2(j) of Act 135-1997.

Line 4 - Enter here the net operating losses from the preceding year, including the share on losses from special partnerships that own or operate tourism businesses under Act No. 78. You must submit a schedule with the case number, amount of the loss and carryover computation.

Line 8 – Enter the amount of the deduction for the purchase of products manufactured in Puerto Rico equal to 15% of the purchases of such products, reduced by the average of the purchases of such products made during the year 2000. This deduction is granted only for the purchases of products that had been manufactured by businesses not related with the exempt business. For purposes of the previous calculation, such purchases to non related businesses will be excluded from the total purchases of products manufactured in Puerto Rico realized by the exempt business.

This deduction will be used only in the taxable year in which you earn the industrial development income against which the deduction is claimed and it can not be carried forward to subsequent taxable years. **The business claiming this deduction can not benefit simultaneously from the credit provided in Part III, line 4(b) of this schedule.**

Line 11 - Applies only to exempt businesses which renegotiated their decrees under Act 135-1997. Enter this amount on Schedule N Incentives, Part I, line 10.

Line 12 - If line 12 is **smaller** than line 11, enter the net operating income of the year (Part II, line 1 of this schedule) on Schedule N Incentives, Part I, line 1, if the preceding renegotiated decree was issued under Act No. 8 of 1987, and complete the schedule.

If when the decree was renegotiated under Act 135-1997, the exempt business had in force the option under Section 3A of Act No. 8 of 1987, Schedule N Incentives must be completed.

If line 12 is **larger** than line 11, enter the basis period income on Schedule N Incentives, Part I, line 10, if the preceding renegotiated decree was issued under Act No. 8 of 1987, and complete the schedule starting from said line 10.

PART III - TAX COMPUTATION

Line 4 - Credits

Some of the following credits may be claimed subject to the terms and conditions established in Act 7-2009, as amended, and the Administrative Determination or Certification under which they were granted.

In case of exempt businesses which renegotiated their decrees under Act 135-1997 and are entitled to claim the same credits against the basis period income tax and over the fixed rate under Act 135-1997, said credits can be claimed, at the exempt business option, up to the total amount allowed by law, against the basis period income tax or against the fixed rate; or allocated, up to the amount allowed by law, between the basis period income tax and the fixed tax rate. The sum of the allocated amounts cannot exceed the total amount of the credit.

Line 4(a) - Refer to instructions of Schedule B Incentives, Part II, line 2.

Line 4(b) - The exempt business can claim a credit against the industrial development income (IDI) fixed tax, for purchases of products manufactured in Puerto Rico including component parts and accessories, equal to a 25% of the purchases of such products during the taxable year on which the credit is claimed (subject to certain limitations).

For additional information, refer to Sections 5(b) of Act 135-1997, as amended by Act 110-2001. **The business claiming this credit cannot benefit simultaneously from the deduction provided in Part II, line 8 of this schedule.**

Line 4(c) - Any exempt business with a decree granted under Act 135-1997, that is a subsidiary of a U.S. parent company, that reflects a loss in the consolidated federal return or is under bankruptcy proceedings under federal regulations, will be allowed to claim a credit against the fixed tax applicable to the IDI earned during the taxable year of the loss. For additional information, refer to Section 5(a) of Act 135-1997.

Line 4(d) - Some exempt businesses may request authorization to credit the excess of a hundred million dollars (\$100,000,000) of annual taxes withheld over royalty payments, rents, rates and license fees, with respect to certain high technology products, against the tax imposed by Section 3 of Act 135-1997 over such high technology products. In order to identify the exempt businesses which qualify for the credit and the definition of high technology products and additional information, refer to Act 143-2000.

Line 4(e) – Refer to the instructions of Schedule B Incentives, Part II, line 10.

Line 4(f) - Refer to the instructions of Schedule B Incentives, Part II, line 11.

Line 4(g) - Refer to the instructions of Schedule B Incentives, Part II, line 12.

Lines 4(h) through 4(m) - Refer to the instructions of Schedule X1 Incentives.

Line 4(n) - Include any other credit that you are entitled to claim. Submit a Schedule showing a breakdown of such credits.

Include the employees retention credit, as determined on Schedule B3 Corporation. For rules and limitations of this credit, refer to the instructions of Schedule B3 Corporation.

An investor who buys an exempt business that is in the process of closing its operations in Puerto Rico may claim, with certain limitations, a credit equal to 50% of the eligible investment, in two installments: half in the year that the eligible investment is realized and the balance in subsequent years.

Enter also on this line the credit claimed for contributions made to the Santa Catalina's Palace Patronage. For details, refer to the instructions of **Schedule B Incentives, Part II, line 22.**

GENERAL INSTRUCTIONS FOR SCHEDULES N1 AND V1 INCENTIVES - COMPUTATION OF THE SPECIAL DEDUCTIONS

PART I - COMPUTATION OF THE SPECIAL DEDUCTIONS

Use these schedules to determine the special deductions allowed among: payroll deduction, human resources training, and improvement expenses deduction, research and development expenses deduction, and special deduction for investment on buildings, structures, machinery and equipment.

PAYROLL DEDUCTION

Schedule N1 Incentives - Computation of the Special Deductions for Exempt Businesses under Act 8 of 1987

Enter the larger of the following amounts, as applicable:

- (1) 5% of its total production payroll up to 50% of the net industrial development income, if the eligible business:
 - a) enjoyed industrial tax exemption under any of the previously mentioned industrial incentives acts and said tax exemption was authorized prior to January 1, 1985, and then converted its decree to the provisions of Act No. 8 of 1987 for the remaining part of its exemption period; or
 - b) was operating in Puerto Rico under a decree as of January 1, 1985 and subsequently obtained a new decree covering previously exempt operations based on negotiations in view to special conditions, and then requests to convert its new decree under Act 8 of 1987.

(2) 15% of the production payroll up to 50% of your net industrial development income, if in any taxable year you generate a net income from the exempt operations of less than \$30,000 per production job and said eligible business:

- a) enjoys tax exemption under a new decree issued under Act No. 8 of 1987; or
- b) has a tax exemption decree issued after December 31, 1984, but has not enjoyed tax exemption prior to that date, and converted said decree under Act No. 8 of 1987 for the remaining part of the exemption period originally granted. For these purposes, the production payroll shall include the salaries of personnel directly related to the manufacture of the exempt product, excluding executive salaries and any payment for professional services rendered through contract to the exempt business by independent firms.

The net income per production job will be obtained dividing the net industrial development income derived from the exempt operation, by the number of production jobs reflected on the production payroll.

(3) Enter the first \$100,000 if the net industrial development income is smaller than \$500,000 and the business has kept an employment average of 15 persons or more during said taxable year.

The exempt business that claims this deduction, will not be able to enjoy the deductions previously indicated in items (1) and (2).

If the exempt business is controlled in more than 50% by stockholders or corporations in common, with the consent of the Secretary, it may decide the manner in which all or part of the \$100,000 deduction shall be assigned among one or more of the controlled exempt businesses.

Schedule V1 Incentives - Computation of the Special Deductions for Exempt Businesses under Act 135-1997

In addition to other deduction provided by law, every exempt business with a decree under this act engaged in the manufacture and that generates a net income from its exempt operations (computed without taking into consideration the benefit of the special deductions provided in Section 4 of the act) smaller than \$30,000 per production job, will be allowed to claim a special payroll deduction equivalent to 15% of the production payroll of the exempt business, up to 50% of the IDI, computed without the benefit of the production payroll special deduction.

The exempt business that has a decree under this act engaged in manufacture, which IDI computed without the benefit of the special deductions provided in Section 4 on any taxable year is smaller than \$500,000, and that has kept an average employment of 15 or more persons during said taxable year, is allowed to deduct the first \$100,000 of said income in order to be totally exempt from the payment of the IDI fixed tax rate provided in Section 3(a) of this act. For additional information, refer to Section 4(a) of Act 135-1997.

HUMAN RESOURCES TRAINING AND DEVELOPMENT EXPENSES DEDUCTION

A special deduction will be allowed for training expenses incurred to improve the productivity and quality control, to promote total quality management and to improve employees communication skills, incurred in excess of the annual average of said expenses during the 3 taxable years ended prior to January 1, 1998.

RESEARCH AND DEVELOPMENT EXPENSES DEDUCTION

A special deduction will be allowed equal to the expenses incurred in the research and development of new products or industrial processes, or the improvement of said products and processes, that are deductible in the taxable year under the Code (subject to certain limitations).

SPECIAL DEDUCTION FOR THE INVESTMENT ON BUILDINGS, STRUCTURES, MACHINERY AND EQUIPMENT

Every exempt business that has a decree under Act 135-1997, is allowed to elect to deduct on the taxable year incurred, instead of any expense capitalization required by the Code, the total expense incurred after the effective date of such act, in the purchase, acquisition or construction of buildings, structures, machinery and equipment, as long as said buildings, structures, machinery and equipment have not been used or depreciated previously by any other business or person in Puerto Rico, and are used in the manufacture of products or to render the services for which said benefits were provided under the act.

Line 9 - In those cases in which the exempt business is allowed to claim more than one of the special deductions mentioned before, and the sum of said deductions after determining the amount that is allowed before taking into consideration the limitation based on the IDI, results in an excess of the IDI for said year, or that the exempt business cannot claim the total benefit of said deduction for said year, it will determine the limitation of the special deductions following the order indicated in Part II.

SCHEDULE W INCENTIVES - INCOME TAX FOR FILM ENTITY UNDER ACT 362-1999 OR ACT 27-2011

This schedule must be used by those Film Entities that derive income directly from Film Projects or Infrastructure Projects under Act 362-1999 and Act 27-2011.

PART I - NET INCOME SUBJECT TO TAX

Line 2 - Enter the carryover balance of the net operating loss at the end of the previous year. If the Film Entity incurs in a net operating loss from a Film Project or an Infrastructure Project, said loss will be deductible and will be used only against income from the Film Project or Infrastructure Project, whichever applies.

On the other hand, once the exemption period for income tax purposes is expired (10 years), the net losses incurred being carried over at the expiration date of said period, may be deducted from any taxable income in Puerto Rico, subject to the limitations provided by the Code.

PART II - COMPUTATION OF TAX

Line 4 - The Film Entity's income derived directly from Film Projects or Infrastructure Projects will be subject to a fixed income tax rate of 7%, instead of any other tax, if any, provided by law.

The fixed income tax rate (7%) will be in force for a 10 year period starting on the day on which the Film Project or Infrastructure Project begins operations, but never before the filing date of a License request for the benefits of this Act.

Line 7 - Include the tax credits that you are entitled to claim. Submit a schedule showing a breakdown of such credits.

For detailed information, refer to Act 362-1999 and Act 27-2011.

Some of the credits may be claimed subject to the terms and conditions established in Act 7-2009, as amended, and the Administrative Determination or Certification under which they were granted.

SCHEDULE X INCENTIVES – INCOME TAX FOR EXEMPT BUSINESSES UNDER ACT 73-2008

This schedule must be used by those exempt businesses under Act 73-2008. Indicate in the corresponding boxes the enforcement period for income, and the current and required number of jobs directly related with manufacture or designated service.

PART II – NET INCOME SUBJECT TO TAX (APPLIES ONLY TO RENEGOTIATED DECREES UNDER SECTION 13(b)(1))

Line 2 – Enter the income from qualified investments under Section 2(j) of Act 73-2008.

Line 4 – Enter here the net operating losses from the preceding year, including the share on losses from special partnerships that own or operate tourism businesses under Act No. 78. You must submit a schedule with the case number, amount of the loss and carryover computation.

Line 6 – Every exempt business with a decree granted under Act 73-2008, is allowed to elect to deduct on the taxable year incurred, instead of any expense capitalization required by the Code, the total expense incurred after the effective date of such act, in the purchase, acquisition or construction of buildings, structures, machinery and equipment, as long as said buildings, structures, machinery and equipment have not been used or depreciated previously by any other business or person in Puerto Rico, and are used in the manufacture of products or to render the services for which said benefits were provided under the act.

Line 8 – Applies only to exempt businesses which renegotiated their decrees under Section 13(b)(1) of Act 73-2008. Enter this amount on Schedule N Incentives, Part I, line 10, or Schedule V Incentives, Part II, line 10, as applicable.

Line 9 – If line 9 is **smaller** than line 8, enter the net operating income of the year (Part II, line 1 of this schedule) on Schedule N Incentives, Part I, line 1, if the preceding renegotiated decree was issued under Act 8-1987; or on Schedule V Incentives, Part II, line 1, if the preceding renegotiated decree was issued under Act 135-1997, and complete the corresponding schedule.

If line 9 is **larger** than line 8, enter the basis period income on Schedule N Incentives, Part I, line 10, if the preceding renegotiated decree was issued under Act No. 8 of 1987; or on Schedule V Incentives, Part II, line 10, if the preceding renegotiated decree was issued under Act 135-1997, and complete the corresponding schedule starting from said line 10.

PART III – NET INCOME SUBJECT TO TAX (EXCEPT RENEGOTIATED DECREES UNDER SECTION 13(b)(1))

Line 2 – Enter the income from qualified investments under Section 2(j) of Act 73-2008 (Act).

Line 4 – Refer to the instructions of Part II, line 4 of this Schedule.

Line 6 – Subtract the industrial development income (IDI) subject to the tax rates applicable under the Puerto Rico Internal Revenue Code of 2011, as amended (Code), according to Sections 3(f) and 3(g) of the Act. Transfer to Schedule P Incentives, Part I, line 1.

During the first four (4) years of the enforcement of this Act, according to the provisions of Section 3(f), the fixed income tax rates provided in the same will be applied gradually to the IDI, as follows:

Year	IDI subject to fixed tax rate under Act No. 73	IDI subject to tax rates under the Code
1	25%	75%
2	50%	50%
3	75%	25%
4	100%	0%

On the other hand, an eligible business that at the date of its incentives application, is dedicated to the activity for which the benefits of this Act are granted, as provided by Section 3(g), will be able to enjoy the fixed tax rate on industrial development income provided by Section 3, only regarding the increase that the net income from such activity generates over the average net income of the last three (3) taxable years previous to the date of submitting the application (basis period income).

The basis period income will be subject to the income tax rates provided by the Code. This income will be adjusted, reducing such amount by 25% annually, until it is reduced to zero for the fourth taxable year of application of the terms provided in the exempt business decree under this Act.

Line 8 – Refer to the instructions of line 6, Part II of this Schedule.

PART IV – TAX COMPUTATION

Line 1 – Check the corresponding tax rate, as provided in your exemption decree granted under Act 73-2008.

Act 73-2008 (Act) provides, among other things, that any exempt business with a decree granted under this Act, that is located or locates its operations in a municipality classified as low industrial development zone or intermediate industrial development zone, as provided by Section 11 of the Act, may reduce the established fixed income tax rate by an additional .5%. In those cases in which an exempt business with a decree granted under this Act maintains operations in more than one industrial zone, such exempt business shall enjoy said reduction regarding the industrial development income attributable to its operations in the low industrial development zone or intermediate industrial development zone, according to the rules of attribution provided by regulation.

Line 4 – Enter the result of the sum of lines 2 and 3. This is your “tentative tax”, determined applying the corresponding fixed income tax rate according to the Act.

Line 5 - Credits

Some of the following credits may be claimed subject to the terms and conditions established in Act 7-2009, as amended, and the Administrative Determination or Certification under which they were granted.

In case of exempt businesses which renegotiated their decrees under Act 73-2008 and are entitled to claim the same credits against the basis period income tax and over the fixed rate under Act 73-2008, said credits can be claimed, at the exempt business option, up to the total amount allowed by law, against the basis period income tax or against the fixed rate; or allocated, up to the amount allowed by law, between the basis period income tax and the fixed tax rate. The sum of the allocated amounts cannot exceed the total amount of the credit.

Lines 5(a) through 5(h) – Refer to the instructions of Schedule X1 Incentives.

Line 5(i) – Refer to the instructions of Schedule B Incentives, Part II, line 10.

Line 5(j) – Refer to the instructions of Schedule B Incentives, Part II, line 11.

Line 5(k) – Refer to the instructions of Schedule B Incentives, Part II, line 12.

Line 5(l) – Include any other credit that you are entitled to claim. Submit a schedule showing a breakdown of such credits.

Include the employees retention credit, as determined on Schedule B3 Corporation. For the rules and limitations of this credit, refer to the instructions of Schedule B3 Corporation.

Also, enter on this line the credit claimed for contributions made to the Santa Catalina’s Palace Patronage. For details, refer to the instructions of **Schedule B Incentives, Part II, line 22**.

Line 7 – Every exempt business under Act 73-2008 will be subject to a minimum tax. In the case of a small or medium business, such tax will be 1% of the net industrial development income of the business. For a local investment business, it will be 3% of the net industrial development income. In the other cases, it will be the fixed income tax rate provided by law applicable to the business multiplied by the net industrial development income, excluding the income under subsection (j) of Section 2 of the Act.

Line 9 – Subtract the tax withheld on royalty payments made during the year.

Line 10 – The payment required for minimum tax will be equal to the excess of the minimum tax over the net tentative tax. As the net tentative tax exceeds the minimum tax, the exempt business will not have to make a payment for minimum tax.

SCHEDULE X1 INCENTIVES – COMPUTATION OF TAX CREDITS FOR EXEMPT BUSINESSES UNDER ACT 73-2008

PART I – CREDIT FOR PURCHASES OF PRODUCTS MANUFACTURED IN PUERTO RICO

Enter in the spaces provided, for each manufacturing business from which the products were acquired, the name, employer identification number, manufacturing business identification number and the value (cost) of each purchase (include a schedule if you acquire the products from more than one business). In case of manufacturing businesses with a tax exemption decree, the manufacturing business identification number will be the decree number. If the business does not have a decree, enter the number assigned by the Industrial Development Company. The eligible business must keep the necessary records evidencing the value of the purchases for which the credit is claimed. Do not include purchases of products that have been manufactured in Puerto Rico by persons related to the eligible business.

An eligible business, as defined by Act 73-2008, will be entitled to claim a credit against the income tax for the purchases of products manufactured in Puerto Rico, including component parts and accessories, equal to 25% of the purchases of said products during the taxable year in which the credit is claimed, or 35% if the products are made from recycled materials or recycled raw materials. This credit may be claimed up to a maximum of 50% of the income tax liability.

This credit will not be available and no credit will be granted to those businesses that had claimed any special deduction or credit of similar nature under any other incentives act.

For additional information, refer to Section 5(a) of Act 73-2008 and the corresponding regulations.

Line 5 – In order to determine the total tax to be entered on this line, consider the following lines from other schedules.

If the income reported comes from:	The total tax will be:
Schedule N Incentives	Part II, line 6
Schedule P Incentives	Part II, line 8
Schedule L Incentives	Part II, line 8
Schedule V Incentives	Part III, line 2
Schedule X Incentives	Part IV, line 2

Please refer to Internal Revenue Circular Letter No. 11-01 for additional instructions regarding the management of the tax credits granted under Act 73-2008.

PART II – JOB CREATION CREDIT

Every exempt business beginning operations after July 1, 2008, will be entitled to claim a credit only against the industrial development income tax, for each job created during its first year of operations. The amount of the credit will depend on the industrial development zone where the exempt business operations are located, as follows:

Area	Credit
Vieques and Culebra	\$5,000
Low Industrial Development Zone	\$2,500
Intermediate Industrial Development Zone	\$1,000
High Industrial Development Zone	\$0

Line 3b – The generated credit not used during the first year of operations may be carried forward for a period that shall not exceed four years beginning in the first taxable year in which the exempt business generates net income. Detail on this line the amount of credit claimed in each one of the previous taxable years beginning on the date in which the same was generated and enter the total in the box.

Line 5 – Enter the amount of credit to be claimed against the tax liability for the current year. Transfer to Schedule X Incentives, Part IV, line 5(b).

For additional information, refer to Section 5(b) of Act 73-2008 and the corresponding regulations.

Please refer to Internal Revenue Circular Letter No. 11-01 for additional instructions regarding the management of the tax credits granted under Act 73-2008.

PART III – CREDIT FOR INVESTMENT IN RESEARCH AND DEVELOPMENT, CLINICAL TRIALS, TOXICOLOGY TESTS, INFRASTRUCTURE, RENEWABLE ENERGY OR INTANGIBLE PROPERTY

Any exempt business with a tax exemption decree may claim a credit for investment equal to 50% of the special eligible investment made in Puerto Rico after the approval of Act 73-2008. The credit may be applied, at the option of the exempt business, against the income tax of the business and/or against the operating expenses of the business related to electric power, water and sewage.

The credit may be claimed in two or more installments: up to 50% of said credit may be claimed in the year the eligible investment is made and the balance in subsequent years until totally used, provided that such limitation shall not apply to operating expenses of said exempt business related to electric power, water and sewage.

Every exempt business that claims a credit under these provisions must request a certification from the Puerto Rico Industrial Development Company indicating that the activities it performs are eligible for the tax credit granted under Section 2(d)(1)(G) of Act 73-2008. Said certification must be included with the return as a requirement to grant the credit claimed.

Line 1 – The term **special eligible investment** means the amount of cash used by the exempt business with a decree issued under any incentives act of Puerto Rico, or any entity affiliated to said exempt business in research and development activities, including operating expenses, clinical trials, toxicology tests, infrastructure, renewable energy or intellectual property.

Among the operating expenses the following will be included: payroll, including fringe benefits and professional services; insurance; tax, municipal license and licenses payments; rent; repair and maintenance expenses; net expense of electric power, water and telephone; and materials.

Line 3 – Enter 50% of the total credit generated for investment made in the current year. You may claim a maximum of 50% of the credit against the tax liability in the year the investment was made.

Line 4 – Enter the amount of credit not used in the previous year, if any.

Line 5 – This is the amount of credit available that the business may choose to claim against the tax liability for the current year. If you have made an eligible investment during the current year, you shall take into consideration 50% of the allowable credit for this year plus the amount of generated credit not claimed in previous years.

Line 7(a) – Enter the amount that you will claim against the tax liability in the current year and transfer to the corresponding schedule of the return.

Line 7(b) – If you choose to claim part of your credit against the operating expenses of the current year related with electric power, water and sewage (AEE and AAA), enter on this line the amount claimed against such expenses.

Line 7(c) – If you chose to assign, sell or in any way transfer totally or partially your credit, enter on this line the total amount transferred.

Line 8 – That part of the credit not used in the year in which the investment was made can be carried forward to subsequent years until totally used.

For additional information, refer to Section 5(c) of Act 73-2008 and the corresponding regulations.

Please refer to Internal Revenue Circular Letter No. 11-01 for additional instructions regarding the management of the tax credits granted under Act 73-2008.

PART IV – CREDIT FOR INVESTMENT IN MACHINERY AND EQUIPMENT FOR THE GENERATION AND EFFICIENT USE OF ENERGY

Any exempt business with a tax exemption decree may claim a credit against the income tax of 50% of its eligible investment made after May 28, 2008.

In case of an eligible investment made by an exempt business to generate energy for its own consumption, the credit shall not exceed 25% of the income tax. Nevertheless, in order to qualify as an eligible investment, such business shall request a certification from the Energy Affairs Administration (EAA) regarding the investment made during the corresponding period.

On the other hand, an eligible investment made by an exempt business engaged in the production, whether on a commercial scale or not, of energy for consumption in Puerto Rico, through the use of natural gas or coal, or through the use of renewable sources (businesses under Section 2(d)(1)(H) of Act 73-2008 or a similar provision under previous incentives acts) in order to establish or make a substantial expansion in its energy generating operations, the maximum amount of credit that can be granted will be eight millions dollars (\$8,000,000) per establishment or substantial expansion. In the case of an additional eligible investment realized by the same exempt business, such maximum amount will be reduced for the amount of credit claimed by the exempt business in a previous taxable year regarding any previous eligible investment.

Every business under these provisions must request a preliminary certification from the EAA in which there shall be stated that the machinery and equipment that the exempt business intends to acquire meets all the regulations and conditions established and the estimated total of the eligible investment. After the business is established or the substantial expansion is completed, the business shall request a final certification from the EAA.

The credit for businesses under **Section 2(d)(1)(H) of Act 73-2008 or a similar provision of previous incentives acts**, will be subject to the taxpayer's request and the approval by the Secretary of the Treasury of an administrative determination under Act 73-2008 and its corresponding regulations. You must include with the return copy of the determination, along with the information required in the determination letter.

For purposes of this credit, **eligible investment** means, in general terms, the amount of cash used for the acquisition of machinery and

equipment to generate energy with alternate fuels to oil.

After the third year Act 73-2008 is in effect, only purchases of machinery and equipment to generate energy from renewable sources shall qualify for the credit.

For additional information, refer to Section 5(d) of Act 73-2008 and the corresponding regulations.

Line 4 - Refer to the instructions of Part I, line 5 of this Schedule.

Please refer to Internal Revenue Circular Letter No. 11-01 for additional instructions regarding the management of the tax credits granted under Act 73-2008.

PART V – CREDIT TO REDUCE THE COST OF ELECTRIC POWER

Any exempt business that is an industrial customer of the Electric Power Authority (AEE) with an exemption decree, may claim the following credits only against the income tax:

- a) **Base credit** equal to 3% of the payments made to the AEE for **net** electric power **consumption** of the eligible business operation during the taxable year.
- b) If the business maintained an average of 25 employees or more during the taxable year, it may claim an additional credit of 3.5% of the payments made to the AEE in the operation of the eligible business.
- c) If the business has maintained an average payroll of \$500,000 or more during the taxable year, it may claim an additional credit of 3.5% of the payments made to the AEE in the operation of the eligible business.

Any business that complies with the requirements provided in paragraphs b and c above, may claim both credits along with the base credit for an annual maximum credit of 10% of the payments made to the AEE in the operation of the eligible business.

The maximum credit to be claimed starting in 2013 shall be reduced on a 1% basis per year.

The total credit for energy costs not used in the taxable year in which it was originated may be carried forward to subsequent taxable years.

For additional information, refer to Section 5(e) of Act 73-2008 and the corresponding regulations.

Please refer to Internal Revenue Circular Letter No. 11-01 for additional instructions regarding the management of the tax credits granted under Act 73-2008.

PART VI – CREDIT FOR THE TRANSFER OF INTELLECTUAL PROPERTY

Any exempt business with a tax exemption decree may claim a credit only against the income tax equal to 12% of the payments made to corporations, partnerships or nonresident persons, for the use or right to use in Puerto Rico of intangible property in their exempt operation, provided that the income from such payments is from Puerto Rico sources.

In case of exempt businesses subject to the alternate imposition provided by Section 3(b)(4) of Act 73-2008, the applicable credit will be 2% of the payments made.

The generated credit not used in the taxable year in which it was originated may be carried forward for a period that shall not exceed eight taxable years counted from the closing of the taxable year in which it was originated.

Please refer to Internal Revenue Circular Letter No. 11-01 for additional instructions regarding the management of the tax credits granted under Act 73-2008.

PART VII – CREDIT FOR INVESTMENT IN STRATEGIC PROJECTS

Any exempt business may claim an investment credit equal to 50% of the eligible investment in strategic projects made in Puerto Rico after May 28, 2008.

The credit may be applied, at the option of the exempt business, against the income tax and/or against the operational costs of the exempt business related to electric power, water or sewage.

For purposes of this credit, the term **eligible investment in strategic projects** means the amount of cash from any source of financing, used by the exempt business or any entity affiliated to the exempt business, in activities of design, development and construction of dams and/or reservoirs and all infrastructure necessary for its operation, as well as any infrastructure for the operation of a strategic project.

The credit may be claimed to satisfy up to 50% of the total income tax of the business taxable year. Such limitation shall not apply with respect to the operational costs of the exempt business related to electric power, water and sewage.

Line 2 – Every credit for eligible investment, including the credit in excess of the percent established on line 5(a) of this Part VII, not used in a taxable year, may be carried forward to subsequent taxable years until totally used.

Line 4 - Refer to the instructions of Part I, line 5 of this Schedule.

Line 5(a) – Enter the amount of credit that you will claim against the tax liability determined for the current year. This amount can not exceed 50% of the total tax determined to be paid in the year for which you are filing the return. Transfer this amount to the corresponding schedule of your income tax return.

Line 5(b) – If you chose to claim part of your credit against the operational costs of the current year related to electric power, water and sewage (AEE and AAA), enter on this line the amount claimed against such costs.

Line 5(c) – If you chose to dispose, sell or in any way transfer totally or partially your credit, enter on this line the total amount transferred.

For additional information, refer to Section 5(g) of Act 73-2008 and the corresponding regulations.

Please refer to Internal Revenue Circular Letter No. 11-01 for additional instructions regarding the management of the tax credits granted under Act 73-2008.

PART VIII – INDUSTRIAL INVESTMENT CREDIT

Any investor may claim a credit for industrial investment equal to 50% of its investment in an exempt business with a decree granted under the incentives acts, that is in the process of closing operations in Puerto Rico, to continue operating it, or for investment in an exempt business considered as a small or medium business, among other requirements.

The maximum amount of credit for this concept shall not exceed eight million (\$8,000,000) dollars per exempt business with a decree granted under Act 73-2008.

This credit will be subject to the taxpayer's request and the approval by the Secretary of the Treasury of an administrative determination under Act 73-2008 and the corresponding regulations. You must include with the return copy of the administrative determination, along with the information required in such determination.

Line 3 – Enter the amount of credit not used in the previous year, if any.

Line 4 – This is the amount of credit available that the business may choose to claim against the tax determined for the current taxable year. If you have made an eligible investment during the current taxable year, you shall take into consideration 50% of the allowable credit for the year plus the amount of credit provided in previous years that was not claimed.

Line 6(a) – Enter the amount that you will claim against the tax determined in the current year and transfer to the corresponding schedule of the return.

Line 6(b) – If you chose to dispose, sell or in any way transfer totally or partially your credit, enter on this line the total amount transferred.

Line 7 – Such part of the credit not used in the year in which the investment was made may be carried forward to subsequent years until totally used.

For additional information, refer to Section 6 of Act 73-2008 and its corresponding regulations.

Please refer to Internal Revenue Circular Letter No. 11-01 for additional instructions regarding the management of the tax credits granted under Act 73-2008.

SCHEDULE Y INCENTIVES – INCOME TAX FOR EXEMPT BUSINESSES UNDER ACT 83-2010

This schedule must be used by those exempt businesses under Act 83-2010. Indicate in the corresponding boxes the enforcement period for income, and the current and required number of jobs directly related with manufacture or designated service.

PART I – NET INCOME SUBJECT TO TAX

Line 2 – Enter here the net operating losses from the preceding year, including the share on losses from special partnerships that own or operate tourism businesses under Act 78. You must submit a schedule with the case number, amount of the loss and carryover computation.

Line 4 – Every exempt business with a decree granted under Act 83-2010, is allowed to elect to deduct on the taxable year incurred, instead of any expense capitalization required by the Code, the total expense incurred after the effective date of such act, in the purchase, acquisition or construction of buildings, structures, machinery and equipment, as long as said buildings, structures, machinery and equipment have not been used or depreciated previously by any other business or person in Puerto Rico, and are used in the manufacture of products or to render the services for which said benefits were provided under the act.

PART II – TAX COMPUTATION

Line 4 – Enter the result of the sum of lines 2 and 3. This is your “tentative tax”, determined applying the corresponding fixed income tax rate according to the Act.

Line 5 – Credits

Some of the following credits may be claimed subject to the terms and conditions established in Act 7-2009, as amended, and the Administrative Determination or Certification under which they were granted.

Lines 5(a) through 5(d) – Refer to the instructions of Schedule Y1 Incentives .

Line 5(e) – Refer to the instructions of Schedule B Incentives, Part II, line 10.

Line 5(f) – Refer to the instructions of Schedule B Incentives, Part II, line 11.

Line 5(g) – Include any other credit that you are entitled to claim. Submit a schedule showing a breakdown of such credits.

Include the employees retention credit, as determined on Schedule B3 Corporation. For rules and limitations of this credit, refer to the instructions of Schedule B3 Corporation.

Also, enter on this line the credit claimed for contributions made to the Santa Catalina’s Palace Patronage. For details, refer to the instructions of **Schedule B Incentives, Part II, line 22.**

Line 7 – Every exempt business under Act 83-2010 will be subject to a minimum tax. In the case of an exempt business that belongs directly in at least 50% to individuals residents of Puerto Rico, it will be 3% of green energy income of the business.

Line 9 – Subtract the tax withheld on royalty payments made during the year.

Line 10 – The payment required for minimum tax will be equal to the excess of the minimum tax over the net tentative tax. As the net tentative tax exceeds the minimum tax, the exempt business will not have to make a payment for minimum tax.

SCHEDULE Y1 INCENTIVES – COMPUTATION OF TAX CREDITS FOR EXEMPT BUSINESSES UNDER ACT 83-2010

PART I – CREDIT FOR PURCHASES OF PRODUCTS MANUFACTURED IN PUERTO RICO

Enter in the spaces provided, for each manufacturing business from which the products were acquired, the name, employer identification number, manufacturing business identification number and the value (cost) of each purchase (include a schedule if you acquire the products from more than one business). In case of manufacturing businesses with a tax exemption decree, the manufacturing business identification number will be the decree number. If the business does not have a decree, enter the number assigned by the Industrial Development Company. The eligible business must keep the necessary records evidencing the value of the purchases for which the credit is claimed. Do not include purchases of products that have been manufactured in Puerto Rico by persons related to the eligible business.

An eligible business, as defined by Act 83-2010, will be entitled to claim a credit against the income tax for the purchases of products manufactured in Puerto Rico, including component parts and accessories, equal to 25% of the purchases of said products during the taxable year in which the credit is claimed, or 35% if the products are made from recycled materials or recycled raw materials. This credit may be claimed up to a maximum of 50% of the income tax liability.

This credit will not be available and no credit will be granted to those businesses that had claimed any special deduction or credit of similar nature under any other incentives act.

For additional information, refer to Article 2.11(a) of Act 83-2010 and the corresponding regulations.

Line 5 – Enter the amount from Part II, line 2 of Schedule Y Incentives.

PART II – JOB CREATION CREDIT

Every exempt business beginning operations after July 19, 2010, will be entitled to claim a credit only against the green energy income tax, for each job created during its first year of operations. The amount of the credit will depend on the industrial development zone where the exempt business operations are located, as follows:

Area	Credit
Vieques and Culebra	\$5,000
Low Industrial Development Zone	\$2,500
Intermediate Industrial Development Zone	\$1,000
High Industrial Development Zone	\$0

Line 3b – The generated credit not used during the first year of operations may be carried forward for a period that shall not exceed four years beginning in the first taxable year in which the exempt business generates net income. Detail on this line the amount of credit claimed in each one of the previous taxable years beginning on the date in which the same was generated and enter the total in the box.

Line 5 – Enter the amount of credit to be claimed against the tax liability for the current year. Transfer to Schedule Y Incentives, Part II, line 5(b).

For additional information, refer to Article 2.11(b) of Act 83-2010 and the corresponding regulations.

PART III - CREDIT FOR INVESTMENT IN RESEARCH AND DEVELOPMENT OF GREEN ENERGY SOURCES

Any exempt business with a tax exemption decree granted under Act 83-2010, may claim a credit for investment equal to 50% of the special eligible investment made in Puerto Rico after the approval of said act. The credit may be claimed against the green energy income tax.

The credit may be claimed in two or more installments: up to 50% of said credit may be claimed in the year the eligible investment is made and the balance in subsequent years until totally used.

Line 1 – The term **special eligible investment** means the amount of cash used by the exempt business, or any entity affiliated to said exempt business, in research and development activities directly related with the production of green energy, including operating expenses, infrastructure or intellectual property, incurred or used directly in said activities.

Among the operating expenses the following will be included: payroll, including fringe benefits and professional services; insurance; tax, municipal license and licenses payments; rent; repair and maintenance expenses; net expense of electric power, water and telephone; and materials.

Line 3 – Enter 50% of the total credit generated for investment made in the current year. You may claim a maximum of 50% of the credit against the tax liability in the year the investment was made.

Line 4 – Enter the amount of credit not used in the previous year, if any.

Line 5 – This is the amount of credit available that the business may choose to claim against the tax liability for the current year. If you have made an eligible investment during the current year, you shall take into consideration 50% of the allowable credit for this year plus the amount of generated credit not claimed in previous years.

Line 7(a) – Enter the amount that you will claim against the tax liability in the current year and transfer to Schedule Y Incentives, Part II, line 5(c).

Line 7(b) – If you chose to assign, sell or in any way transfer totally or partially your credit, enter on this line the total amount transferred.

Line 8 – That part of the credit not used in the year in which the investment was made can be carried forward to subsequent years until totally used.

For additional information, refer to Article 2.11(c) of Act 83-2010 and the corresponding regulations.

PART IV – CREDIT FOR THE TRANSFER OF INTELLECTUAL PROPERTY

Any exempt business with a tax exemption decree granted under Act 83-2010, may claim a credit only against the green energy income tax equal to 12% of the payments made to corporations, partnerships or nonresident persons, for the use or right to use in Puerto Rico of intangible property in their exempt operation, provided that the income from such payments is from Puerto Rico sources.

The generated credit not used in the taxable year in which it was originated may be carried forward for a period that shall not exceed eight taxable years counted from the closing of the taxable year in which it was originated.

SCHEDULE Z INCENTIVES - INCOME TAX FOR EXEMPT BUSINESSES UNDER ACT 118-2010

This schedule must be used by businesses that derive income from gaming operations in their tourism facilities under Act 118-2010, best known as the “Municipal Economic and Tourism Development Incentives Act”.

PART I - NET INCOME SUBJECT TO TAX

Line 2 - Enter the carryover balance of the net operating loss from gaming operations at the end of the previous year.

PART II - COMPUTATION OF TAX

Line 4 – Check the corresponding tax rate, as established in your exemption decree granted under Act No. 118-2010.

PART III - GROSS PROFIT ON SALES AND OTHER INCOME

Line 1 – The net income from gaming will be equal to the gross income from gaming less the winnings paid.

For additional information, refer to Act 118-2010.

OBLIGATION TO PAY ESTIMATED TAX

IMPORTANT NOTICE

Beginning on taxable year 2010, the requirement to file the Estimated Tax Declaration (Form 480-E) was eliminated. However, the obligation to make the estimated tax payments is still required.

ESTIMATED TAX COMPUTATION

The estimated tax computation will be made using an approximate calculation of the gross income that can reasonably be expected that the corporation or partnership will receive or accumulate, as applicable, depending on the accounting method in which the net income determination is based on, and an approximate calculation of the deductions and credits provided by the Code or special laws, including the non refunded tax paid in excess corresponding to the previous taxable year.

PAYMENT OF ESTIMATED TAX

The estimated tax for the taxable year will be paid in four installments:

- 1st installment: the 15th day of the fourth month
- 2nd installment: the 15th day of the sixth month
- 3rd installment: the 15th day of the ninth month
- 4th installment: the 15th day of the twelfth month

If the obligation to pay estimated tax arises for the first time after the last day of the third month and prior to the first day of the sixth month of the taxable year, the installments will be:

- 1st installment: the 15th day of the sixth month
- 2nd installment: the 15th day of the ninth month
- 3rd installment: the 15th day of the twelfth month

If the obligation to pay estimated tax arises for the first time after the last day of the fifth month and prior to the first day of the ninth month of the taxable year, the installments will be:

- 1st installment: the 15th day of the ninth month
- 2nd installment: the 15th day of the twelfth month

If the obligation to pay estimated tax arises for the first time after the last day of the eighth month and prior to the fifteenth day of the twelfth month of the taxable year, the estimated tax will be paid in its entirety on the 15th day of the twelfth month of the taxable year.

The estimated tax installments will be paid together with a payment coupon (Forms 480.E-1 or 480.E-2). Taxpayers who paid estimated tax in the previous year, will receive a booklet containing 4 coupons (Forms 480.E-2) with their name, address and employer identification number. New taxpayers or taxpayers who have not received the coupons booklet, must visit the Taxpayer Service Center (Office 101) of the Department of the Treasury in Old San Juan, where the payment coupons (Form 480.E-1) will be prepared. You may also make the payments without the need of a coupon using Payments Online. For additional information, please call (787) 722-0216.

The estimated tax payments must be made through Payments Online, in the participating banks (if you have the preprinted coupon), at the Internal Revenue Collections Offices or mailed to the Returns Processing Bureau to the following address:

DEPARTMENT OF THE TREASURY
RETURNS PROCESSING BUREAU
PO BOX 9022501
SAN JUAN PR 00902-2501

Payments with checks in participating banks must be made payable to the order of such banks. Payments with managers checks, checks or money orders at the Internal Revenue Collections Offices will be made payable to the Secretary of the Treasury.

CHANGES IN THE ESTIMATED TAX COMPUTATION

If there is any change in the estimated tax computation as a result of a change in income, deductions or for any other reason, the remaining installments must be proportionally increased or reduced to reflect the increase or reduction in the estimated tax.

PENALTIES

For taxable years beginning after December 31, 2009, the Code establishes a 10% penalty of the amount not paid of any estimated tax installment. For this purposes, the estimated tax will be the smaller of:

- 1) 90% of the tax for the taxable year, or
- 2) the total income tax determined as it results from the preceding year's income tax return.

INDUSTRIAL CODES

11 Agriculture, forestry, fishing and hunting	3251 Basic Chemical Manufacturing	4219 Miscellaneous Durable Goods
1111 Oilseed and Grain Farming	3252 Resin, Synthetic Rubber, and Artificial and Synthetic Fibers	4221 Paper and Paper Product
1112 Vegetable and Melon Farming	3253 Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing	4222 Drugs and Drugists' Sundries
1113 Fruit and Tree Nut Farming	3254 Pharmaceutical and Medicine Manufacturing	4223 Apparel, Piece Goods, and Notion
1114 Greenhouse, Nursery, and Floriculture Production	3255 Paint, Coating, and Adhesive Manufacturing	4224 Grocery and Related Product
1119 Other Crop Farming	3256 Soap, Cleaning Compound, and Toilet Preparation Manufacturing	4225 Farm Product Raw Material
1121 Cattle Ranching and Farming	3261 Plastics Product Manufacturing	4226 Chemical and Allied Products
1122 Hog and Pig Farming	3262 Rubber Product Manufacturing	4227 Petroleum and Petroleum Products
1123 Poultry and Egg Production	3271 Clay Product and Refractory Manufacturing	4228 Beer, Wine, and Distilled Alcoholic Beverage
1124 Sheep and Goat Farming	3272 Cement and Concrete Product Manufacturing	4229 Miscellaneous No durable Goods
1125 Animal Aquaculture	3273 Lime and Gypsum Product Manufacturing	44-45 Retail Trade
1132 Forest Nurseries and Gathering of Forest Products	3279 Other Nonmetallic Mineral Product Manufacturing	4411 Automobile Dealers
1133 Logging	3311 Iron and Steel Mills and Ferroalloy Manufacturing	4412 Other Motor Vehicle Dealers
1141 Fishing	3312 Steel Product Manufacturing from Purchased Steel	4413 Automotive Parts, Accessories, and Tire Stores
1142 Hunting and Trapping	3313 Alumina and Aluminum Production and Processing	4421 Furniture Stores
1151 Support Activities for Crop Production	3314 Nonferrous Metal (except Aluminum) Production and Processing	4422 Home Furnishings Stores
1152 Support Activities for Animal Production	3315 Foundries	4431 Electronics and Appliance Stores
1153 Support Activities for Forestry	3321 Forging and Stamping	4441 Building Material and Supplies Dealers
21 Mining	3322 Cutlery and Hand Tool Manufacturing	4442 Lawn and Garden Equipment and Supplies Stores
2121 Coal Mining	3323 Architectural and Structural Metals Manufacturing	4451 Grocery Stores
2122 Metal Ore Mining	3324 Boiler, Tank, and Shipping Container Manufacturing	4452 Specialty Food Stores
2123 Nonmetallic Mineral Mining and Quarrying	3325 Hardware Manufacturing	4453 Beer, Wine, and Liquor Stores
2131 Support Activities for Mining	3326 Spring and Wire Product Manufacturing	4471 Health and Personal Care Stores
22 Utilities	3327 Machine Shops; Turned Product; and Screw, Nut, and Bolt Manufacturing	4471 Gasoline Stations
2211 Electric Power Generation, Transmission and Distribution	3328 Coating, Engraving, Heat Treating, and Allied Activities	4481 Clothing Stores
2212 Natural Gas Distribution	3329 Other Fabricated Metal Product Manufacturing	4483 Jewelry, Luggage, and Leather Goods Stores
2222 Water Distribution	3331 Agriculture, Construction, and Mining Machinery Manufacturing	4511 Sporting Goods, Hobby, and Musical Instrument Stores
23 Construction	3332 Industrial Machinery Manufacturing	4512 Book, Periodical, and Music Stores
2331 Land Subdivision and Land Development	3333 Commercial and Service Industry Machinery Manufacturing	4521 Department Stores
2333 Nonresidential Building Construction	3334 Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing	4529 Other General Merchandise Stores
2341 Highway, Street, Bridge, and Tunnel Construction	3335 Metalworking Machinery Manufacturing	4531 Florists
2349 Other Heavy Construction	3336 Engine, Turbine, and Power Transmission Equipment Manufacturing	4532 Office Supplies, Stationery, and Gift Stores
2351 Plumbing, Heating, and Air-Conditioning Contractors	3339 Other General Purpose Machinery Manufacturing	4533 Used Merchandise Stores
2352 Painting and Wall Covering Contractors	3341 Computer and Peripheral Equipment Manufacturing	4539 Other Miscellaneous Store Retailers
2353 Electrical Contractors	3342 Communications Equipment Manufacturing	4542 Vending Machine Operators
2355 Carpentry and Floor Contractors	3343 Audio and Video Equipment Manufacturing	4543 Direct Selling Establishments
2356 Roofing, Siding, and Sheet Metal Contractors	3344 Semiconductor and Other Electronic Component Manufacturing	48-49 Transportation and Warehousing
2357 Concrete Contractors	3345 Navigational, Measuring, Electro medical, and Control Instruments Manufacturing	4811 Scheduled Air Transportation
2358 Water Well Drilling Contractors	3346 Manufacturing and Reproducing Magnetic and Optical Media	4812 Nonscheduled Air Transportation
2359 Other Special Trade Contractors	3351 Electric Lighting Equipment Manufacturing	4821 Rail Transportation
31-33 Manufacturing	3352 Household Appliance Manufacturing	4831 Deep Sea, Coastal, and Great Lakes Water Transportation
3111 Animal Food Manufacturing	3353 Electrical Equipment Manufacturing	4832 Inland Water Transportation
3112 Grain and Oilseed Milling	3359 Other Electrical Equipment and Component Manufacturing	4841 General Freight Trucking
3113 Sugar and Confectionery Product Manufacturing	3361 Motor Vehicle Manufacturing	4842 Specialized Freight Trucking
3115 Dairy Product Manufacturing	3362 Motor Vehicle Body and Trailer Manufacturing	4851 Urban Transit Systems
3116 Animal Slaughtering and Processing	3363 Motor Vehicle Parts Manufacturing	4852 Interurban and Rural Bus Transportation
3117 Seafood Product Preparation and Packaging	3364 Aerospace Product and Parts Manufacturing	4853 Taxi and Limousine Service
3118 Bakeries and Tortilla Manufacturing	3365 Railroad Rolling Stock Manufacturing	4855 Charter Bus Industry
3119 Other Food Manufacturing	3366 Ship and Boat Building	4859 Other Transit and Ground Passenger Transportation
3121 Beverage Manufacturing	3369 Other Transportation Equipment Manufacturing	4861 Pipeline Transportation of Crude Oil
3122 Tobacco Manufacturing	3372 Office Furniture (including Fixtures) Manufacturing	4862 Pipeline Transportation of Natural Gas
3132 Fabric Mills	3379 Other Furniture Related Product Manufacturing	4871 Scenic and Sightseeing Transportation, Land
3133 Textile and Fabric Finishing and Fabric Coating Mills	3399 Other Miscellaneous Manufacturing	4881 Support Activities for Air Transportation
3141 Textile Furnishings Mills	42 Wholesale Trade	4882 Support Activities for Rail Transportation
3149 Other Textile Product Mills	4211 Motor Vehicle and Motor Vehicle Parts and Supplies	4884 Support Activities for Water Transportation
3151 Apparel Knitting Mills	4212 Furniture and Home Furnishing	4885 Freight Transportation Arrangement
3152 Cut and Sew Apparel Manufacturing	4213 Lumber and Other Construction Materials	4889 Other Support Activities for Transportation
3159 Apparel Accessories and Other Apparel Manufacturing	4214 Professional and Commercial Equipment and Supplies	4911 Postal Service
3161 Leather and Hide Tanning and Finishing	4216 Electrical Goods	4921 Couriers
3162 Footwear Manufacturing	4217 Hardware, and Plumbing and Heating Equipment and Supplies	4922 Local Messengers and Local Delivery
3169 Other Leather and Allied Product Manufacturing	4218 Machinery, Equipment, and Supplies	51 Information
3211 Sawmills and Wood Preservation		5111 Newspaper, Periodical, Book, and others Publishers
3212 Veneer, Plywood, and Engineered Wood Product Manufacturing		5112 Software Publishers
3222 Converted Paper Product Manufacturing		
3231 Printing and Related Support Activities		
3241 Petroleum and Coal Products Manufacturing		

- 5121 Motion Picture and Video Industries
5122 Sound Recording Industries
5131 Radio and Television Broadcasting
5132 Cable Networks and Program Distribution
5133 Telecommunications
5141 Information Services
5142 Data Processing Services
52 Finance and Insurance
5221 Depository Credit Intermediation
5222 No depository Credit Intermediation
5223 Activities Related to Credit Intermediation
5231 Securities and Commodity Contracts Intermediation and Brokerage
5239 Other Financial Investment Activities
5241 Insurance Carriers
5242 Agencies, Brokerages, and Other Insurance Related Activities
5251 Insurance and Employee Benefit Funds
5259 Other Investment Pools and Funds
53 Real Estate and Rental and Leasing
5311 Lessors of Real Estate
5312 Offices of Real Estate Agents and Brokers
5313 Activities Related to Real Estate
5321 Automotive Equipment Rental and Leasing
5322 Consumer Goods Rental
5323 General Rental Centers
5324 Commercial and Industrial Machinery and Equipment Rental and Leasing
5331 Lessors of Non financial Intangible Assets (except Copyrighted Works)
54 Professional, Scientific, and Technical Services
5411 Legal Services
5412 Accounting, Tax Preparation, Bookkeeping, and Payroll Services
5413 Architectural, Engineering, and Related Services
5414 Specialized Design Services
5415 Computer Systems Design and Related Services
5416 Management, Scientific, and Technical Consulting Services
5417 Scientific Research and Development Services
5418 Advertising and Related Services
5419 Other Professional, Scientific, and Technical Services
55 Management of Companies and Enterprises
5511 Management of Companies and Enterprises
56 Administrative and Support and Waste Management and Remediation Services
5611 Office Administrative Services
5612 Facilities Support Services
5614 Business Support Services
5615 Travel Arrangement and Reservation Services
5616 Investigation and Security Services
5617 Services to Buildings and Dwellings
5619 Other Support Services
5621 Waste Collection
5629 Remediation and Other Waste Management Services
61 Educational Services
6111 Elementary and Secondary Schools
6112 Junior Colleges
6113 Colleges, Universities, and Professional Schools
6114 Business Schools and Computer and Management Training
6115 Technical and Trade Schools
6116 Other Schools and Instruction
6117 Educational Support Services
62 Health Care and Social Assistance
6211 Offices of Physicians
6212 Offices of Dentists
6213 Offices of Other Health Practitioners
- 6214 Outpatient Care Centers
6215 Medical and Diagnostic Laboratories
6216 Home Health Care Services
6219 Other Ambulatory Health Care Services
6221 General Medical and Surgical Hospitals
6222 Psychiatric and Substance Abuse Hospitals
6231 Nursing Care Facilities
6232 Residential Mental Retardation, Mental Health and Substance Abuse Facilities
6233 Community Care Facilities for the Elderly
6239 Other Residential Care Facilities
6242 Community Food and Housing, and Emergency and Other Relief Services
6243 Vocational Rehabilitation Services
6244 Child Day Care Services
71 Arts, Entertainment, and Recreation
7111 Performing Arts Companies
7112 Spectator Sports
7113 Promoters of Performing Arts, Sports, and Similar Events
7114 Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
7115 Independent Artists, Writers, and Performers
7121 Museums, Historical Sites, and Similar Institutions
7131 Amusement Parks and Arcades
7132 Gambling Industries
7139 Other Amusement and Recreation Industries
72 Accommodation and Food Services
7211 Traveler Accommodation
7212 Recreational Vehicle Parks and Camps
7213 Rooming and Boarding Houses
7221 Full-Service Restaurants
7222 Limited-Service Eating Places
7223 Special Food Services
7224 Drinking Places (Alcoholic Beverages)
81 Other Services (except Public Administration)
8111 Automotive Repair and Maintenance
8112 Electronic and Precision Equipment Repair and Maintenance
8113 Commercial and Industrial Machinery and Equipment Repair
8114 Personal and Household Goods Repair and Maintenance
8121 Personal Care Services
8122 Death Care Services
8123 Dry-cleaning and Laundry Services
8129 Other Personal Services
8131 Religious Organizations
8132 Grant making and Giving Services
8133 Social Advocacy Organizations
8134 Civic and Social Organizations
8139 Business, Professional, Labor, Political, and Similar Organizations
8141 Private Households



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