



Corporate income tax and municipal business tax return for the year 2016

NOTICE

The sending of this form should be considered as an invitation to the taxpayer to submit a tax return for the year 2016 – and to elect a domicile in Luxembourg (see line 10). It must be submitted to the appropriate tax office by 31 May 2017 at the latest.

The tax return must be submitted and signed by the legal representative. Details of the calculation of net income have to be attached to the tax return. Income which, in the opinion of the taxpayer, is not liable to taxation must also be declared. The decision concerning the taxability of this income is taken by the Direct Tax Authority. Any inaccurate or incomplete information may give rise to penalties.

The Administration may compel the taxpayer by means of fines to submit a declaration (paragraph 202 A.O.). In the event of a failure to respect the submission deadline the Administration is entitled to apply a surcharge of up to 10% of the final tax amount (paragraph 168 A.O.).

Line	I. General information	
1	Name of the company or collective entity:	
2	Head office (full address):	
3	Registered office (full address):	
4	Telephone:	E-mail :
5	Object of the enterprise:	
6	Type of business or source of income in the Grand Duchy:	
7	Address of the permanent establishment / permanent representative / place where the business is carried out in the Grand Duchy:	
8	Representative (§ 107 A.O.) (full address):	
	Telephone:	E-mail :
9	Administrator of assets located in the Grand Duchy (§ 108 A.O.) (name, forename, town, street and number):	
10	Person (domiciled in Luxembourg) appointed to receive notifications from the Administration (§ 89 A.O.) (name, forename, town, street and number):	
11	Bank account of the collective entity (IBAN code):	SWIFT / BIC:

Line

12 Mr - Mrs - Firm (name, forename, domicile): _____

helped to draw up the tax return.

13 **II. Computation of commercial profit**14 **A) Commercial profit in the sense of Articles 14 and 15 L.I.R.** made directly or indirectly by a permanent establishment located in Luxembourg and profit deriving from the exercise in Luxembourg of a business subject to prior authorisation under the provisions of the law on street trading and itinerant professions.

The commercial profit also includes any the profit arising from the sale or the termination of a business.

15 The section below from line 19 to 38 should be used by collective entities with regular and separate accounts for the permanent establishment in Luxembourg and those where the profit of the permanent establishment is determined by a breakdown of the total profit.

16 **Indication of the method selected ²⁾**17 Computation based on separate accounts

In this case the data to be entered in lines 19 to 53 concern the result established on the basis of regular and separate accounts for the Luxembourg permanent establishment.

18 Computation by breakdown of the global profit

In this case, operating losses generated by the Luxembourg permanent establishment cannot be carried forward. The data to enter in lines 19 to 53 concern the overall result of the company and the data in lines 54 to 60 are used to determine the Luxembourg share in the global result.

For official use only

Normal assessment		120		440		Non-resident		2	
Case 0 with no assessment details	X	X	442						
No assessment issued		127		447		Relevant municipality			
No assesement or statement issued		128		448					
Final assessment	1		Provisional assessment		2		3	amended assessment	
			2 = § 100,1 3 = § 100,2						

2) Tick the appropriate box

Line		euro	
19	B) Commercial balance sheet - profit - loss		0010
20	Add the following amounts provided that they have reduced the balance sheet result:		
21	Disallowed or excessive depreciation for wear and tear or reduction in substance		0030
22	Deductions for disallowed or excessive depreciation or allocations provisions		0040
23	Allocation to the reserves (details attached)		1000
24	Hidden profit distribution		1010
25	Expenses for fulfilling obligations imposed by the statutory commitments or by the social pact		1020
26	Remunerations of any kind paid to directors, statutory auditors or to persons exercising similar functions, to the extent that such remunerations are not granted for the day-to-day management of the company or the collective entity (including accommodation costs, travel and other expenses, provided that they exceed in each individual case the expenses associated with these functions)		1030
27	Fines under the terms of Article 12, no 4 L.I.R.		1040
28	Non-deductible taxes		
29	a) Corporate income tax		1090
30	b) Withholding tax on income from capital		1100
31	c) Net worth tax		1110
32	d) Municipal business tax		1240
33	e) Non-deductible foreign taxes		1130
34	f) Late-payment interest on the taxes mentioned in a) - d)		1140
35	g) Other non-deductible taxes (please specify)		1145
36	Expenses incurred for religious, charitable or public interest purposes, including donations under the terms of Article 109, paragraph 1, no 3 L.I.R.		1190
37			7010
38			7010
39	Deduct the following income provided that it has increased the balance sheet result:		
40	Exempt income from substantial participations (details attached)	euro	1610
41	- Operating expenses with an economic link to these participations (details attached)	-	1620
42	Sub-total:	-	
43	To be carried forward:		

Line		euro	
44	To be deducted:		Carried forward:
45	Adjustments of depreciation	-	1670
46	Refund and cancellation of provisions for non deductible taxes		
47	a) Corporate income tax	-	1690
48	b) Tax on income from capital	-	1700
49	c) Net worth tax	-	1710
50	d) Municipal business tax	-	
51	e) Miscellaneous non-deductible taxes	-	1720
52	Partial exemption under the terms of Article 50bis L.I.R. for income generated by particular intellectual property rights	-	1830
53	Taxable profit:		

54 III Breakdown of the global profit

The breakdown of the amount entered on line 53 is only required under the terms specified in line 18 above.

55	A) Total turnover for the financial year		
56	Turnover of the domestic permanent establishment		
57	B) Salaries and wages posted for the financial year		
	Salaries and wages posted as expenses of the permanent establishment in Luxembourg		
58	C)		
59	Breakdown of the global taxable profit (in proportion to one of the bases specified in lines 55 to 58 above)		
	$\frac{\text{global taxable profit (line 53)} \times \text{Luxembourg breakdown factor}}{\text{overall breakdown factor}}$		
60	$\text{_____} \times \text{_____} = \text{_____}$		

	euro	
61	Taxable profit (line 53 or 60)	
62	Tax exempt interest from Grand-Duchy government loans after deduction of charges economically linked (details attached)	1640
63	Exempt income under the terms of Article 115 n°15a L.I.R. after deduction of charges economically linked (details attached)	1630
64	Profit of the domestic establishment :	

Line		euro						
	IV. Summary of net income							
65	A) Trade and business income ⁵⁾							
66	1. Profit according to line 53 or 60 (line _____) _____							
67	2. Share(s) in profits of co-trader in a collective commercial undertaking (general partnerships, limited partnerships, and collective undertakings in general)							
68	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Collective undertaking</td> <td style="width: 30%;">File no.</td> <td style="width: 30%;">Tax office</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </table>	Collective undertaking	File no.	Tax office	_____	_____	_____	0010
Collective undertaking	File no.	Tax office						
_____	_____	_____						
69	B) Income from agriculture and forestry ^{3) 5)}							
70	Net income from an agricultural or forestry business located in the Grand Duchy, including any profits from sale or termination (details attached) _____	0090						
71	C) Income from independent professional services ^{3) 5)}							
72	Net income from independent professional services if carried out or developed in the Grand Duchy, including any profit from sale or termination (see appendix) _____	0110						
73	D) Salaries and pensions taxable in the Grand Duchy not subject to withholding tax on salaries and pensions ^{3) 4)} _____	0130						
74	E) Net income from capital ³⁾ Dividends or interest from Luxembourg bonds referred to in Article 97 (1) numbers 1 - 3 L.I.R. not exempted from withholding tax under the terms of Article 147 L.I.R. or another legal provision _____	0170						
75	F) Net income from rentals and leases ³⁾ This income is taxable in the Grand Duchy, if the real estate from which it is derived is located in the Grand Duchy. _____	0190						
76	1. Income from letting and leasing of built real estate as shown in appendix/appendices form 190 Appendix 1: _____ Appendix 2: _____ Appendix 3: _____							
77	_____							
78	2. Income from letting or leasing of non built real estate (appendix form 195) _____							
79	3. Income (toccage) from the granting of extract right of mineral substances (e.g. ores, stones and soil) _____							
80	Sub-total to be carried forward:							

3) To the extent that such income is not included in the profit of a permanent establishment in Luxembourg.

4) Income for which taxes are collected by means of withholding tax are not indicated.

5) Details of income exempted under the terms of Article 115 no 15a L.I.R. must be attached where necessary.

Line		euro									
81	G) Miscellaneous net income ³⁾										
	Carried forward:										
82	1. Income ⁶⁾ from the disposal in return for payment of substantial participations in stock corporations and co-operatives companies and income realised as shareholder owning substantial participations at the time of the total or partial sharing of the net asset invested in such companies (details attached)		0210								
83	2. Profits realised upon the sale of real estate located in the Grand Duchy (according to form 700)										
	Form 700 can be obtained on request and at www.impotsdirects.public.lu										
84	Total domestic income:										
85	Total of the <u>carried forward losses</u> of the consolidating parent company for the years before admission of the group of companies to the tax consolidation:										
	<u>at the beginning of the year</u> <u>allocation of the year</u> <u>at the end of the year</u>										
	<table border="1" style="width: 100%;"><tr><td style="width: 33%;"></td><td style="width: 33%;"></td><td style="width: 33%;"></td></tr></table>										
86	Tax consolidation (article 164bis L.I.R.)										
87	(lines 88, 134-139 to fill out) :										
88	Transfert of the fiscal result of the consolidating subsidiary companie(s) ⁶⁾		1904								
89	H) Special expenses										
	Operating losses that can be carried forward :										
	<table border="1" style="width: 100%;"><tr><td style="width: 25%;"></td><td style="width: 25%;"></td><td style="width: 25%;"></td><td style="width: 25%;"></td></tr><tr><td>20 ____</td><td>20 ____</td><td>20 ____</td><td></td></tr></table>					20 ____	20 ____	20 ____			
20 ____	20 ____	20 ____									
90	Taxable income:		2000								
91	V. Request for a reduction of net worth tax according to §8a of the law concerning net worth tax (requiring separate accounts)										
	constitution / commitment to constitute a special five-year reserve by:	euro									
92	a) allocation of the profit for the tax year 2016										
93	b) allocation of previously constituted free reserves (only if profits are insufficient)										
94	c) <i>amount allocated to the reserve (=a+b)</i>										
95	d) <i>amount of the net worth tax reduction (1/5 of the reserve set up) (the amount under d) is limited to the corporate income tax, increased by the contribution to the employment fund, due before any tax credit for the same tax year)</i>		(IF 1150)								
96	VI. Credits										
97	<input type="checkbox"/> ⁷⁾ Tax credit for audiovisual investment (the request, accompanied by the original of the certificate, must be presented to the relevant tax office)		2160								
98	<input type="checkbox"/> ⁷⁾ Tax credit for venture capital investment (the request, accompanied by the original of the certificate, must be presented to the relevant tax office)		2170								
99	<input type="checkbox"/> ⁷⁾ Tax credit for investment (according to form 800)		2240								
100	<input type="checkbox"/> ⁷⁾ Tax credit for recruiting unemployed persons (according to appendix 805)		2245								
101	<input type="checkbox"/> ⁷⁾ Tax credit for further professional education (the certificate delivered by the Ministry of Finance must be attached)		2247								

6) If the beneficiary has been a resident taxpayer for more than 15 years and has become a non-resident taxpayer less than five years before the realization of the income.

7) Tick the box to make a request.

VII. Municipal business tax

Line		euro	
102	Profit for the year 2016 (2015/2016) drawn up according to the provisions of the law on corporate income tax		oo10
103	- Amount not subject to corporate income tax (details attached)	-	oo20
104		Sub-total:	oo30
105	Add the following amounts, deducted when establishing the profit:		
106	Profit shares distributed to partners with indefinite and joint liability of a partnership limited by shares on unrealized contributions to the capital or as remuneration (directors' fees) for management		o230
107	Share of losses in collective commercial undertakings		0270
108	Operating loss in permanent establishments located abroad		0280
109			7010
110			7010
111		Total profit and additions:	0400
112	To be deducted:		
113	Share of profits in collective commercial undertakings and dividends or profit shares from a holding of at least 10% in a fully taxable stock corporation	-	0430
114	Share of operating profit relating to permanent establishments located abroad	-	0440
115	Donations (details attached):	carried forward donations 2014	-
			1466
116		carried forward donations 2015	-
			1465
117		donations 2016	-
			1460
118			-
			7020
119			-
			7020
120		Operating profit:	0500
121	Total of the <u>carried forward losses</u> of the consolidating parent company for the years before admission of the group of companies to the tax consolidation:		
	<u>at the beginning of the year</u>	<u>allocation of the year</u>	<u>at the end of the year</u>
	<input type="text"/>	<input type="text"/>	<input type="text"/>
122	Tax consolidation (article 164bis L.I.R.)		
123	<i>(lines 124, 134-139 to fill out) :</i>		
124	Transfer of the fiscal result of the consolidating subsidiary companie(s) ⁶⁾		0520
125	Operating losses carried forward:		
126	<input type="text"/>	<input type="text"/>	<input type="text"/>
127	20 <input type="text"/>	20 <input type="text"/>	20 <input type="text"/>
			-
128		Remaining operating profit:	o600
129	Reduction in the tax base		o640
	Global assessment base following lump-sum determination		o990
	Surcharge for late submission	% of the tax base	1030

Line

130 **VIII. Miscellaneous**

131 1 During the operating year(s) to be taken into account to determine the operating profit, the enterprise had permanent establishments in several municipalities ²⁾ yes no

132 2. Information concerning the shareholders (information to be provided for all owners of registered and bearer shares with a minimum holding of 10%)

133

Name, address and file no. of shareholders	Holding		Gross remuneration ⁸⁾	Profit distribution	Other allocations and benefits ⁹⁾
	%	Amount			

134 3. Information in case of tax consolidation (article 164bis L.I.R.)

135 Request submitted on _____ to the tax office ¹⁰⁾ _____

136 Name(s) and file number(s) of the consolidating subsidiary companie(s)

137 _____

138 _____

139 _____

140 **IX. Documents and information to attach**

The balance sheet of the collective entity and the permanent establishment, the profit and loss account, the goods account, details of overheads, depreciation table, report on the financial year by the board of directors and the independent auditor's report, details of taxes shown as profits and losses (debit and credit), the development of tax accounts (assets and liabilities), justification and the computation method used for other provisions, the status of net assets invested as at 1.1. 2016 or as at the start-up of the business in Luxembourg (all amounts for assets and liabilities must be mentioned).

141 We certify that this declaration is sincere and complete.

142 _____, on _____

143

(signature of the legal representative)

144 Unsigned declarations are deemed to be null and void.

8) Salaries, wages and bonuses.

9) Details of these allocations must be provided in an appendix, and it must be indicated whether the different advantages are included sub. Remunerations and are subject to withholding tax

10) The request should be introduced to the tax office of the parent company or the domestic permanent establishment.