



Instructions for Form CT-3-B

Tax-Exempt Domestic International Sales Corporation (DISC) Information Return

Tax Law — Article 9-A

CT-3-B-I

Up-to-date information affecting your 2003 tax return

Visit the *Corporation Tax Up-to-Date Information* page on our Web site at www.nystax.gov for Tax Law changes or forms corrections that occurred after the forms and instructions were printed.

General information

Form CT-3-C, *Consolidated Franchise Tax Return*, uses information from this form and others. These include Form CT-3, *General Business Corporation Franchise Tax Return*, and Form CT-3-ATT, *Schedules B, C, D, and E — Attachment to Form CT-3*. Therefore, the schedules and lines are numbered to directly correspond with the same schedules and lines on Forms CT-3 and CT-3-ATT. Lines that are not applicable have been omitted. Schedule A, Part I of Form CT-3 and Schedule E of Form CT-3-ATT are not applicable and have been omitted. Use Form CT-3/4-I, *Instructions for Forms CT-3, CT-3-ATT, and CT-4*, to complete this return.

Who must file

Domestic international sales corporations (DISCs) that are exempt from tax under Article 9-A of the Tax Law must file Form CT-3-B.

Foreign sales corporations (FSCs) may not file this form. FSCs and taxable DISCs must file Form CT-3.

A corporation that qualifies as a DISC under section 992(a) of the Internal Revenue Code (IRC) is exempt from tax under Article 9-A if during the year it received **more** than 5% of its:

- Gross sales from the sale of inventory or other property purchased from its stockholders.
- Gross rentals from the rental of property purchased or leased from its stockholders.
- Total receipts from other than sales or rentals from its stockholders.

Stockholder of DISC that files as part of combined group

If the stockholder of the tax-exempt DISC files as part of a combined group, the stockholder is no longer required to file Form CT-3. Use the instructions for the appropriate lines on Form CT-3-A, *General Business Corporation Combined Franchise Tax Return*, to complete the *Computation of entire net income*, *Computation of capital base*, *Computation of minimum taxable income base*, and Schedules A and B on pages 1, 2, and 3. Use the instructions for the appropriate lines on Form CT-3-A/ATT, *Schedules A, B, and C - Attachment to Form CT-3-A*, to complete Schedules C and D on pages 3 and 4. The instructions for combined returns may be found in Form CT-3-A-I, *Instructions for Forms CT-3-A, CT-3-A/ATT, and CT-3-A/B*.

When and where to file

A tax-exempt DISC must file this return separately. Attach a copy of this return to the stockholder's consolidated return, Form CT-3-C, and file both on or before the 15th day of the ninth month after the end of the tax year. If your filing date falls on a Saturday, Sunday, or legal holiday, you must file your return on or before the next business day. Include a complete copy of your federal return.

Mail your return to:

**NYS CORPORATION TAX
PROCESSING UNIT
PO BOX 22038
ALBANY NY 12201-2038**

Private delivery services

For information on the use of private delivery services, see *Private delivery services* in the instructions for Form CT-3.

Amended return

If you are filing an amended return, please check the *Amended return* box on the front of Form CT-3-B.

Reporting period

If you are a calendar-year filer, check the box in the upper right corner on the front of the form.

If you are a fiscal-year filer, complete the beginning and ending tax period boxes in the upper right corner on the front of the form.

Important identifying information

For us to process your corporation tax forms, it is important that we have the necessary identifying information. You will find your employer identification number and file number just above your corporation name and address on the forms mailed to you. Keep a record of that information and include it on each corporation tax form mailed.

If you use a paid preparer or accounting firm, make sure they use your complete and accurate identifying information when completing all forms prepared for you.

NAICS business code number

Enter the six-digit NAICS business activity code number from your federal return.

Foreign corporation maintenance fee

Foreign corporations (including DISCs) authorized to do business in New York State must pay an annual maintenance fee of \$300 (Article 9, section 181.2). Enter your maintenance fee on line B on the front page of Form CT-3-B.

You are subject to the maintenance fee for the entire period in which you are authorized to do business in New York State, regardless of when you were actually doing business in New York State. The Tax Law allows a reduction of the maintenance fee, as shown below, if the period for which the fee is imposed is nine months or less:

Period	Reduction	Maintenance fee
Not more than six months	50%	\$150
More than six months but not more than nine months	25%	\$225
More than nine months	None	\$300

If you do not pay the maintenance fee due on or before the due date, you must pay interest and penalty on the underpayment. See the instructions for Form CT-3 for proper calculation of interest and penalty.

Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.

Need help?

 **Internet access:** www.nystax.gov
(for information, forms, and publications)

 **Fax-on-demand forms:** 1 800 748-3676

 **Business Tax Information Center:** 1 800 972-1233
From areas outside the U.S. and outside Canada: (518) 485-6800

Hearing and speech impaired (telecommunications device for the deaf (TDD) callers only): 1 800 634-2110