



PLEASE READ THESE INSTRUCTIONS CAREFULLY

The Tax Return for 2016 is due on 30th April, 2017. A penalty of \$100.00 is imposed only on persons required to file a Return if the Return is filed after 31st October, 2017 and thereafter for every six months or part thereof that the Tax Return remains outstanding.

Please note that you can file your Tax Return online. Visit www.ird.gov.tt and select the *file returns* link from the E-Tax options. Note: You must first be registered with ttconnect.

It is suggested that each taxpayer make a copy of his/her Tax Return and keep it for record purposes.

INSTRUCTIONS
FOR FORM 400 ITR
AND FORM 440 EMO

2016

GENERAL

Individuals in receipt of Emolument Income only, are advised to use the Form 440 EMO. Individuals with other sources of income please use the Form 400 ITR.

FILING REQUIREMENTS

1. Every individual who is resident in Trinidad and Tobago and is in receipt of income is liable to be assessed to tax on the total income accruing in or derived from Trinidad and Tobago or elsewhere. A non-resident individual is assessable only on income accruing in or derived from Trinidad and Tobago.
2. The Income Tax Act (ITA) Chap. 75:01 provides that in the case of income which arises outside of Trinidad and Tobago to a person who is not ordinarily resident or not domiciled in Trinidad and Tobago, tax is payable on the amount received in Trinidad and Tobago. **Where employment or office is exercised in Trinidad and Tobago, tax is chargeable on the total amount of the income from such employment or office whether received in Trinidad and Tobago or not.**
3. (a) Every individual in receipt of income from any source whatsoever is required to submit a Return except:
 - (i) A resident individual whose sole source of income is from an office/employment (including pensions);
 - (ii) A non-resident individual whose only source of income from Trinidad and Tobago is income subject to Withholding Tax.
- (b) An individual in receipt of income which is exempt from tax under the Income Tax Act or any other enactment is required to file a Return of such income.
- (c) An individual who in the year of income or in previous years made a loss for which there is an entitlement to claim a deduction in the year of income or in any subsequent year is also required to file a Return.
- (d) The due date for filing Returns is 30th April in each year. It would however, assist the Board of Inland Revenue in early processing of Returns if these are filed as early as possible before the due date.
4. Form 400 ITR (Income Tax Return) should be used by all individuals who derive income, gains or profits from the sources specified on page 6 Schedule E.

PLEASE COMPLETE ALL RELEVANT SCHEDULES

5. (1) REGISTRATION INFORMATION CHANGE

Name/Address Change:

If your name/address has changed, please tick change box at the top of Page 1 and insert correct name/address in the boxes provided in the Identification Section. Where there is a name change, please provide supporting documents: Marriage Certificate, Deed Poll and a Valid Form of Identification showing name change.

5. (2) IDENTIFICATION SECTION

Do not write name and address in the boxes if your name and address are the same as pre-printed on the 400 ITR.

- (a) Complete the Identification Section on Page 1 of the Tax Return. Please print in **BLOCK LETTERS (USING BLACK INK ONLY)**

e.g.,

LAST NAME

B E L L O W S

FIRST NAME

J O H N A T H A N

PRESENT ADDRESS

1 0 2 B A T T E R S T R E E T

- (b) State your occupation, e.g., clerk, mason, engineer, etc. "Public Servant", as a general description is inadequate.
- (c) Individuals engaged in a trade, business, profession or vocation are required to state the name, address and type of Business e.g. Farming, Manufacturing, etc.
- (d) State your telephone number and email address. These may assist in contacting you to correct any error and avoid delay.
- (e) The B.I.R. File Number is very important and must always be inserted in all correspondence to the Inland Revenue Division.
- (f) Insert Spouse's BIR File Number.
- (g) Insert your Personal Identification Number (PIN). This is your Electronic Birth Certificate number which helps in distinguishing you from another taxpayer with the same name.
- (h) The VAT Registration Number must be inserted if you are registered for Value Added Tax.
- (i) Insert your National I.D. Card, National Insurance and Driver's Permit Numbers. These numbers help in distinguishing you from another taxpayer with the same name.
- (j) Your date of birth also helps in distinguishing you from another taxpayer with the same name. State the day, month and year of your birth, e.g.,

DD MM YYYY

30 04 1982

- (k) Entitlement to Tax Credits and other deductions depends upon whether you are resident in Trinidad and Tobago (being present in the country for at least one hundred and eighty three (183) days in the year, of income). Tick the appropriate boxes – "Resident" or "Non-Resident"; "Male" or "Female", and whether "Self-employed".

THE DECLARATION

6. Complete and sign the General Declaration on Page 2 of Form 400 ITR/440 EMO. Where the Authorized Agent signs the Return the Taxpayer remains liable for any false or misleading statements. Failure to sign the Return will result in delay in processing.

7. ANY PERSON WHO KNOWINGLY MAKES ANY FALSE STATEMENT OR REPRESENTATION ON ANY INCOME TAX RETURN, OR WHO KEEPS OR PREPARES FALSE ACCOUNTS OF ANY PROFITS CHARGEABLE TO INCOME TAX, IS LIABLE TO A FINE OR TO IMPRISONMENT OR BOTH AND ANY PERSON AIDING AND/OR ABETTING IN SUCH OFFENCES IS ALSO LIABLE TO SIMILAR PENALTIES.

PAYMENT OF INCOME TAX, BUSINESS LEVY AND HEALTH SURCHARGE

8. (a) Every person in receipt of income other than “emolument income”, is required to pay to the Board of Inland Revenue on or before 31st March, 30th June, 30th September and 31st December, in each year of income, an amount equal to one-quarter of the tax as calculated by him on his chargeable income for the preceding year of income, and the balance if any, not later than 30th April of the following year.

(b) Where the estimated chargeable income of a person for a year of income is likely to exceed or exceeds the chargeable income of the preceding year, the quarterly installments shall be paid on the basis of the estimated chargeable income of the year of income.

(c) Where the estimated chargeable income of a person exceeds the chargeable income of the preceding year and that person had paid quarterly installments which amount to less than the tax liability disclosed in the Return of the year of income, such person shall pay interest on the difference between:

- (i) the tax liability on the chargeable income of the previous year of income plus 80% of the increase in the tax liability of the current year over the previous year; and
- (ii) the total amount paid as at the end of the fourth quarter.

(See Form 400 ITR page 12, Schedule S).

9. (a) Quarterly installments unpaid by due date shall attract interest at the rate of 20% per annum from the date following the end of the quarter to 30th April or to the date of payment whichever is earlier.

(b) Payment of any balance of Income Tax, Business Levy and Health Surcharge must be made by 30th April of the year following the year of income. Any balance unpaid by 30th April will attract interest at the rate of 20% per annum effective 1st May of the year following the year of income.

10. Remittance other than cash/linx should be made by Cheques or Money Orders payable to the **Board of Inland Revenue**. You must print at the back of the cheque:

- (a) Name and address
- (b) BIR File Number
- (c) Income Year
- (d) Type of payment whether—
Income Tax, Business Levy, Health Surcharge, Interest or Penalty.
- (e) Phone Contact

All payments by cash should be made directly to the Cashiers Unit, Trinidad House, St. Vincent Street, Port-of-Spain; South Regional Office, Cipero Street, San Fernando; East Regional Office, Prince Street, Arima or Tobago Regional Office, Victor E Bruce Financial Complex, Wilson Road, Scarborough, Tobago and all District Revenue Offices.

TAXPAYER SERVICES

11. If you need further information, kindly communicate with the Taxpayer Services Section, Inland Revenue Division, Queen Street, Port-of-Spain; South Regional Office, Cipero Street, San Fernando; Tobago Regional Office, Victor E Bruce Financial Complex, Wilson Road, Scarborough, Tobago, East Regional Office, Prince Street, Arima or visit our website at www.ird.gov.tt

FORMS 400 ITR & 440 EMO—INCOME TAX RETURNS

Please Do Not Staple or Glue Documents (including TD4, etc.) to the Returns.

INCOME FROM EMPLOYMENT

12 (a) Page 1, Line 1 Government and Non-Government

Insert total gross earnings as per TD4 Supplementary(Certificate/s) in Line1. Attach ALL ORIGINAL TD4 Supplementaries and where applicable **FORM IT76 to the Document Attachment Sheet** enclosed with the Return.

12 (b) Page 1, Line 5. TRAVELLING EXPENSES

Travelling expenses are expenses wholly, exclusively and necessarily incurred and defrayed in respect of travelling in the performance of the duties of the employment or office, or of keeping or maintaining means of transport to enable you to perform those duties. Expenses incurred in travelling from home to your work place are not allowable. Please note that Wear and Tear Allowance is not an allowable deduction from Emolument Income.

Please submit a letter from your employer confirming that you are required to travel in the performance of your duties and a statement showing details of expenses claimed. You are allowed to claim 2/3 of your total expenses. Bills and receipts in support of expenses claimed must be made available on request.

Where a dispensation has been granted travelling expenses should be calculated as follows:

(Total Travel Expenses x 2/3 – dispensation).

Please submit a copy of the BIR approval for dispensation.

13. Page 1, Line 2—Retirement Severance Benefits/ Payments

Declare Retirement Severance Benefit received in excess of \$300,000. Submit copy of B.I.R.'s approval. [For exempt portion See Instruction 20 (xi) (j)].

14. Page 1, Line 3—Pensions from sources within and/or outside Trinidad and Tobago.

Enter on page 1, all pensions received excluding old age pension and pensions received from the National Insurance Board.

Where pension is subject to tax in a foreign country, provide document(s) or a Certificate of Assessment from that country.

15. Page 1, Line 7—Amount received on cancellation of Approved Deferred Annuity/Pension Plan

Where an Approved Pension Plan or Deferred Annuity Plan has been revised or amended so that it does not comply with the requirements of the Income Tax Act, any amount received before tax must be reported on Page 1, Line 7 and the advance taxes of 25% thereof withheld or deducted shall be entered on Page 2, ITR 400, Line 35/EMO 440, Line 27.

16. SCHEDULE A—Employer's Contributions to Approved Fund/Contract: Taxable Benefit. [See Section 134(6) of the Income Tax Act]

Declare any contribution made by the employer to an Approved Fund/Contract as per TD4 Supplementary (Certificate), Box 10.

Please submit details in the format indicated on Page 3, Schedule A.

17. Alimony or Maintenance

Complete Schedule B, on Page 3.

- (a) The full amount of maintenance or separation allowance paid to a spouse under a Deed of Separation or by a Court Order including a Magistrate's Court Order is allowable.
- (b) The full amount of alimony paid to a former spouse is allowable, provided the divorce is recognised under the Laws of the Republic of Trinidad and Tobago, and the recipient is chargeable to tax thereon in Trinidad and Tobago.
- (c) Payments made to a spouse or former spouse in a year of income regarding alimony/child maintenance shall be deemed to be the income of that spouse or former spouse. The amount in respect of each child is to be included in the Income Tax Return as income of the spouse or former spouse.

18. SCHEDULE C - Tax Credits

Complete Schedule C on Page 4

(a) Venture Capital Tax Credit

A person who invests in shares in a Venture Capital Company will be entitled to a tax credit, for the year of income in which the shares were purchased, equivalent to the marginal rate of tax on the amount received by the Venture Capital Company for those shares.

The tax credit is allowed only to the original purchaser of the shares.

Where the amount of the tax credit cannot be wholly set off in the year of income the amount of the unclaimed tax credit may be carried forward and set off against the tax assessed for succeeding years of income.

Submit Tax Credit Certificate in support of claim.

(b) CNG Kit and Cylinder Tax Credit

Commencing 1st January, 2011, where in an income year an individual purchases and installs a CNG Kit and Cylinder in his motor vehicle, that individual shall be entitled to a tax credit of twenty five per cent (25%) of the cost of acquisition and installation of the CNG Kit and Cylinder up to a maximum of ten thousand dollars (\$10,000).

Provide receipt of purchase and installation cost of CNG Kit and Cylinder and a copy of the Certified Copy of ownership of vehicle.

(c) Solar Water Heating Equipment Tax Credit

Commencing 1st January, 2011, where in an income year an individual purchases Solar Water Heating Equipment for household use, that individual shall be entitled to a tax credit of twenty-five per cent (25%) of the cost of the Solar Water Heating Equipment up to a maximum of ten thousand dollars (\$10,000).

Provide receipt of the cost of the Solar Water Heating Equipment.

(d) National Tax Free Savings Bonds Credit (w.e.f. 01/01/2015)

A person who in a year of income purchases bonds issued under the National Tax Free Savings Bonds Regulations is entitled to a tax credit of an amount equal to 25% of the face value of the bonds (limited to \$5,000) where the maturity period is five, seven or ten years.

A tax credit of \$1,250 (25% of \$5,000) is only allowed to the original purchaser of bonds for the year of income in which it was purchased.

Where the amount of the tax credit cannot be wholly set off in the year of income the amount of the unclaimed credit may be carried forward and set off against the tax assessed for the succeeding years of income.

Please attach evidence of purchase.

19. SCHEDULE D—Health Surcharge Computation

The following persons are not required to pay Health Surcharge:

- (a) Individuals under the age of sixteen (16) years.
- (b) Individuals sixty (60) years and over.
- (c) Individuals whose sole source of income is from pensions.
- (d) Individuals who are in receipt of NIS Benefits.

Individuals who have attained the age of 16 years during the year of income are required to pay Health Surcharge with effect from their 16th birthday.

Individuals who have attained the age of 60 years during the year of income are required to pay Health Surcharge for the period up to the day before their 60th birthday.

20. SCHEDULE E – Net Income From Other Sources

Where business or property is owned jointly, or in the case of partnerships, trusts or estates of deceased persons, the share of profit or net income attributable to each person should be included under the appropriate heading on the Form 400 ITR.

20(i) Short-Term Capital Gains—Lines 1–3

Complete Schedule F, Page 7 and transfer net gain or loss to Schedule E, Page 6, Line 1, Column (3).

Enter any allowable loss brought forward from the previous year in Schedule E, Line (2) and on Page 7 Schedule G Line (a) Column (2).

Enter the Total of Lines 1 and 2 on Line 3, Column (3). If there is a net gain on Line 3 enter the gain on Line (a) of Page 7, Schedule H (Computation of Net Income). However, if there is a loss on Line 3 enter the loss in Schedule G, Line (a) Column 5 (Unrelieved Losses to be carried forward).

20(ii) Farming, Agriculture, Forestry, Fishing or other Primary Activity—Line 4

Operation of Mines and Quarries—Line 5

Any other Trade or Business—Line 6

Enter Gross receipts and Net Profit or Loss in Lines 4 to 6, Columns (2) and (3) respectively. Enter any loss brought forward from the previous year in Schedule G, Line (b), Column (2).

In the case of Farming or Agriculture, provide, where applicable, a statement showing the total acreage under cultivation.

20(iii) Profession or Vocation—Line 10

Enter Gross Receipts and Net Profit or Loss in Line 10, Columns (2) and (3) respectively. Enter any loss brought forward from the previous year in Schedule E, Line 11, Column 3 and Schedule G, Line (c) Column (2).

Attach a statement setting out full particulars of gross income and expenses incurred in production of income.

20(iv) Premiums, Commissions, Fees and Licence Charges from sources within Trinidad and Tobago—Line 13

Enter Gross Income and Net Gain only on Line 13, Columns (2) and (3) respectively.

Submit a statement setting out full particulars of gross income and expenses.

20(v) Interest and Discounts from sources within Trinidad and Tobago—Line 14

Enter Gross Income and Net Gain only on Line 14, Columns (2) and (3) respectively.

Submit statements from Banks, Financial Institutions or other organizations setting out particulars. Interest paid or credited to a resident individual on savings or other accounts or on bonds or similar investment instruments issued in Trinidad and Tobago are exempt and must not be included.

20(vi) Dividends and other Distributions from sources within Trinidad and Tobago—Line 15

A Preference Dividend paid by a resident company to a resident individual is subject to tax at source at fifteen per cent (15%) and the taxpayer need not declare this income in his Income Tax Return. However a taxpayer who received a preference dividend from a resident company may elect to declare in his Income Tax Return the dividend received where the tax on his chargeable income inclusive of the dividend is **less than** the tax deducted at source.

If the election is made, enter the dividend income on Line 15, Columns (2) and (3). Enter tax deducted on Page 2, Line 34. Submit a statement from the company paying the dividend showing the amount of the dividend and tax deducted.

20(vii) Income from sources outside Trinidad and Tobago—Line 16 Foreign Income

- (a) Complete Page 7, Schedule I.
- (b) Where different types of income are subject to different rates of tax in any foreign country, show separately.
- (c) Certificates of Assessment should be supplied where applicable.
- (d) Where expenses are claimed, provide a statement setting out full particulars.

Enter Net Gain only on Line 16, Column (3).

The Double Tax Credit is limited to the lesser of the amount paid and the tax on chargeable income on Line 26, Page 2 of 400 ITR. Enter Double Tax Credit relief in Schedule I, Column 6.

Persons not ordinarily resident or not domiciled in Trinidad and Tobago are chargeable to tax only on the amount of income received in Trinidad and Tobago.

20(viii) Annuities, Income from Trusts, Deeds of Covenant/Alimony from sources within and outside Trinidad and Tobago—Lines 17 and 18 respectively

Where the income is subject to tax in a foreign country, submit a Certificate of Assessment from the country.

Enter amount in the appropriate Columns on Lines 17 or 18 and include tax withheld on Page 7, Schedule I, Column (4).

20(ix) Rents, Premiums and other profits from the letting of property – Line 19

Submit a statement setting out the following details in respect of each property:

- (a) Location of property.
- (b) Gross rents received (not including tax exempt rents).
- (c) Amounts expended on rates, taxes, land rent, fire insurance, interest on mortgage or loans and repairs.

Repair expenses allowable are such expenses as are necessary to maintain the property. Do not include expenditure incurred on extensions, improvements or structural alterations. When claiming the repair expenses, give a full description of the repairs effected.

Deduct the expenses from the Gross Rentals, Premiums or other income to arrive at the Net Profit or Loss. **Enter the Gross Receipts and Net Profit only on Line 19**, Columns (2) and (3) respectively.

20(x) Royalties – Line 20

Declare Royalties received from sources within Trinidad and Tobago.

Submit a statement setting out details, including the names and addresses of the payers.

Enter amount in the appropriate Columns on Line 20.

20(xi) Tax Exempt Income - Lines 23 and 24

Declare on Line 23 Tax Exempt Income in respect of Approved Commercial Farming:

- (a) State the period of exemption and approval date;
- (b) Submit a copy of the approval from the Minister;
- (c) Submit a Statement of Income and Expenditure;
- (d) Complete Schedule J on Page 8.

On Line 24 enter Tax Exempt Income in respect of the following sources:

- (e) Interest on Tax Free Bonds.
- (f)
 - (i) Dividends and other Distributions paid by a trust operated by a Financial Institution carrying on Unit Trust business and licensed under the Financial Institutions Act, where the profits of such Trust are exempt from Corporation Tax;
 - (ii) Dividends and other distributions paid under the First and Second Unit Schemes of the Unit Trust Corporation;
 - (iii) Distributions other than preference dividends paid by a resident company to a resident individual;
- (g) Annuities or other periodic sums payable under an immediate annuity purchased on or after 1st January, 2006, by an individual who is a resident of Trinidad and Tobago;
- (h) A lump sum death benefit, on the death of a person, paid under his employer's pension plan;
- (i) Medical/Redundancy Severance Payments.

The first \$300,000 is exempt. Declare exempt amount on Line 24. The excess, if any, should not be reported as income in this Return as this was already taxed at the Average Rate of Tax (ART). Submit separate TD4 Certificate showing total payment received;

- (j) Retirement Severance Benefits.

The first \$300,000 is exempt where the person—

- (i) is not entitled to a pension other than N.I.S. or Old Age Pension;
- (ii) is not a member of an Approved Pension Fund Plan or Provident Fund;
- (iii) has retired from insurable employment; and
- (iv) has reached the age of 60 years.

The exemption is allowed on the production of a qualifying certificate from the National Insurance Board. Submit separate TD4 Certificate showing total benefits received. Declare taxable portion only on page 1, Line 2. Declare exempt portion on Page 6, Line 24.

- (k) In respect of initial sale of Residential House Site on Schedule E, Line (24);

There shall be exempt from income tax until the year ending 31st December 2025, the gains or profits derived from the initial sale of a residential house site, being part of a land development project, **provided the owner of the land produces a certificate from the Minister with responsibility for housing in support of the claim for exemption.**

- (l) In respect of Newly-Constructed Commercial Building or Multi-Storey Car park on Schedule E, Line (24);

There shall be exempt from income tax until the year ending 31st December 2025:

- (i) premiums and rents derived from the letting of a newly constructed commercial building or multi-storey car park, the construction of which commenced on or after 1st October 2012; and
- (ii) gains or profits from the initial sale of such newly-constructed commercial building or multi-storey car park, the construction of which commenced on or after 1st October 2012,

provided the owner of the building or car park produces a certificate from the Minister with responsibility for housing in support of the claim for exemption.

(m) Newly Constructed Multi Family Dwelling – There shall be exempt from tax until the year ending 31st December 2025:

- (i) premiums and rents derived from the letting of a newly constructed multi-family dwelling; and
- (ii) gains or profits from the initial sale of such newly-constructed multi-family dwelling,

provided the owner produces a certificate from the Minister with responsibility for housing in support of the claim for exemption and construction commenced on or after 1st July 2016.

Submit a statement setting out particulars together with supporting documents.

20(xii) Any other sources of Income not specified in Instructions 20(i) – 20(xi) above

Declare any annual gains or profits not falling under any of the sources mentioned above. Submit statement and include on Page 6, Schedule E, Line 6.

21. DEDUCTIONS - Tertiary Education Expenses

This claim may be made by an individual in respect of himself, his spouse or his child.

In order to qualify for this allowance the course of studies must—

- (i) be at least for the duration of one academic year or two semesters;
- (ii) be at a level beyond Advanced Level;
- (iii) lead to the award of a certificate, diploma or degree; and
- (iv) be at an institution approved by the Ministry of Education other than:
 - (a) at an institution situated in Trinidad and Tobago; or
 - (b) at a regional public institution supported substantially by public funds, whether or not situated in Trinidad and Tobago.

Reasonable expenses include tuition fees, cost of books on approved book lists and rental of accommodation. A list of attachments that must be submitted can be seen on the document checklist attached. Submit a detailed statement of expenses incurred.

A deduction of the amount actually incurred by both spouses must not exceed the sum of \$60,000 per household.

22. Deduction for First Time Acquisition of House

This claim may be made by an individual who is resident and who has acquired, by way of purchase or construction, a house to be used as his residence. In order to qualify for this deduction –

- (i) The property must have been purchased or constructed with effect from January 1, 2011;
- (ii) Where the property is constructed or purchased a copy of the Completion Certificate or Deed of Conveyance respectively must be provided;
- (iii) The individual must provide evidence of proof of ownership, Lands and Buildings taxes receipt or Certificate of Assessment, if applicable;
- (iv) The individual must satisfy the B.I.R. that the house to be used as a residence is a first time acquisition. The individual must provide an original statement from a financial institution/affidavit confirming first time acquisition and date property was acquired.

Where the house is owned jointly the deduction may be claimed in such proportion as determined by the owners save that the aggregate deduction does not exceed twenty-five thousand dollars (\$25,000) in any year.

THIS ALLOWANCE SHALL BE CLAIMED FOR EACH OF THE FIRST FIVE YEARS COMMENCING FROM THE YEAR IN WHICH THE HOUSE WAS ACQUIRED.

23. Payments under Deeds of Covenant

Covenants in favour of Charities.

Claims in respect of covenants to charities are allowed up to a maximum of 15% of Total Income [Page 1, Line (9) or (10) where applicable].

The deed must be duly stamped in accordance with the Stamp Duty Act by the 31st December of the year in which the deed or agreement was executed.

Provide a receipt and copy of the Deed.

24. Personal Allowance

In determining the Chargeable Income, a Personal Allowance of \$72,000 is granted to:

- (a) A resident individual;
- (b) An individual who is not resident in Trinidad and Tobago and in receipt of pension income accruing or derived from Trinidad and Tobago.

25. Contribution to Approved Pension Fund Plan/Scheme/Approved Deferred Annuity/Tax Saving Plan/W&O/N.I.S.

Relief is granted for the annual contributions made by the taxpayer up to \$50,000 in respect of:

- (a) Contributions to any approved Retirement Benefit Scheme or Approved Pension Fund Plan.
- (b) Premiums paid under an Approved Annuity Plan.
- (c) Contributions by individuals under the Retiring Allowance (Legislative Service) Act from 1st January 1996.
- (d) Contributions to National Insurance Scheme.

Contributors to Widows' and Orphans' Fund are allowed 100% of their Widows' and Orphans' contributions and 70% of the difference between N.I.S. payments and Widows' and Orphans' contributions.

Non-contributors to Widows' and Orphans' Funds are allowed 70% of N.I.S. contributions as a deduction.

Contributions paid by an employer in respect of domestic workers are deductible in full. Submit a statement showing the name, address, National Insurance Scheme Number and the amount paid during the year of income for each domestic worker.

26. Capital Expenditure on Conversion of House to Approved Guest House

This claim may be made by an individual who converts a house into an approved guest house. In order to qualify for this deduction the individual must provide the BIR with:

- (i) Approval for the conversion into a guest house from the Minister with the responsibility for Tourism.
- (ii) Copy of the completion certificate of the conversion issued by the appropriate State Agency.
- (iii) A detailed statement of the capital expenditure incurred on building material used in the conversion.

Note: This allowance is not applicable to employees.

27. SCHEDULE P- Computation of Net Profit or Loss

Please submit details of Income and Expenses. Where more than one trade or business is carried on, complete separate statements for each trade or business indicated.

28. SCHEDULE R- Income Tax/ Business Levy/ Health Surcharge Installments Paid

Enter in the appropriate Columns on Page 11, Schedule R, details of quarterly installments paid and any other payments made in respect of your Income Tax/Business Levy/Health Surcharge Liability for 2016.

29. Entertainment/M meal Expenses

In computing the income of any person for a year of income from any source specified in Section 5 of the Income Tax Act, Chap. 75:01, for the purpose of ascertaining the chargeable income of a person for that year, there shall be allowed all out-goings and expenses wholly and exclusively incurred during the year of income in the production of the income from that source, so however that:

In the case of expenses incurred in respect of entertainment or meals provided for the purpose of entertainment the amount allowed shall be 75% of such expenses.

30. SCHEDULE L – Promotional Expenses

Claim for Promotional Expenses incurred for export expansion.

- (a) A person claiming this deduction must have incurred promotional expenses as detailed in Schedule L wholly and exclusively to create or promote the expansion of foreign markets.
- (b) Amounts claimed as promotional expenses must not be included again as operational expenses.

- (c) This deduction does not apply to –
- (i) expenses incurred in petroleum operations;
 - (ii) expenses incurred in the export or the expanding of the export of goods to the following countries:
Antigua, Barbados, Belize, Dominic, Grenada, Guyana, Jamaica, Montserrat, St. Kitts/Nevis, St. Lucia, St. Vincent and Suriname.

31. SCHEDULE M – Child Care or Homework Facility

Where a person has incurred expenditure in constructing or setting up a facility which is dedicated for use as a child care or homework facility for dependants of employees, who are minors, an amount equivalent to the expenditure actually incurred in that year in constructing or setting up a facility up to a maximum of five hundred thousand dollars (\$500,000) in respect of each facility but not exceeding in the aggregate in a year of income the sum of three million dollars (\$3,000,000) is allowed as a deduction.

32. SCHEDULE N – Wear and Tear Allowances

An allowance for Wear and Tear is granted on the aggregate expenditure on –

1. Plant and Machinery and Buildings housing Plant and Machinery (Section 11A ITA);
2. Industrial Buildings which qualify under the Income Tax (In Aid of Industry) Act;
3. Construction of or Capital improvement made to other Buildings or Structures, completed on or after January 1, 1995 (Section 11B of the ITA) [see Note below*]; and
4. The excess of \$500,000 for the construction and setting up of a facility which is dedicated for use as a child care or homework facility for dependants of employees, who are minors.

Assets in (1) and (4) above are placed in their appropriate Classes in accordance with the Seventh Schedule to the ITA. Buildings and Structures in (2), (3), and (4) above are placed in Class A.

Wear and Tear Allowance will not be granted unless Lands and Buildings Taxes are paid for the Income Year (if applicable).

Submit a list of all the properties and copies of each of the Lands and Buildings Taxes receipts for the year 2016 (if applicable).

- (a) Enter in *Line 2, Columns (2-6)*, the balance of expenditure on Plant and Machinery at the beginning of the accounting period.
- (b) Enter in *Line 3, Column (2)*, the balance of expenditure on Buildings at the beginning of the accounting period.
- (c) Enter in *Line 4, Columns (2-6)*, the aggregate expenditure incurred on Buildings and Plant and Machinery acquired during the year.
- (d) Enter in *Line 6, Columns (2-6)*, any Initial Allowance claimed in respect of expenditure incurred on Buildings or Plant and Machinery in a qualifying trade under the Income Tax (In Aid of Industry) Act.
- (e) Enter in *Line 8, Columns (2-6)*, the proceeds derived from the sale or other disposal of Buildings and Plant and Machinery during the year.
- (f) Enter in *Line 10, Columns (2-6)*, the Wear and Tear allowance for each Class. This is computed by applying the appropriate Wear and Tear rate in Line 1 to the figure.

***Note: Buildings, Structures and Improvements thereon completed on or after 1st January, 1995, (Section 11B ITA) –**

A Wear and Tear Allowance is granted at the rate of 10% on a declining balance on the expenditure on the construction of or improvement to a building or structure, subject to the following:

- (a) Where a building is used partly for business and partly otherwise and the cost of that part which is utilized otherwise does not exceed 10% of the total cost, Wear and Tear is to be granted on the total expenditure.
- (b) Where the cost of the part not used for business exceeds 10% of the total cost but does not exceed 50%, Wear and Tear is to be granted on the cost of that part used in the production of the income.
- (c) Where the cost of the part not used for business exceeds 50% of the total cost of the building, no Wear and Tear is applicable.
- (d) Where the building or structure is used in the production of income for part of the year of income, the allowance is reduced by the proportion of the period it was not so used.

Section 11B does not apply to a person who during a year of income is entitled to benefits under-

- (i) the Fiscal Incentives Act;
- (ii) The Tourism Development Act;
- (iii) The Free Zones Act;
- (iv) Section 13B (Deduction of approved capital expenditure on conversion of house to guest house).

No initial or annual allowance on an individual building or structure under the Income Tax (In Aid of Industry) Act is available under Section 11B.

Where an asset is to be used for both business and private or other non-qualifying purposes the allowance is to be reduced to take account of such or other non-qualifying use. Enter in the Summary of Allowances any Initial and/or Wear and Tear allowance relating to such private or other non-qualifying use.

Wear & Tear Allowance on CNG Kit and Cylinder

A person incurring expenditure for the income year 2016 on:

- (i) the acquisition of plant, machinery and equipment, excluding installation costs, for the purpose of providing a Compressed Natural Gas (CNG) Kit and Cylinder installation service; or
- (ii) the acquisition and installation, in a motor vehicle, of a CNG Kit and Cylinder;

is granted a Wear and Tear Allowance on 130% of that expenditure in accordance with paragraph (b) and Sections 11A and 11B of the Income Tax Act (ITA).

Wear & Tear Allowance on Wind Turbines/Solar Photovoltaic Systems/Solar Water Heaters

A person incurring expenditure, for the income year 2016 on the acquisition of plant, machinery, parts and materials for use in the manufacture of solar water heaters, or the acquisition of:

- (a) Wind turbines and supporting equipment;
- (b) Solar photovoltaic systems and supporting equipment; or
- (c) Solar water heaters,

a Wear and Tear Allowance is granted on 150% of that expenditure in accordance with paragraph (b) and Sections 11A and 11B of the Income Tax Act (ITA).

Wear & Tear Allowance for Certified Energy Service Company on Energy Audits

For Income Year 2016:

- (1) Where a certified Energy Service Company has acquired plant and machinery for the purpose of conducting energy audits there shall be allowed an amount of seventy-five per cent (75%) of the cost incurred in the year of acquisition, and this amount shall be the only allowance on this expenditure for that year.
- (2) The amount of expenditure not yet allowed under the above mentioned (1) may be claimed as a Wear and Tear Allowance in accordance with Sections 11(1) (b), 11A and 11B of the Income Tax Act (ITA) from the following year.

33. SCHEDULE O – Balancing Allowances and Charges

Where an asset on which Wear and Tear has been allowed is sold or otherwise disposed of, a Balancing Allowance or Balancing Charge may arise.

A Balancing Allowance will arise if Disposal Proceeds are less than the Written Down Value of the class but only where there is no asset in the class.

A Balancing Charge will arise if Disposal Proceeds are greater than the Written Down Value of the class.

On disposal of a private motor car purchased prior to 1st January, 2006 for more than \$100,000 but whose value was deemed to be \$100,000, the proceeds from disposal shall be deemed to be as follows:

$$\frac{\text{Proceeds from Disposal}}{\text{Actual Value or Cost}} \times \$100,000$$

34. SCHEDULE K – Rental Payments

In ascertaining the chargeable income of any person for any year of income, no deduction shall be allowed from the income in respect of –

Rental payments incurred for the purpose of the production of income unless information relating to such payments and to the payee is furnished to the Board of Inland Revenue in the format found on Page 8, Schedule K.

35. SCHEDULE Q – Balance Sheet

Please submit details in the format indicated in this Schedule on Page 11.

36. SCHEDULE G – Statement of Losses

- (a) Short-Term Capital losses may only be set off against Short-Term capital gains. Enter a loss brought forward on Page 7, Schedule G, Line (a), Column (2) and Page 6, Schedule E, Line 2.
- (b) Losses from farming, fishing or other primary activity, operation of mines or exploitation of natural resources or from any other trade or business may **not** be set off against profits from a profession or vocation or from employment.
Enter a loss brought forward on Page 7, Schedule G, Line (b) Column 2 and on Page 6, Schedule E, Line 8.
- (c) Losses from a profession, a vocation or from management charges for provision of personal services and technical skills, may **not** be set off against employment income. Any unrelieved loss must be carried forward to the following year. Enter a loss brought forward on Page 7, Schedule G, Line (c), Column (2) and on Page 6, Schedule E, Line 8.
- (d) Losses from Hotel Operations may be set off only against profits from Hotel Operations. Enter losses brought forward on Page 7, Schedule G, Line (d), Column 2.
- (e) Losses from Rents, Premium etc. from Letting of Property may not be set off against profits from a profession or vocation or from employment.

37. SCHEDULE H – Computation of Net Income

Enter on Line (a) any Short-Term Capital Gain from Page 7, Schedule F, Column (6). Do **not** enter a loss.

Enter on Line (b) a profit/gain or loss from Schedule E, Line 22.

Enter on Line (c) the total of Lines (a) and (b) if the result is a profit. However, if the result is a loss enter “0” and carry forward the loss to Schedule G, Line (b), Column (5). Please note that any such loss to be carried forward is **limited** to the loss, if any, entered on Schedule E, Line 12, Column (3).

Enter on Line (d) a profit or loss from a profession or vocation from Schedule E, Line 12.

Enter on Line (e) the total of lines (c) and (d) if the result is a profit. **Transfer this amount to Page 1, Line 9 of the Tax Return 400 ITR.** If the result is a loss enter “0” and carry forward the loss as a loss from a profession or vocation to Schedule G, Line (c), Column (5).

38. Compute Tax on Chargeable Income Page 2, Lines 23 or 25 where applicable by using the tax rate of 25%. Enter amount on Page 2, Lines 24 or 26 where applicable.

39. Complete Business Levy Chargeable Income Page 13, Schedule T.

ALL SELF-EMPLOYED PERSONS MUST COMPLETE SCHEDULES S AND T.

KEEP THESE INSTRUCTIONS- DO NOT SUBMIT THEM WITH YOUR TAX RETURN