



# CT-3-B Information Return for Tax-Exempt Domestic International Sales Corporations (DISCs)

Tax Law - Article 9-A

For calendar year 1989 or tax period:

beginning \_\_\_\_\_  
ending \_\_\_\_\_

Employer identification number		File number		* You must report changes to your name, employer identification number, address or owner/officer information on Form DTF-95 (see instructions).	For office use only	
Name					Date received	
Number and street		City or town	State		ZIP code	
Trade name		Business telephone number		Business group code number (from federal return)		
Principal business activity		State or country of incorporation	date	Date began business in NYS		
Date authorized to do business in New York State (foreign corporations only)		If not authorized to do business in New York State, check here (foreign corporations only)			Audit use	

Was this corporation involved in a merger, acquisition or consolidation on or after April 19, 1989?  Yes  No  
If Yes, complete Form CT-3, Schedule F.

1 Maintenance fee— for an authorized foreign corporation. Make check payable to: <b>New York State Corporation Tax</b>	Payment enclosed
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Information obtained from Forms CT-3, CT-3-ATT and CT-3-B is used to complete Form CT-3-C. Therefore, the schedules and line numbers on this form correspond to those on the CT-3 and CT-3-ATT forms and instructions.

### Computation of Entire Net Income

2	Federal taxable income before net operating loss and special deductions	2	
3	Interest on federal, state, municipal and other obligations not included on line 2	3	
4	Interest paid to a corporate stockholder owning more than 50% of issued and outstanding stock	4	
5	Deductions directly attributable to subsidiary capital (attach list)	5	
6	Deductions indirectly attributable to subsidiary capital (attach list)	6	
7	New York State, other state and local taxes deducted on your federal return	7	
8	ACRS deduction used in the computation of line 2 (attach Form CT-399)	8	
9	Other additions (attach list)	9	
10	Add lines 2 through 9	10	
11	Income from subsidiary capital (from Schedule C, line 41)	11	
12	50% of dividends from nonsubsidiary corporations (see instructions)	12	
13	Foreign dividends gross-up not included on lines 11 and 12	13	
14	New York net operating loss deduction (attach federal and NYS computations)	14	
15	Allowable New York depreciation (attach Form CT-399)	15	
16	Other subtractions (attach list)	16	
17	Total subtractions (add lines 11 through 16)	17	
18	Entire net income (subtract line 17 from line 10)	18	
19	Investment income for allocation (from Schedule E, line 59, but not more than line 18)	19	
20	Business income for allocation (subtract line 19 from line 18)	20	

### Computation of Capital Base

(enter whole dollars for lines 27 through 32)		A. Beginning of year	B. End of Year	C. Average value
27	Total assets from federal return	27		
28	Real property and marketable securities included on line 27	28		
29	Subtract line 28 from line 27	29		
30	Real property and marketable securities at fair market value	30		
31	Adjusted total assets (add lines 29 and 30)	31		
32	Total liabilities	32		
33	Total capital (subtract Column C, line 32, from Column C, line 31)	33		
34	Subsidiary capital (from Schedule C, line 43)	34		
35	Business and investment capital (subtract line 34 from line 33)	35		
36	Investment capital (from Schedule D, line 49)	36		
37	Business capital (subtract line 36 from line 35)	37		

Attach a complete copy of your federal return. See instructions on page 4.

**Schedule B — Computation of Business Allocation - see Form CT-3-ATT, Schedule B, Part I.**

	<b>A</b> New York State	<b>B</b> Everywhere
<b>Average value of</b> (see instructions for elections for real estate and tangible personal property owned and rented) :		
<b>8</b> Real estate owned .....	<b>8</b>	
<b>9</b> Real estate rented (attach list) .....	<b>9</b>	
<b>10</b> Inventories owned .....	<b>10</b>	
<b>11</b> Tangible personal property owned .....	<b>11</b>	
<b>12</b> Tangible personal property rented .....	<b>12</b>	
<b>13</b> Total (add lines 8 through 12) .....	<b>13</b>	
<b>Receipts in the regular course of business from:</b>		
<b>15</b> Sales of tangible personal property shipped to points within New York State .....	<b>15</b>	
<b>16</b> All sales of tangible personal property .....	<b>16</b>	
<b>17</b> Services performed .....	<b>17</b>	
<b>18</b> Rentals of property .....	<b>18</b>	
<b>19</b> Royalties .....	<b>19</b>	
<b>20</b> Other business receipts .....	<b>20</b>	
<b>21</b> Total (add lines 15 through 20) .....	<b>21</b>	
<b>24</b> Wages and other compensation of employees except general executive officers .....	<b>24</b>	

**Schedule C, Part I — Income Attributable to Subsidiary Capital**

<b>38</b> Interest from subsidiary capital (attach list) .....	<b>38</b>		
<b>39</b> Dividends from subsidiary capital (attach list) .....	<b>39</b>		
<b>40</b> Capital gains from subsidiary capital (attach list) .....	<b>40</b>		
<b>41</b> Total (add lines 38, 39 and 40 - enter on line 11) .....	<b>41</b>		

**Schedule C, Part II — Computation and Allocation of Subsidiary Capital Base and Tax**

Include all corporations, except a DISC, in which you own more than 50% of the voting stock.

<b>A</b> Description of Subsidiary Capital		<b>B</b> % of Voting Stock Owned	<b>C</b> Average Value	<b>D</b> Liabilities Directly or Indirectly Attributable to Subsidiary Capital	<b>E</b> Net Average Value (Col. C - Col. D)	<b>F</b> Issuer's Allocation %	<b>G</b> Value Allocated to New York State (Col. E x Col. F)
List the name of each corporation (attach separate sheet if necessary)	Employer Ident. No.						
<b>Amount from attached list</b>							
<b>42</b> Totals (add amounts in columns C and D) .....		<b>42</b>					
<b>43</b> Total net average value of subsidiary capital (add column E - enter on line 34) .....				<b>43</b>			
<b>44</b> Allocated subsidiary capital (add column G amounts) .....						<b>44</b>	



## Instructions

Information from this form and Form CT-3 and CT-3-ATT is used to complete Form CT-3-C. Therefore the schedules and lines are numbered to directly correspond with the same schedules and lines in Form CT-3 and CT-3-ATT. Use the instructions for Form CT-3 and CT-3-ATT to complete this return.

### Who Must File

Domestic international sales corporations (DISCs) which are exempt from tax under Article 9-A of the Tax Law must file Form CT-3-B. **Foreign sales corporations may NOT file this form.** Taxable DISCs must file Form CT-3.

A corporation that qualifies as a DISC under section 922(a) of the Internal Revenue Code is exempt from tax under Article 9-A if during the year:

- (a) It received **more** than 5 percent of its gross receipts from the sale of inventory or other property purchased from its stockholders,  

or
- (b) It received **more** than 5 percent of its gross rentals from the rental of property purchased or leased from its stockholders,  

or
- (c) It received **more** than 5 percent of its total receipts other than sales or rentals from its stockholders.

### When and Where to File

This return must be filed separately by a tax-exempt DISC. Attach a copy of this return to the stockholder's consolidated return on Form CT-3-C and file both within 8½ months after the end of the return year. Include a complete copy of your federal return.

Mail your return to:  
 NYS Corporation Tax  
 Processing Unit  
 P.O. Box 1909  
 Albany, NY 12201-1909

### Foreign Corporations Maintenance Fee

Foreign corporations authorized to do business in New York State must pay an annual maintenance fee of \$300. (*Article 9, section 181.2*).

For short periods the maintenance fee may be reduced as follows:

Period	Maintenance Fee
A period of not more than 6 months	50% reduction ..... \$150
A period of more than 6 months but not more than 9 months	25% reduction ..... \$225
Periods of more than 9 months	Full amount ..... \$300

### Tax on Gains Derived From Certain Real Property Transfers

Article 31-B, section 1449-a requires every corporation with an interest in real property to keep a record of the transfer of its stock and report annually every transfer of a "controlling" interest in its stock and any other information that may be required to enforce this article.

Controlling interest of a corporation is either 50% or more of the total combined voting power of all classes of stock or 50% or more of the capital, profits or beneficial interest in such voting stock.

Answer both questions on page 3. If you answer *yes* to both questions, attach a separate sheet with the following information:

- Name, address and identification number of the new controlling stockholder. (Use the social security number for individuals and the federal employer identification number for corporations as the identification number).
- Date transfer was made.
- Location of real property.

### Change of Business Information

If there have been any changes in your business name, ID number, mailing address, business address, telephone number or owner/officer information, complete the enclosed Form DTF-95, *Change of Business Information*. If you need a form, call **1 800 462-8100** (from out of state (518) 438-1073) to request one.

### Privacy Notification

Our authority to require this personal information, including identifying numbers (social security numbers, etc.) is found in sections 211, 213-a and 1096, Article 9-A in general of the Tax Law and Parts 6 and 7 of the Business Corporation Franchise Tax Regulations.

We will use this information primarily to determine New York State corporation tax liabilities under Article 9-A of the Tax Law. We will also use it for tax administration and as necessary under Tax Law section 211 and for any other purpose authorized by law, and when the taxpayer gives written authorization to this department for another department, person, agency or entity to have access, limited or otherwise, to information contained in the return.

Your failure to provide the required information may result in civil penalties under sections 217 and 1085 of the Tax Law and Part 9 of the Business Corporation Franchise Tax Regulations and/or criminal penalties under Article 37 of the Tax Law.

Our authority to maintain this information is found in section 211(7) of the Tax Law. This information will be maintained by the Director, Data Management Services Bureau, NYS Tax Department, Building 8, Room 905, W. A. Harriman Campus, Albany, NY 12227; telephone (from New York State only) **1 800 CALL TAX (1 800 225-5829)**; from outside New York State, call (518) 438-8581.