

Changes to 2012 Forms

The Business Income and Receipts Tax has replaced the Business Privilege Tax.

The Annual Reconciliation of Employer Wage Tax is due on or before February 28, 2013.

The due date for the Business Income and Receipts, Net Profits, School Income and Employee Earnings taxes is on or before April 15, 2013.

If the business started in 2012 and has been approved as a *New Business* as defined under Philadelphia Code 19-3800 and has subsequently met the employment requirements, then use Worksheet N to complete the Business Income and Receipts tax return. It can be downloaded from the forms section at www.phila.gov/revenue.

Important Information for Filing Business Income and Receipts Tax

If all business is conducted and/or located within Philadelphia, only the *BIRT-EZ Pages 1 and 2* must be completed, printed and filed.

If business is conducted and/or located both in and out of Philadelphia, the *BIRT Summary Page and the appropriate combination of Schedules A through E* must be completed, printed and filed. Tax practitioners should be able to print the Summary Page and all completed schedules without restrictions.

Taxpayers must use the same method (Schedule A, Method I or Schedule B, Method II) that they elected on the first Business Income & Receipts Tax return filed. Only Schedule A (Form 0712) or Schedule B (Form 0412) should be completed, printed and filed.

Schedule C-1 – Computation of apportionment factors to be applied to apportionable net income. You must complete Schedule C-1 if you are apportioning your income. Failure to include this schedule with the return may result in the disallowance of your apportionment and you may be billed.

If Line 12 of Schedule C of the Business Income and Receipts Tax Regular return is equal to 100%, the BIRT-EZ return must be used instead. Schedule C should not be completed or filed if the BIRT-EZ return is used (Forms 0112 and 0212).

Payment of Tax Due

Payment of tax due should be made using the preprinted coupons mailed to established taxpayers. **Taxpayers must include this coupon for proper credit.**

Payment of tax due can be made by credit card or e-check at www.phila.gov/revenue. A user fee is added to payments made electronically.

ACH Debits and Credits are accepted for payment of Business Income and Receipts and Net Profits taxes. For more information or to enroll in this program, taxpayers should go to www.phila.gov/revenue in the "Electronic Filing" section under "Electronic Payments", or contact the Electronic Government Unit at 215-686-6582, 6628 or 6459 or send an e-mail to egovservices@phila.gov.

Taxpayers may also create payment coupons on-line at <https://ework.phila.gov/revenue>.

The scan lines of reproduced payment coupons must be printed in 12 pt. OCR-A font. The bottom edge of the scan line must print 1" from the bottom of the coupon and 3/8" from the right edge of the coupon (start position X=14, Y=60). The scan line is 68 characters in length, the 68th character being a check digit using the mod 10 routine. Sample coupons for each tax type are provided in this package. Sample coupons must be submitted to verify placement of variable data and validity of the scan line check digit.

2012 Business Income & Receipts and Net Profits Taxes General Information

Tax regulations and forms are available at www.phila.gov/revenue.

When and Where to File - The 2012 Business Income and Receipts and Net Profits taxes are due by April 15, 2013. A return must be filed even if an overall loss is incurred. Failure to file a return by the due date could result in the imposition of fines, legal costs and non-filer penalties. Payment of tax must be made using the preprinted coupons and postage paid envelope provided to existing taxpayers. Do not enclose payments with your tax return. Mail returns to: City of Philadelphia Department of Revenue, P.O. Box 1660, Philadelphia, PA 19105-1660.

Internet Filing - The 2012 Business Income and Receipts and NPT returns can be filed online. After submitting the return you must print the resulting confirmation page for your records. Payment of tax due for returns filed online should be made with the preprinted coupons mailed to you, by e-check or by credit card. A user fee is added when paying electronically.

ACH Debits and Credits are accepted for payment of Net Profits Tax. For more information or to enroll in this program go to www.phila.gov/revenue in the "Electronic Filing" section under "Electronic Payments", or contact the Electronic Government Unit at 215-686-6582, 6628 or 6459 or e-mail to egovservices@phila.gov.

Change Form - If your business terminated, changed address, organization or entity, complete a Change Form. If you maintain a Commercial Activity license but did not actively engage in business during 2011, complete a Change Form to indicate that you are not in business. **Do not file the 2012 Business Income and Receipts and/or Net Profits tax returns.** If you begin a business again with the same Federal Identification or Social Security number you should reinstate your Philadelphia tax account number. In this scenario, you will not have to pay for an additional commercial activity license. If there was a change of business entity (e.g., individual proprietorship to corporation), you need a new Philadelphia Tax Account Number and commercial activity license (\$300 fee). Register online for a tax account number at www.phila.gov/revenue in the "Online Services" section. A single Change Form can be used for all tax types.

A mandatory estimated tax payment towards the 2013 Business Income and Receipts Tax is required for all businesses operating in Philadelphia. This estimate is equal to 100% of the 2012 tax liability prior to the application of any tax credits as indicated on Line 3 of the return. Enter the amount of Line 3 on Line 4 of the return. If your business is active in 2012 you cannot enter zero "0" on Line 4. If you enter an amount on Line 4 less than the amount on Line 3, you may be billed additional interest and penalty.

Take credit for any 2011 BIRT or NPT payments previously made as a result of estimated payments, applied overpayments or extension payments.

Neatly print or type all information. Do not staple, fold or submit photocopies of the tax return. Do not submit copies of Federal Returns. File only required schedules.

If your business started in 2012 and has been approved as a New Business as defined under Philadelphia Code 19-3800 and has subsequently met the employment requirements, then use Worksheet N to complete the Business Income and Receipts tax return. It can be downloaded from the forms section at www.phila.gov/revenue.

2012 Business Income and Receipts Tax

If all business is conducted and/or located within Philadelphia, only the BIRT-EZ Pages 1 and 2 should be completed and filed.

If business is conducted and/or located both in and out of Philadelphia, only the BIRT Summary Page and the appropriate combination of Schedules A through E should be completed and filed.

Taxpayers must use the same method (Schedule A, Method I or Schedule B, Method II) that they elected on the first Business Income and Receipts Tax return filed. Only Schedule A (Form 0712) or Schedule B (Form 0412) should be completed and filed.

You must complete Schedule C-1 (Form 0512) if you are apportioning your income. Failure to include this schedule with the return may result in the disallowance of your apportionment and you may be billed. If Line 12 of Schedule C-1 is equal to 100%, the BIRT-EZ return must be filed instead. Schedule C-1 should not be completed or filed if the BIRT-EZ return is filed.

If your business started in 2012 and has been approved as a New Business as defined under Philadelphia Code 19-3800 and has subsequently met the employment requirements, then use Worksheet N to complete the Business Income and Receipts tax return. It can be downloaded from the forms section at www.phila.gov/revenue.

2012 Net Profits Tax

Every individual residing in Philadelphia during 2012 and operating a business or other activity within or outside of Philadelphia and non-residents of Philadelphia, if engaged in such activities within Philadelphia, are subject to the Net Profits Tax. Corporations are not subject to the Net Profits Tax.

Every partnership, limited partnership, limited liability company filing with the IRS as a partnership, association, or other group of two or more persons operating a business within Philadelphia, whether residents or non-residents of Philadelphia, is subject to the Net Profits Tax. A partnership comprised solely of corporate partners must file a Net Profits Tax return even if no tax liability exists. The City of Philadelphia follows the Federal tax treatment for LLCs. If the LLC chose corporate tax treatment, it would not be liable for Net Profits Tax. If the LLC chose to be treated as a partnership or as a disregarded entity, treated for federal filing purposes as an individual, it would be liable for Net Profits Tax.

Every estate or trust is subject to the Net Profits Tax if the estate or trust is engaged in any business which is subject to the Net Profits Tax per Income Regulation 220(A)(3).

COMPUTATION OF INTEREST AND PENALTY

Month after Due Date	Returns Filed after Due Date	Interest	Penalty	Combined Interest & Penalty	Cumulative Interest & Penalty
1st	04/16/13 thru 05/15/13	1%	1%	2%	2%
2nd	05/16/13 thru 06/15/13	1%	1%	2%	4%
3rd	06/16/13 thru 07/15/13	1%	1%	2%	6%
4th	07/16/13 thru 08/15/13	1%	2%	3%	9%
5th	08/16/13 thru 09/15/13	1%	2%	3%	12%
6th	09/16/13 thru 10/15/13	1%	2%	3%	15%
7th	10/16/13 thru 11/15/13	1%	3%	4%	19%
8th	11/16/13 thru 12/15/13	1%	3%	4%	23%
9th	12/16/13 thru 01/15/14	1%	3%	4%	27%
10th	01/16/14 thru 02/15/14	1%	4%	5%	32%
11th	02/16/14 thru 03/15/14	1%	4%	5%	37%
12th	03/16/14 thru 04/15/14	1%	4%	5%	42%

For each additional month or fraction thereof, after the 12th month, add 1% for interest and 1¼% for penalty.

Note: Payments made with returns filed after the due date that do not include applicable interest and penalty will be automatically pro-rated between principal, interest and penalty. You will be billed for the remaining tax balance and associated interest and penalty.