



Instructions for Form CT-5.3

Request for Six-Month Extension to File

CT-5.3-I

Tax Law – Articles 9-A and 33

Form CT-1, Supplement to Corporation Tax Instructions

See Form CT-1 for the following topics:

- Changes for the current tax year (general and by Tax Law Article)
- Business information (how to enter and update)
- Entry formats
 - Dates
 - Negative amounts
 - Percentages
 - Whole dollar amounts
- Are you claiming an overpayment?
- NAICS business code number and NYS principal business activity
- Limitation on tax credit eligibility
- Third-party designee
- Paid preparer identification numbers
- Is your return in processible form?
- Use of reproduced and computerized forms
- Electronic filing and electronic payment mandate
- Web File
- Form CT-200-V
- Collection of debts from your refund or overpayment
- Fee for payments returned by banks
- Reporting requirements for tax shelters
- Tax shelter penalties
- Voluntary Disclosure and Compliance Program
- Your rights under the Tax Law
- Need help?
- Privacy notification

For the purposes of these instructions, the corporation responsible for filing an Article 9-A combined return is referred to as the *designated agent*, while the corporation responsible for filing an Article 33 combined return is referred to as the *parent*. When a corporation in the combined group other than the designated agent or parent is required to pay a fixed dollar minimum tax, it is referred to as a *member corporation*.

Requirements for a valid New York State extension

- Most corporation taxpayers are required to file their extensions electronically. Visit our website to learn more (see *Need help?*).
- You must file Form CT-5.3 and pay the properly estimated combined franchise tax, combined fixed dollar minimum tax on group member corporations, and combined metropolitan transportation business tax (MTA surcharge) on or before the original due date of the tax return for which this extension is requested, as determined on the worksheet in these instructions.
- The properly estimated combined franchise tax, combined fixed dollar minimum tax on group member corporations, and combined MTA surcharge must either:
 - equal or exceed the combined franchise tax, combined fixed dollar minimum tax on group member corporations, and combined MTA surcharge shown on your tax return for the preceding tax year (if it was a tax year of 12 months); or
 - equal or exceed 90% of the combined franchise tax, combined fixed dollar minimum tax on group member corporations, and

combined MTA surcharge as finally determined for the tax year for which this extension is requested.

The franchise tax is the amount of combined franchise tax computed after the deduction of any tax credits and before the addition of the combined fixed dollar minimum tax on group member corporations.

The preceding tax year is the tax year occurring immediately before the tax year for which this extension is requested.

The combined franchise tax, combined fixed dollar minimum tax on group member corporations, and combined MTA surcharge for the preceding tax year must be adjusted as necessary to correct errors in computation or in the application of tax rate or tax base.

Who may file Form CT-5.3

Article 9-A and Article 33 taxpayers filing a combined return must file one Form CT-5.3 to request an extension of time to file for all corporations included in the combined group. However, a corporation being added to an existing combined group and all corporations that are forming a new combined group must each file Form CT-5, *Request for Six-Month Extension to File*, to extend the period within which it must file the return for the tax year **before** joining the combined group. **Do not use separate forms** if you are requesting an extension to file **both** the franchise tax and MTA surcharge returns. Use lines 1 through 8 to compute the estimated combined franchise tax and combined minimum tax. Use lines 9 through 13 to compute the estimated MTA surcharge. Submit only one payment of the total combined amount of franchise tax, fixed dollar minimum tax of group member corporations, and MTA surcharge.

Filing, or failure to file, a valid extension request for any corporation properly includible in a combined group in no way negates the proper inclusion of such corporation in such combined group.

When to file

File Form CT-5.3 on or before the original due date of your combined tax return (3½ months after the end of the tax year).

If you cannot file within the six-month extension period, you may request up to two additional three-month extensions by filing a Form CT-5.1, *Request for Additional Extension of Time to File*, for each additional extension requested.

Where to file

Mail Form CT-5.3 to:

NYS CORPORATION TAX
PO BOX 15180
ALBANY NY 12212-5180

Private delivery services

See Publication 55, *Designated Private Delivery Services*.

Extensions of time for filing returns

A six-month extension of time for filing a combined franchise tax return or MTA surcharge return will be granted if Form CT-5.3 is properly filed and a properly estimated tax is paid on or before the original due date of your return.

No late filing or late payment penalties will be imposed if you file your return by the extended due date and pay the balance of the tax due with your return. Interest applies to any tax not paid by the original due date of the return.

Reporting period

Use this tax form for calendar year 2016, fiscal years that begin in 2016 and end in 2017, and tax years of less than 12 months that begin on or after January 1, 2016, but before January 1, 2017.

You can also use the 2016 form if:

- you have a tax year of less than 12 months that begins and ends in 2017, **and**
- the 2017 form is not yet available at the time you are required to file the form.

In this case you must show your 2017 tax year on the 2016 form and take into account any tax law changes that are effective for tax years beginning after December 31, 2016.

All filers must complete the beginning and ending tax period boxes in the upper right corner on page 1 of the form.

Line instructions

Line A – Make your check or money order payable in U.S. funds. We will accept a foreign check or foreign money order only if payable through a United States bank or if marked **Payable in U.S. funds**.

Lines 1, 2, and 9 – Use the worksheet in these instructions to properly estimate the combined franchise tax, combined fixed dollar minimum tax on group member corporations, and the combined MTA surcharge.

Lines 5, 6, 10, and 11 – Mandatory first installment (MFI) removed – For information concerning MFIs, see Form CT-300, *Mandatory First Installment (MFI) of Estimated Tax for Corporations*, and its instructions.

Combined filer information

This section will help the Tax Department identify:

- the corporations in the combined group,
- short tax years,
- the amounts of the individual fixed dollar minimum taxes, and
- payments made by the corporations in the combined group.

Use Part 1 to list corporations in the combined group other than the designated agent (Article 9-A) or parent (Article 33). Include foreign corporations that are included in the combined group that are not otherwise taxable in New York State. You must pay a fixed dollar minimum tax for each member listed in Part 1 (do **not** include foreign corporations that would not otherwise be taxable in New York). Enter **N/A** in column D for such foreign corporations. Use Part 2 for the designated agent or parent, as applicable.

Part 1 – Corporations included in the combined group other than the designated agent (Article 9-A) or parent (Article 33)

Column A – Enter the name of each corporation included in the combined group. **Do not** include the designated agent or parent, as applicable.

Column B – Enter the employer identification number of each corporation listed in column A.

Column C – Indicate, for any appropriate corporations, the beginning and ending dates of any tax year of less than 12 months.

Column D – Enter the fixed dollar minimum tax for each member of the combined group (do **not** include a foreign corporation included in the combined group that is not taxable in New York State). Enter **N/A** for such foreign corporations.

Columns E, F, and G should be completed for any corporation that previously filed on a separate basis.

Column E – If a corporation made any installment payments with prior tax returns or prior year extensions or transferred any credits from prior tax returns, enter the total amount on the line for that corporation.

Column F – If a corporation made any installment payments on Form CT-400, *Estimated Tax for Corporations*, enter the total amount on the line for that corporation.

Column G – Only one request for extension is required for a combined group. If more than one has been filed, indicate which corporation filed the form and the amount of payments it made, if any.

Part 2 – Parent or designated agent only – Enter any prepayments made by the parent or designated agent, as applicable.

Composition of prepayments

If additional space is needed, enter **see attached** in the *Composition of prepayments* section and enter all relevant prepayment information on a separate sheet. Transfer the total(s) to column(s) A and B, line 22.

Line 19 – Enter overpayments credited from prior years. You may also include from last year's return any amount of refundable tax credits you chose to be credited as an overpayment.

Signature

If an outside individual or firm prepared the document, all applicable entries in the paid preparer section must be completed, including identification numbers (see *Paid preparer identification numbers* in Form CT-1). Failure to sign the document will delay the processing of any refunds and may result in penalties.

Worksheet to compute lines 1, 2, and 9

Complete Parts 1 and 2. However, if the corporation was not subject to franchise tax for the preceding tax year, or if the preceding tax year was less than 12 months, skip Part 1 and complete only Part 2. (See instructions below.)

Part 1 - Preceding year (if it was a tax year of 12 months)

- A. Combined franchise tax from preceding tax year..... _____
- B. Combined fixed dollar minimum tax on taxable group member corporations from preceding tax year..... _____
- C. Combined MTA surcharge from preceding tax year..... _____

Part 2 - Current year

- D. Combined franchise tax estimated to be due for the current tax year..... _____
- E. Combined fixed dollar minimum tax on taxable group member corporations estimated to be due for the current tax year _____
- F. Combined MTA surcharge estimated to be due for the current tax year..... _____

Enter on line 1 the amount from either line A or line D.

Enter on line 2 the amount from either line B or line E.

Enter on line 9 the amount from either line C or line F.

Exception: The combination of lines A, B, and F may be used on lines 1, 2, and 9 when the corporation filed a 12-month franchise tax return for the preceding tax year, but became subject to the MTA surcharge for the tax year for which this extension is requested.

Instructions for worksheet

Part 1

Line A – Enter the amount of combined franchise tax (computed after the deduction of any credits and before the addition of the combined fixed dollar minimum tax on group member corporations and MTA surcharge) shown on the combined franchise tax return for the preceding tax year if it was a tax year of 12 months.

Line B – Enter the amount of the combined fixed dollar minimum tax on group member corporations (computed before the MTA surcharge) included on the combined franchise tax return for the preceding tax year, if it was a tax year of 12 months.

Line C – Enter the amount of combined MTA surcharge shown on the combined MTA surcharge tax return for the preceding tax year, if it was a tax year of 12 months. Enter **0** if you are not subject to the MTA surcharge for the tax year for which this extension is requested.

Part 2

Line D – Determine the combined franchise tax (computed after the deduction of any tax credits and before the addition of the fixed dollar minimum tax on group member corporations and MTA surcharge) for the tax year for which this extension is requested. Multiply the combined franchise tax by an amount not less than 90% and enter the result (see *Requirements for a valid New York State extension*).

Line E – Total the member fixed dollar minimum tax (Part 1, column D) of those members of the group that are taxable in New York. Then, multiply that total by an amount not less than 90% and enter the result (see *Requirements for a valid New York State extension*).

Line F – Determine the combined MTA surcharge for the tax year for which this extension is requested. Multiply the combined MTA surcharge by an amount not less than 90% and enter on line F (see *Requirements for a valid New York State extension*). Enter **0** if not subject to the MTA surcharge for the tax year for which this extension is requested.