



COMMONWEALTH OF PUERTO RICO
DEPARTMENT OF THE TREASURY
USE TAX ON IMPORTS MONTHLY RETURN
(Electronically Filed)

PERIOD (MONTH/YEAR)

MONTH YEAR

Amended Return

MERCHANT'S REGISTRATION NUMBER

Registration number input fields

SOCIAL SECURITY OR EMPLOYER IDENTIFICATION NUMBER

SSN/EIN input field

NAME OF IMPORTER

Importer name input field

CONFIRMATION NUMBER

Confirmation number input field

AMOUNT OF DECLARATIONS INCLUDED WITH THIS RETURN

Amount of declarations input field

TAXABLE IMPORTS FOR USE (Do not include cents)

1. IMPORTS OF TAXABLE ITEMS FOR USE (Not inventory)
2. IMPORTS OF TAXABLE ITEMS FOR RESALE (Inventory)
3. TOTAL TAXABLE IMPORTS FOR USE

EXEMPT IMPORTS FOR USE (Do not include cents)

4. ELIGIBLE RESELLER
5. RAW MATERIAL, MACHINERY AND EQUIPMENT (MANUFACTURING PROCESS)
6. OTHER EXEMPT IMPORTS
a. Exportation
b. Items in transit
c. Air or maritime terminals
d. Items for Government agencies
e. Food
f. Change of residence
g. Articles and equipment to compensate for physical deficiencies
h. Solar equipment
i. Articles, equipment and technology used to render health services
j. Bona fide farmer
k. Tourism development concessionary
l. Special acts
m. Prescription medicines
n. Giveaways
7. TOTAL EXEMPT IMPORTS FOR USE

8. AMOUNT SUBJECT TO USE TAX
8(a) IMPORTS FOR USE (Not inventory)
8(b) IMPORTS OF INVENTORY PRODUCTS FOR RESALE
9. AMOUNT OF TAX DETERMINED
10. PAYMENTS MADE DURING THE PERIOD
11. CREDIT FROM PRIOR PERIODS
12. BALANCE OF TAX DUE
13. INTEREST
14. SURCHARGES
15. PENALTIES
16. TOTAL AMOUNT DUE
17. AMOUNT PAID IN EXCESS
A. CREDIT TO SALES AND USE MONTHLY RETURN FOR THE SAME PERIOD
B. CREDIT TO PAYMENT OF IMPORTS RETURN FOR THE NEXT PERIOD

AUTHORIZATION FOR AUTOMATIC DEBIT

Type of account:

Commercial Individual Checking Individual Savings

Routing / transit number

Account number

Payment method ACH credit (Bonded Merchants Only)

I hereby declare under the penalty of perjury that the information provided on this return is true, correct and complete and has been examined by me. Also, I authorize the Secretary of the Treasury to debit the indicated account for the amount shown on line 16 of this return, corresponding to the use tax determined in the return. I also promise to pay any charge resulting from the insufficiency of funds in said account.

DATE AND HOUR OF TRANSMISSION OF RETURN AND PAYMENT

INSTRUCTIONS

IMPORTANT NOTICE

Use – Includes the exercise of any right or power over a taxable item incidental to its ownership, or interest over such item, including use, storage and consumption of all tangible advertising material, imported to Puerto Rico. Provided that in the case of taxable items introduced to Puerto Rico from abroad, it is understood that a person has exercised its right or power over such taxable item, incidental to its ownership or interest over said item, from the date of introduction or arrival to Puerto Rico.

WHO SHALL FILE THIS RETURN?

Any person who imports tangible personal property by any means, including postal service or air carrier system, subject to use tax, will be required to file this return electronically through our website www.hacienda.gobierno.pr/ivu, by clicking on “PICO”, the Spanish acronym for the Merchant’s Integrated Portal.

WHEN AND WHERE SHALL THIS RETURN BE FILED?

You must file a Use Tax on Imports Monthly Return no later than the tenth (10th) day of the month following the month in which the transaction subject to tax occurred.

This return and its payment shall be filed only through our website www.hacienda.gobierno.pr/ivu, through the PICO system.

Payment must be made through electronic transfer of funds (ACH Credit, only for bonded importers and ACH Debit). For additional information about the ACH Credit method, please refer to Publication 06-06, available through the Department’s website www.hacienda.gobierno.pr under “Publications”.

HEADING

Merchant’s Registration Number – For periods beginning after August 1, 2014, the merchant will include the merchant’s registration number assigned by the PICO system. Such number consists of the first seven digits of the current merchant’s registration number and a verification number assigned by PICO. If you are a merchant who does not have a merchant’s registration number, you must complete Form AS 2914.1 (Application for Merchant’s Registration Certificate), or access the Department’s website (<http://www.hacienda.gobierno.pr/ivu>) in order to complete the registration process electronically. When the registration is completed electronically, the system will inform the Merchant’s Registration Number through the registration confirmation sheet.

Social Security or Employer Identification Number – Indicate your employer identification number. If you are an individual doing business under your own name, you must enter your social security number, regardless of whether you conduct business using a sole proprietorship employer number.

Importer’s Name – Indicate the trade name (known as dba) of the commercial establishment for which this return is being filed. If you are an individual doing business under your own name, indicate your name and last names.

Period (Month / Year) – Indicate the month (two digits) and the year (four digits) corresponding to the period for which this return is being filed.

Amended Return - If you omitted any sales or did not claim an exemption, deduction or adjustments to which you were entitled to, or believe that you are not entitled to a deduction or adjustment claimed in your original return, you must file an amended return. Select the oval for “Amended Return.”

Bond – When you submit payment with the Use Tax on Imports Monthly Return, the Department will restore the amount paid to the bond.

Amount of Declarations Included with this Return – The PICO electronic application will show the declarations made for the corresponding filing period of the return. If during the filing process, the declarations related to the month in which the transaction subject to tax have not been submitted, you must then select the declaration option in the PICO system in order to include the missing information.

SPECIFIC INSTRUCTIONS FOR FILING THIS RETURN

This return will be completed automatically according to the information included in the declarations made corresponding to this period.

Line 1 – Imports of Taxable Items for Use (Not inventory)

- Indicate the total purchase price of the articles or goods subject to use tax that you imported to Puerto Rico during the month.
- Do not include the inventory for resale.
- You must enter the tangible personal property introduced for use, consumption or storage. The same must be declared no later than the tenth (10th) day of the month following the month in which it was introduced.

Line 2 – Imports of Taxable Items for Resale (Inventory)

- When the taxable item is subsequently object of trade in the ordinary course of business in Puerto Rico and whose introduction date to Puerto Rico has been after August 1, 2014.
- Indicate the purchase price of the articles or goods for resale imported during the period for which this return is being filed. This amount shall exclude any return of items acquired and returned in the same period.

Line 3 – Total Taxable Imports for Use

Add lines 1 and 2.

Line 4 – Eligible Reseller (Sec. 4030.02)

Enter the total amount of exempt purchases made during the period. The person entitled to claim this exemption will be:

- A merchant who purchases taxable items mainly to be sold to persons who can acquire such items exempt from the payment of sales and use tax, who during the three (3) tax years period immediately preceding the application, an average of eighty (80) percent or more of the merchant’s inventory has been withdrawn to be sold to persons that can acquire the taxable items exempt from the payment of sales and use tax.
- Merchants who as part of their business are engaged in the wholesale or retail sale of textbooks will only include the purchases or imports of textbooks.
- Merchants authorized to make retail sales under the Federal Nutrition Assistance Program (PAN) and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), to only include the purchases or imports of food and food ingredients, including the items excluded from the term food (excluding alcoholic beverages and tobacco and its derived products) and prepared foods.

Line 5 – Raw Material, Machinery and Equipment (Manufacturing Process) (Sec. 4030.06)

Enter the total amount of exempt items corresponding to raw material, machinery and equipment used in the manufacturing process during the period. Manufacturing plants are exempt from the payment of SUT in the purchase of raw material, as well as in the purchase of machinery and equipment to be used in manufacturing. It is important that manufacturing plants request an Exemption Certificate from the Department in order for them to purchase raw material and machinery and equipment free from the payment of SUT using such certificates. All merchants who sell raw material, machinery and equipment to a Manufacturing Plant must document the exempt nature of the transaction by using Form AS 2916.1 (Certificate for Exempt Purchases). On the other hand, you must hold a Manufacturing Plant or Manufacturer identification number issued by the Consumption Tax Bureau.

Line 6 – Other Exempt Imports

Enter the total amount of exempt purchases made during the period corresponding to the imports, which must be itemized in items (a) through (n). Such information must be segregated by the type of exemption.

The types of exempt imports are:

(a) Exportation (Sec. 4030.03)

Enter the taxable items that are sold for use and consumption outside Puerto Rico, even when the sale occurs in Puerto Rico. The taxable items sold in this manner must be exported within sixty (60) days from the date of sale, in order to be exempt from tax.

(b) Items in transit (Sec. 4030.04)

Enter every taxable item temporarily introduced to Puerto Rico that is directly related to the making of productions films, constructions, trade shows, conventions, seminars, or other means, and which is re-exported from Puerto Rico.

(c) Air or maritime terminals (Sec. 4030.07)

Enter the taxable items available for sale in stores established in air or maritime terminals to persons traveling outside the jurisdictional limits of Puerto Rico. This exemption will be granted when the selling store has the license required to operate this type of business. You may apply for this exemption through the Consumption Tax Bureau.

(d) Items for Government agencies (PR and US) (Sec. 4030.08)

Enter every taxable item acquired for official use by the agencies and instrumentalities of the Government of the United States of America and the Government of Puerto Rico.

(e) Food (Sec. 4030.11)

Enter the total taxable items corresponding to food and food ingredients, as defined in Section 4010.01.

(f) Change of residence (Sec. 4030.09)

Enter the total taxable items used that reasonably and effectively are part of a change of residence, of every individual nonresident of Puerto Rico or persons in the service of the Armed Forces of the Government of the United States of America or of the Government of Puerto Rico who are officially transferred to render services in Puerto Rico.

(g) Articles and equipment to compensate for physical deficiencies (Sec. 4030.13)

Enter the total of articles and equipment expressly designed to compensate for physical or physiological deficiencies of “disabled persons”, as such term is defined under Act 264-2000, as amended, known as the “Puerto Rico Assistance Technology Program Act”, and Act 238-2004, as amended, known as “Bill of Rights of Persons with Disabilities Act”.

For example, such exemption contemplates the following:

Wheelchairs, motorized wheelchairs, motorized equipment used for mobility, adapted computers, electronic communication equipments, adapted computer programs, mechanical reading equipments, headphones, among others. In addition to assistive technology equipment, which includes any object, equipment or system part, whether original, modified or adapted, which is used to maintain, increase or improve the functional capacities of “disabled persons”.

(h) Solar equipment (Sec. 4030.17)

Enter the total solar electric equipment used to produce electric power, including its accessories and parts, provided they are necessary in order for the equipment to comply with such purpose.

In order to qualify for this exemption, the distributor or manufacturer must submit to the Department a certification declaring that the solar electric equipment or accessories and parts thereof, meet the standards and specifications established by the Energy Affairs Administration, as well as a certification declaring that the solar electric equipment is guaranteed for five (5) or more years.

(i) Articles, equipment and technology used to render health services (Sec. 4030.19)

Enter the articles, equipment and technology used to render health services. Said exemption will be granted to any facility that renders health services that is eligible for benefits under the provisions of Act No. 168 of June 30, 1968, as amended, known as the “Hospital Facilities Tax Exemption Act” or subsequent similar act.

(j) Bona fide farmer (Sec. 4030.22)

Enter the total amount of articles that are acquired for the exclusive use in your farming businesses. In order to obtain this exemption, you must be a bona fide Farmer, duly certified by the Department of Agriculture, and hold an identification number as such issued by the Consumption Tax Bureau.

(k) Tourism development concessionary (Sec. 4030.23)

Enter the total amount of articles used by the concessionary regarding a tourism activity to a business to whom an Exemption and Tax Credit Concession has been granted under Act 74-2010, known as the “Tourism Development Act of 2010”, as amended, or under any successor law, or previous similar law, which will enjoy total exemption from the sales and use tax, as such term is defined in Act 74-2010 or any successor law.

(l) Special acts

Enter the total imported taxable items acquired under any special act that exempts them from the sales and use tax, which are not itemized as part of the previously mentioned exempt imports.

(m) Prescription medicines (Sec.4030.12)

Enter the total medicines acquired for human consumption that may be acquired only and exclusively by medical prescription (Rx products) if they are:

- prescribed by a physician authorized to practice the medical profession in Puerto Rico and dispensed by a pharmacist licensed in Puerto Rico;
- given or sold to a physician, surgeon, dentist or podiatrist with a valid license to treat patients; or
- administered by a hospital or health facility for the treatment of patients as per the order of a medial doctor authorized to practice medicine in Puerto Rico.

(n) Giveaways (Sec. 4030.05)

Enter every tangible personal property that is considered promotional material introduced to Puerto Rico. Promotional material (giveaways) is defined as every tangible personal property that is delivered free of charge for a promotional purpose by a promoter and/or exhibitor.

In order to enjoy this exemption, the entity must submit the Import of Promotional Material Exempt from the Use Tax Certificate issued by the Puerto Rico Tourism Company.

The Import of Promotional Material Exempt from the Use Tax Certificate is the document provided by the Puerto Rico Tourism Company certifying that the promotional material introduced to Puerto Rico will be used in a convention, trade show, forum, meeting, incentives trip or congress. Such certificate must be provided by the importer in order to release the promotional material free of use tax.

Line 7 – Total Exempt Imports for Use

Add lines 4 through 6 and enter the result here.

Line 8 – Amount Subject to Use Tax**Line 8(a) – Imports for Use (Not inventory)**

Multiply line 1 by 6% and enter the result here.

Line 8(b) – Imports of Inventory Products for Resale

Multiply line 2 by 6% and enter the result here.

Line 9 – Amount of Tax Determined

Add lines 8(a) and 8(b) and enter the result here.

Line 10 – Payments Made During the Period

Enter the sum of payments previously made in the declarations. Indicate the total of SUT payments made for the period made before filing this return.

Line 11 – Credit from Prior Periods

Enter the amount of credit available from prior periods for payments in excess from the imports return. Such amount must be the same as the one reflected on line 17B of the prior period.

Line 12 – Balance of Tax Due

Enter the result of line 9 less lines 10 and 11.

Line 13 - Interest

If you did not pay the SUT on or before the tenth (10th) day of the month following the month during which the transaction subject to said tax occurred, you must include **interest** calculated at an annual rate of 10% from the tenth (10th) day of the month to the date when the payment is made.

Line 14 - Surcharges

In all cases where the payment of interest is applicable, a **surcharge** equivalent to 5% of the total unpaid amount shall also be charged, if the delay in payment exceeds 30 days, but not 60 days, or 10% of the total unpaid amount, if the delay exceeds 60 days.

Line 15 - Penalties

A progressive penalty shall be imposed for not filing this return, unless you demonstrate that such omission is due to a reasonable cause and not to voluntary neglect. If the omission does not exceed 30 days, 5% shall be added to the SUT balance, and an additional 10% shall be added for each additional 30 day period or fraction thereof while the omission continues to exist, without exceeding 25% in total.

Also, every person required to file the Use Tax on Imports Monthly Return who fails to file the Return required by Section 4041.02 of the Puerto Rico Internal Revenue Code of 2011, amended (Code), in the form, date and manner therein established, shall be subject to a penalty of one hundred (100) dollars or ten (10) percent of the tax liability established in such return, whichever is higher.

Likewise, any person who in violation of the provisions of Section 4042.03, fails to remit the sales and use tax in the form and on the time therein established, shall be subject to a penalty of no less than twenty-five (25) percent nor more than fifty (50) percent of the determined insufficiency.

Line 16 - Total Amount Due

Add lines 12 through 15 and enter the total on this line.

Line 17 – Amount Paid in Excess

Enter the excess, if any, of lines 10 and 11 over line 9.

Line 17A – Credit to Sales and Use Monthly Return for the Same Period (Form AS 2915.1 A, line 18(c)).

Line 17B – Credit to Payment of Imports Return for the Next Period (Form AS 2915.1 D, line 11).

BANK REJECTION FEES

Every electronic payment returned, will be subject to a \$25.00 minimum charge. This charge is in addition to any other interest, surcharges and penalties provided by the Code or any other fiscal law for omissions in fulfilling your tax responsibility. The Department will make the collection in a traditional or electronic manner.

REQUIREMENT TO KEEP DOCUMENTS

All merchants shall maintain in Puerto Rico, for a period no shorter than six (6) years, all the information that serves as evidence of the taxable items received, used, sold, distributed, stored, or leased by said merchant, such as invoices, shipping documents, collections for said sales, and any other document that the Secretary could request.

Furthermore, all merchants shall maintain, for a period no shorter than six (6) years, accounting books, papers, documents, and any other evidence related to their sales and to the amount of the collected and deposited sales tax. The documents and information to be maintained include, but are not limited to, statements, invoices, commercial receipts, canceled checks, payment receipts, and exemption certificates.

NOTICE TO SPECIALISTS

All tax return specialists who prepare SUT returns are required to file the same electronically on behalf of their clients. The system will require for you to enter your name and registration number. The Code provides administrative fines and penalties for specialists who do not provide this information or do not comply with any other of the requirements established in the Code.