



**SALES AND USE TAX MONTHLY RETURN  
SURI GUIDE FOR ELECTRONIC FILLING FORMAT  
(Form AS 2915 Revd. Oct 31, 2016)**

**IMPORTANT NOTICE**

The Secretary of Treasury, through the Administrative Determination No. 15-14, reestablished the procedure for the compulsory electronic filing of the Sales and Use Tax Monthly Return. Beginning October 31, 2016, the new Sales and Use Tax Monthly Return in electronic format (hereinafter, the "Return") must be filed through the Internal Revenue Unified System (hereinafter, "SURI" or the "system") including prior periods and amendments. For this reason, all filing forms for the Return have been reviewed. Starting with the tax period for the month of October 2016, the new Return will consolidate the three existing returns in which Sales and Use Tax ("SUT") is reported: Sales and Use Tax Monthly Return (Form AS 2915A), Sales and Use Tax Monthly Return Applicable to Preexisting Contracts and Auctions (Form AS 2915E), and Sales and Use Tax Monthly Return Applicable to Services Rendered to Other Merchants and Designated Professional Services (Form AS 2915F). This Return will have a review date of October 31, 2016. Return formats for prior periods have also been reviewed in accordance with the new SURI structure and will be identified as **Sales and Use Tax Monthly Return for periods between August 2014 and September 2016**, and **Sales and Use Tax Monthly Return for periods prior to August 2014**, both with October 28, 2016 as their review dates.

**WHO MUST FILE THE NEW RETURN?**

All merchants engaged in the sale of taxable items or engaged in the provision of services to other merchants, including merchants engaged in the sale of taxable items covered under Building Projects or under contracts executed pursuant to auctions awarded on or before June 30, 2015, and who have filed an application with the Department to qualify the preexisting contract or auction following the procedures established in the Circular Letters on Tax Policy No. 15-09 and 15-10 ("Qualified Contract"), as well as merchants engaged in providing designated professional services, in accordance with the definition of those terms in Section 4010.01 of the Puerto Rico Internal Revenue Code of 2011, as amended ("Code"). Any merchant who receives taxable services from a person who is not a resident of Puerto Rico must also file the Return. In the case of merchants whose economic activity is exempt from collection of SUT, they will not be required to file this Return to reflect their exempt sales. However, all merchants, insofar as they sell taxable items, engaged in rendering taxable services, or their aggregate annual volume of business exceeds fifty thousand dollars (\$50,000.00) will be required to file the Return electronically.



## WHEN AND WHERE MUST THIS RETURN BE FILED?

The return and the corresponding payment are due on the twentieth (20th) day of the month following the month in which the transaction subject to SUT occurred. The return and the corresponding payment may only be made electronically through SURI. To access SURI, access our webpage at [www.hacienda.pr.gov](http://www.hacienda.pr.gov) or directly into SURI through <https://suri.hacienda.pr.gov>. Payment must be made by electronic fund transfer (“ACH Credit” and “ACH Debit”) or credit card (VISA/MasterCard). For additional information about “ACH Credit,” please refer to the Publication 06-06 available through the Department of Treasury’s webpage (hereon, “the Department”) [www.hacienda.pr.gov](http://www.hacienda.pr.gov) under the topic of “Publications” and sub-topic of “Internal Revenue Area and Tax Policy Area.”

## HEADER

The header of the Return will be automatically populated by the system. Below is a brief explanation of the fields it contains:

**Taxpayer Name** – Legal name of the merchant for whom the Return is filed.

**Merchant Registration Number** – Merchant Registration Number consisting of eleven (11) digits, provided by the Department once registered as a merchant.

**Taxpayer Number** – Number automatically assigned to the merchant by the system once they register in SURI, consisting of ten (10) digits and used for the purposes of identification with the Department. The Taxpayer Number is different from the social security or employer social security number.

**Period** – This field will display the date corresponding to the monthly period for which the Return is filed. The date format will include the corresponding day, month and year for the period, where the day is the last day of the month (Example: 31 – Jan – 2016).

**Original or Amended Return** – The top right section will display whether the Return is Original or Amended.

**Confirmation Number** – A unique number provided by the system once the Return is submitted.

**Date and Time Submitted** – Date and time provided by the system indicating when the Return was submitted. Throughout the day, different transactions can be carried out with the



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same Return, including deleting a submitted version. Every Return submitted prior to being received by the system will register the date and time, and the confirmation number.

**Date Received** – This identifies the date on which the Return was received by the system at the end of the day. To obtain the date received, the merchant must wait for the completion of the system's nightly processing for the date to be printed on the form. Generally, the submission date and date received will be the same. It will only vary if the filing related to the return is withdrawn and replaced by a new filing before the daily processing. The Department will accept the return as filed on time if this transmission was started and completed no later than the last day corresponding to the filing date. Provided that the last filing day for a specific month— that is, the twentieth (20th) day of the month following the month on which the transaction subject to payment of SUT occurred— falls on a Saturday, Sunday, or holiday, the filing date will be the next working day.

### INSTRUCTIONS FOR FILLING OUT THE SUT RETURN

As part of the changes introduced with the new electronic format, a template will be available on the SURI home page, which, once filled out and uploaded into the return filing function, will allow the merchant to automatically populate the information in the corresponding fields of the SUT Monthly Return. Also, the merchant will be able to benefit from the opportunity to withdraw a filed return and file it again on the same day before the scheduled time of the daily processing job without it being considered an amendment to the return filed.

The instructions in this Guide follow the number order for each field on the form for the SUT Return (AS 2915 Rev. Oct 31, 16). The order in which the information in the electronic format is requested may vary.

#### A. Taxable Sales – Rate of 10.5%

##### **Line 1. Sale of Tangible Personal Property Attributable to Location in Puerto Rico**

Include sales generated during the period **for each registered location**. If any of the locations has not generated sales, a corresponding indication must be made. The term tangible personal property is defined in subsection (gg) of Section 4010.01 of the Code, and it refers to items or goods that can be seen, weighed, measured, or touched, that are in any way perceptible through the senses, or that are susceptible to appropriation. If you carried out combined transactions, as defined in subsection (qq) of Section 4010.01 of the Code, which due to their nature are considered sales of taxable tangible personal property, you must also indicate the total amount of those sales.



## **Line 2. Sale of Tangible Personal Property not Attributable to Location in Puerto Rico or Multilevel Business**

Include sales made by a merchant who, for any reason, has a nexus with Puerto Rico, including but not limited to a nexus due to: carrying out direct marketing activities or sales by mail order, radio, unsolicited catalogs distribution, computers, television, or other electronic mediums; advertisements in magazines, newspapers or other mediums; the existence of an agreement or reciprocity with their jurisdiction of origin; having a sufficient connection or relationship of some kind with Puerto Rico or its residents with the purpose of, or in order to create a sufficient nexus with Puerto Rico to impose the responsibility of collecting the SUT on the merchant. In the case of multilevel businesses that do not have commercial locations in Puerto Rico, they must include in this line the total of taxable items sold within the period, based on the suggested sales price, as reflected in catalogs, price lists, or any other document of the multilevel business that establishes the prices of such items in Puerto Rico. Sales of taxable items by a multilevel business in any of its commercial locations in Puerto Rico must be reported in line 1 and broken-down for each registered location. This line should also be used to report the total sales made during the period that are not attributable to any commercial location in Puerto Rico.

## **Line 3. Sale of Taxable Services**

Include sales of services generated during the period **for each registered location**. If any of the locations has not generated sales of services, a corresponding indication must be made. The term taxable services is defined in subsection (nn) of Section 4010.01 of the Code and refers to all types of services rendered to any person. If you carried out combined transactions, as defined in subsection (qq) of Section 4010.01 of the Code, which due to their nature are considered sales of taxable services, you must also indicate the total amount of those sales in this line.

## **Line 4. Taxable Services Received from a Merchant that is a Nonresident of Puerto Rico**

Include sales of services received from a nonresident merchant during the period **for each registered location**. You must include the total amount of taxable services you paid to person that is a nonresident of Puerto Rico, regardless of where the service was rendered, provided that such service is directly or indirectly related to the business operations or activities carried out. This term is defined in subsection (nn) of Section 4010.01 of the Code. If any of the locations has not generated sales, a corresponding indication must be made.



### **Line 5. Taxable Admissions**

Indicate the total amount of sales of taxable admission fees generated during the period **for each event**. The system will offer you an Event Table in which you must report the sales generated in the period for each event you are charging an admission fee for. The Event Table will provide spaces to report the name of the event, begin and end dates for the event, taxable admissions and exempt admissions. Once the table is complete, the system will take the total Taxable Admissions reported and will populate the Taxable Admissions line. The term admission fees is defined in subsection (l) of Section 4010.01 of the Code and, in general, refers to the amount of money paid to grant admission to one person into a place of entertainment, sports or recreation, including cinemas, theaters, shows, exhibitions, games, races, or any place where an admission fee or other charges apply.

### **Line 6. Returns of Taxable Items**

Include returns of taxable items generated during the period **for each registered location**. Indicate the sale price corresponding to the taxable items returned during the month, and for which the buyers were refunded the amount of tax originally charged, at each registered location. In this line, you must enter the sales price for the taxable items returned by a buyer who has a Reseller Certificate, provided the sale occurred in a prior period and that, at the moment of the return, the buying merchant hasn't made the payment for the acquired item.

### **Line 7. Total Taxable Sales – 10.5% Rate**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the sum of what was reported on lines 1 to 5, minus the amount reported on line 6. The result cannot not be less than zero.

### **B. Taxable Sales – 6% Rate**

Every merchant engaged in the sale of taxable items covered under Building Projects or contracts executed pursuant to auctions awarded on or before June 30, 2015, and who has filed an application with the Department to qualify the contract or auction following the procedures established in the Circular Letters on Tax Policy No. 15-09, 15-10, and 16-05, will be required to file this part of the return to report taxable items acquired under those contracts and deposit the corresponding SUT.



## **Line 8. Taxable Net Sales of Preexisting Contracts and Auctions**

If the merchant filing this Return has Building Projects or Auctions under contracts executed pursuant to auctions awarded on or before June 30, 2015 and has been duly qualified by the Department, the system will open a tab in which they must report: (a) Sales of Tangible Personal Property (attributable to a location in Puerto Rico); (b) Sales of Taxable Tangible Personal Property (not attributable to a location in Puerto Rico); (c) Sales of Taxable Services; and (d) Returns of Taxable Items. The sum of the amounts reported in lines (a) to (c), minus the amount reported in line (d) will be the amount reported on line 8 of the Return.

### **C. Taxable Services Rendered to Other Merchants and Designated Professional Services - 4% Rate**

#### **Line 9. Services Rendered to Other Merchants in Puerto Rico**

Indicate the total amount of sales of services rendered to a person engaged in the practice of a trade or business activity, or an activity for the production of income in Puerto Rico, as defined in subsection (bbb) of Section 4010.01 of the Code, generated during the period **for each registered location**. A merchant that, through the accrual method, has paid the Special 4% SUT on sales of services rendered to other merchants, and subsequently determines that the account is uncollectible, may deduct the amount of the bad debt from the total sales of services rendered to other merchants. In the case of recovery of bad debts, for which the merchant had claimed recovery of the Special 4% SUT, in accordance with the above, the amount recovered must be included as sales of services rendered to other merchants in the next Return filed by the merchant after the recovery, and they must pay the corresponding tax. To determine the amount of the bad debt, only the direct write-off method will be allowed; therefore, the reservation method cannot be used for these purposes.

#### **Line 10. Services Received from a Merchant who is a Nonresident of Puerto Rico**

Indicate the total amount of sales of services rendered by a nonresident to a person engaged in the practice of trade or business activity, or an activity for the production of income in Puerto Rico, as defined in subsection (bbb) of Section 4010.01 of the Code, received during the period **for each registered location**.

#### **Line 11. Designated Professional Services Rendered in Puerto Rico**

Indicate the total amount of sales of designated professional services, as such term is defined in subsection (II) of Section 4010.01 of the Code, generated during the period **for each registered location**. A merchant that, through the accrual method, has paid the Special 4% SUT on sales of designated professional services, and subsequently determines that the



account is uncollectible, may deduct the amount of the bad debt from the total sales of designated professional services. In the case of recovery of bad debts, for which the merchant had claimed recovery of the Special 4% SUT, in accordance with the above, the amount recovered must be included as sales of designated professional services in the next Monthly Return filed by the merchant after the recovery, and they must pay the corresponding tax. To determine the amount of the bad debt, only the direct write-off method will be allowed; therefore, the reservation method cannot be used for these purposes.

### **Line 12. Designated Professional Services Received from a Merchant that is a Nonresident of Puerto Rico**

Indicate the total amount of sales of designated professional services rendered **for each registered location** during the period by a nonresident to a person in Puerto Rico— regardless of where the service was rendered— as defined in subsection (II) of Section 4010.01 of the Code.

### **Line 13. Total Taxable Services Rendered to Other Merchants and Designated Professional Services**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the sum of what was reported on lines 9 to 12. The result cannot not be less than zero.

## **D. Exempt Sales**

### **Line 14. Sale of Exempt Tangible Personal Property**

Indicate the total amount of sales of exempt tangible personal property made during the period **for each registered location**, including sales of: food and food ingredients, as defined in subsection (a) of Section 4010.01 of the Code; medicine for human consumption that may be acquired solely and exclusively through medical prescription as long as they comply with the requirements provided in Section 4030.12 of the Code; and any other sale of tangible personal property that qualifies for any exemption provided in the Code. As applicable, you must require and hold evidence of the exempt condition of every buyer.

### **Line 15. Sale of Exempt Services**

Indicate the total amount of sales of exempt services generated during the period **for each registered location**, including, if applicable, sales of: services rendered to a person engaged in the practice of a trade or business activity, or an activity for the production of income,



including those that are subject to the Special 4% SUT, in accordance with Sections 4210.01(c) and 4210.02(c) of the Code; services provided by the Government of Puerto Rico or by the Government of the United States; educational services; interest and other fees for the use of money; fees for services provided by financial institutions to customers that are not commercial clients; insurance services and commissions; health or medical hospital services; services (except designated professional services, as defined in Section 4010.01(II) of the Code) rendered by persons whose annual volume of business does not exceed \$50,000; and any other sale of services (except designated professional services, as defined in Section 4010.01(II) of the Code) that qualifies for any exemption provided in the Code.

### **Line 16. Exempt Admissions**

Indicate the amount of exempt sales of admission fees generated during the period **for each event**, including the sale of admission fees for sport events or other types of events sponsored by public or private elementary schools, middle schools, high schools, universities or colleges, engaged in providing educational services. The system will offer you an Event Table in which you must report the sales made in the period for each event. The Event Table will provide spaces to report the name of the event, begin and end dates for the event, taxable admissions and exempt admissions. Once the table is complete, the system will populate the total of exempt admissions reported in the Exempt Admissions line.

### **Line 17. Return of Exempt Items**

Indicate the returns of exempt items, not subject to the sales tax, returned during the period **for each registered location**. This deduction will be reported in the return corresponding to the month in which the returns were made, regardless of the date on which the sale was made.

### **Line 18. Total Exempt Sales**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the sum of what was reported on lines 14 through 16, minus the amount reported on line 17.

### **Line 19. Total Sales for the Period**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the sum of lines 7, 8, 13, and 18.





## **E. Autoconsumption and Use of Inventory – 10.5% Rate**

Autoconsumption and use of inventory occurs when the merchant makes a withdrawal from the inventory of property available for resale for any purpose other than resale. A merchant that withdraws a taxable item from their inventory, must pay the use tax on said item.

### **Line 20. Use of Inventory**

In this field, you must provide the total cost of the taxable items withdrawn from inventory during the period for any of the following uses: personal use; business use; to be distributed as samples or as promotional items; to be distributed as donations; or the involuntary conversion of tangible personal property consisting of inventory due to fire, hurricane, earthquake, or any other natural cause. You should also include the cost of the tangible personal property sold at less than its price in exchange for a service or maintenance contract, or any other type of contract related to that property.

### **Line 21. Autoconsumption**

Autoconsumption is the consumption of tangible personal property due to its deterioration or wear, including the withdrawal of inventory due to obsolescence. In here, you must enter the total cost of the inventory withdrawn during the period due to deterioration, wear, or obsolescence. In the case of inventory consumption due these reasons, the use tax will be calculated based on 50% of the purchase price of the tangible personal property.

### **Line 22. Total Use of Inventory and Autoconsumption**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the sum of what was reported on line 20 and 50% of line 21.

## **F. Purchases of Products for Resale (Non-Imported Inventory)**

Lines 23 through 25 of the Return will be calculated based on the information provided regarding purchase transactions. The information will be provided in the Transaction Detail for Purchases of Products for Resale (Non-Imported Inventory). The system will display a table with the following fields:

- 1) Seller's Name
- 2) Merchant Registration Number
- 3) Description of Products Acquired for Resale
- 4) Total Amount of the Purchase (total Sale Price without SUT)



- 5) Amount of the Purchase Exempt of SUT
- 6) Type of Transaction (select):
  - a. Purchases of Products for resale at 10.5%
  - b. Purchases of Products for resale at 6%

On the Transaction Type column, you must indicate whether it corresponds to a purchase of inventory for resale (10.5%) or a purchase of inventory for resale under a preexisting contract (6%). A similar table will be available on the template to complete the SUT Return. **The information may be provided in detail by the supplier, in which case you must group together all purchase transactions made from said supplier in accordance with the SUT rate paid in the period.**

### **Line 23. Taxable Purchase of Inventory for Resale**

This field will be populated with the amount provided for the value paid during the period for taxable items or goods that you acquired in Puerto Rico for resale, indicating whether the purchase was under a preexisting contract (6% rate) or for resale (10.5% rate). This amount must exclude returns of items acquired and returned in the same period.

### **Line 24. Exempt Purchases of Inventory for Resale**

In this field you must provide the value paid for the exempt items or goods that you acquired in Puerto Rico for resale during the period for which you are filing the Return. This amount must exclude returns of items acquired and returned in the same period.

### **Line 25. Total Purchases of Products for Resale**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the sum of what was reported on lines 23 and 24.

## **G. Tax Determined**

### **Line 26. Taxable Sales – 10.5% Rate**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the multiplication of the amount shown in line 7 by (.105). The total 10.5% rate is made up of the 6% sales and use tax and the 4.5% surtax on the consumption tax.



### **Line 27. Taxable Sales – 6% Rate**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the multiplication of the amount shown on line 8 by (.06).

### **Line 28. Taxable Services Rendered to Other Merchants and Designated Professional Services – 4% Rate**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the multiplication of the amount shown on line 13 by (.04).

### **Line 29. Use of Inventory and Autoconsumption - 10.5% Rate**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the multiplication of the amount shown on line 22 by (.105).

### **Line 30. Total Sales and Use Tax Determined**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the sum of lines 26 through 29.

## **H. Adjustments during the Period**

### **Line 31. Credit for Sales of Merchant's Property during the Period**

Indicate the total amount of credit for sales of merchant's property in the period, provided it meets the requirements in Section 4050.02 of the Code. A registered merchant who has purchased a taxable item for their own use, consumption, or storage, who has paid the sales and use tax, and subsequently sells said item without having used it, will be entitled to credit for the amount paid for use tax on the taxable item.

### **Line 32. Credit for Bad Debts during the Period**

Indicate the total amount of credit for bad debts during the period, provided it meets the requirements in Section 4050.03 of the Code. A merchant that has paid the SUT on taxable items through the accrual method may claim credit on the Return for taxes paid by the merchant in the amount of accounts that turn out to be uncollectible. When a merchant has paid the SUT on a sold taxable item and recovers (with or without a judicial process) the taxable item, they may claim credit on the next Return, for an amount equal to the taxes



attributable to the outstanding balance that turns out to be uncollectible for the merchant. In the case of recovery of bad debts for which the merchant has claimed credit, the amount recovered must be included as "gross sale" in the next Return filed by the merchant after the recovery, and they must pay the corresponding tax. To determine the amount of the claim, only the direct write-off method will be allowed; therefore, the reservation method cannot be used for these purposes.

## I. Credits Generated during the Period

### **Line 33. Credit for Tax Paid on the Imports of Inventory for Resale for the Period**

Any registered merchant who possesses a valid Reseller Certificate during the period corresponding to the filing of the Return, may claim credit for the amount paid for use tax in the introduction of taxable items for resale. The system will automatically populate the amount paid for use tax on taxable items imported to Puerto Rico for resale during the period, according to the amount shown on line 6 of the Monthly Return for Tax on Imports (Form AS 2915D) filed for the same period in which the Return is being filed. If the deposit of the payment was not received on time (e.g. bank rejection due to insufficient funds), the credit may not be available.

### **Line 34. Credit for Tax Paid to a Merchant on Purchases of Inventory for Resale for the Period**

Any registered merchant who possesses a valid Reseller Certificate during the period corresponding to the filing of the Return, may claim credit for the amount of tax paid on the purchase of taxable items for resale. This line cannot be modified. The system will automatically populate the amount paid for taxes, based on the information provided in section F of the Return, on Purchases of Products for Resale (Non-Imported Inventory).

### **Line 35. Net Tax Liability of Credits for the Period**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the result of line 30 minus lines 31 to 34, taking into account the rule of maximum deduction (credit claimed in the period cannot exceed the Tax Liability). At this point, the system only considers the credits generated in the period; any excess credit for prior periods will be considered in the balance due, if any, in the merchant's account. If the merchant has a credit balance available for future periods, the balance of the merchant's account will reflect it. These balances will not be displayed on the Return, they will be available for consultation on the merchant's account in SURI, by clicking on "View my credit balances" in the "I want to..." section.



### **Line 36. Municipal Tax on Sale of Tangible Personal Property not Attributable to Location in Puerto Rico or Multilevel Business**

Merchants required to collect and pay the SUT in accordance with Sections 4020.04, 4020.05, and 4041.02 of the Code, but who lack a commercial location in Puerto Rico, including multilevel businesses, will be responsible for collecting and paying to the Department the 10.5% state SUT and the 1% municipal SUT. This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the multiplication of the amount shown on line 2 by (.01).

### **Line 37. Tax Determined for the Period**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the line with the result of the tax due, if any. The amount cannot not be less than zero.

### **Line 38. Deposits Made During the Period**

This line will show the total of SUT deposits made during the period for which this return is filed. This line will be populated by the system.

### **Line 39. Amount of Tax Due without Considering Credits and Overpayments Available**

This line will be populated by the system. The system will perform the corresponding mathematical calculation and will populate the result of line 37 minus line 38. The amount cannot be less than zero.

## **ADDITIONAL INFORMATION**

The SUT Return will also show the information provided as part of the SUT filing in printing format which is described below.

- 1) Sales by Location – A breakdown of the total amounts will be displayed in accordance with the information provided for each location including the identification number, name, and address of the location.
- 2) Pre-Existing Contracts - In the event of sales or transactions reported in this section, the system will display the breakdown of the information reported by line.
- 3) Other Fields in the Return - This part will display the data entered for taxable sales of taxable tangible personal property not attributable to a location in Puerto Rico or



Multilevel Business; Use of Inventory and Autoconsumption; Inventory Purchases for Resale; Adjustments in the Period; and Admissions.

### **INTEREST, SURCHARGES, AND PENALTIES**

Interest, surcharges, and penalties will not be displayed on the Return. However, if you failed to pay the SUT on or before the twentieth (20th) day of the month following the month in which the transaction subject to the tax occurred, the system will calculate the applicable interest, surcharges, and penalties once the Return is processed. Interest will be calculated at an annual rate of 10% starting on the twentieth (20th) day of the month until the date the payment is made. In addition, in all cases where the payment of interest applies, a surcharge equal to 5% of the unpaid amount will also be charged, if the delay in payment exceeds 30 days, but does not exceed 60 days; or 10% of the unpaid total, if the delay exceeds 60 days. Additionally, every person required to file the Return who fails to file the return as established in Section 4041.02 of the Code, in the form, date, and manner established therein, will face a penalty of one hundred dollars (\$100) or ten percent (10%) of the tax liability established in the return, whichever is greater. Furthermore, any person who, in violation of the provisions of Section 4042.03 of the Code, fails to remit the sales and use tax in the manner and date established therein, will be subject to a penalty of no less than twenty-five percent (25%) and no more than fifty percent (50%) of the determined underpayment. In cases of recurrence, this penalty will be of one hundred percent (100%) of the amount of the determined underpayment.

### **CREDITS AND OVERPAYMENT BALANCES**

Any credit balance or overpayment exceeding the sales and use tax to be paid on the Return for a corresponding period may be used for previous or subsequent periods, until it is used in full. The system will keep the balance, following the rules of the Code regarding increases and reductions in the amount of the tax (Section 6010.01 of the Code). Merchants will have constant access to their credit balances through their SURI account by clicking on "View my credit balances" in the "I want to..." section.

### **FEEES FOR BANK REJECTION**

All electronic payments returned will incur a minimum fee of \$25.00. This fee will be in addition to any other interest, surcharges, or penalties imposed by the Code or any other tax law, for omissions in fulfillment of the tax liability. The Department may carry out the collection procedure traditionally or electronically.



## **OBLIGATION TO MAINTAIN DOCUMENTS**

Every merchant must safe-keep in Puerto Rico, for a period of no less than six (6) years, all information evidencing the taxable items received, used, sold, distributed, stored, or leased by the merchant, such as invoices, shipping documents, collections for those sales, and other documents that the Secretary may require. In addition, all merchants must keep, for a period of no less than six (6) years, the accounting books, papers, documents, and any other evidence related to sales and the amount of sales tax collected and deposited. The documents and information that must be kept may include, but are not limited to declarations, invoices, business receipts, canceled checks, payment receipts, and exemption certificates.