



# Instructions for Form CT-32-A/C

## Report by a Banking Corporation Included in a Combined Franchise Tax Return

Tax Law — Article 32

# CT-32-A/C-I

**Important reminder to file a complete return:** You must complete all required schedules and forms that make up your return, and include **all pages** of those forms and schedules when you file. Returns that are missing required pages or that have pages with missing entries are considered incomplete and cannot be processed, and may subject taxpayers to penalty and interest.

### Up-to-date information affecting your tax return

Visit our Web site for tax law changes or forms corrections that occurred after the forms and instructions were printed (see *Need help?*).

### General information

Each taxpayer included in Form CT-32-A, *Banking Corporation Combined Franchise Tax Return*, other than the deemed parent corporation, must individually complete and file Form CT-32-A/C. The corporation that completes the *Parent corporation* column on Form CT-32-A is designated the *parent corporation* in the combined return. A corporation that is not taxable in New York State (but is nevertheless included in a combined return) is not required to file Form CT-32-A/C.

Every corporation that files Form CT-32-A/C must include a fixed minimum tax payment of \$250 on Form CT-32-A, line 8. Do not make any payment with Form CT-32-A/C. Failure to complete Form CT-32-A/C and provide the information necessary to compute the issuer's allocation percentage may result in a \$500 penalty.

### Reporting period

Use this tax return for calendar year 2008 and fiscal years that begin in 2008 and end in 2009.

You can also use the 2008 return if:

- you have a tax year of less than 12 months that begins and ends in 2009, **and**
- the 2009 return is not yet available at the time you are required to file the return.

In this case you must show your 2009 tax year on the 2008 return and take into account any tax law changes that are effective for tax years beginning after December 31, 2008.

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

A taxpayer who reports on the basis of a 52-53 week accounting period for federal income tax purposes must report on the same basis for Article 32 purposes. If a 52-53 week accounting period begins within 7 days from the first day of any calendar month, the tax year is deemed to begin on the first day of that calendar month. If a 52-53 week accounting period ends within 7 days from the last day of any calendar month, the tax year is deemed to end on the last day of the calendar month. The requirement that all members of a combined group must have the same accounting period is met if the 52-53 week filer's accounting period begins and ends within 7 days of the beginning and ending dates of the other members of the combined group.

**Entering dates** — Unless you are specifically directed to use a different format, enter dates in the *mm-dd-yy* format (using dashes and not slashes).

### Line instructions

#### Computation of the issuer's allocation percentage

Compute the issuer's allocation percentage using one of the following three methods. Determine which method applies and compute the issuer's allocation percentage on Form CT-32-A/C. See TSB-M-86(10)C, *Computation of the Issuer's Allocation Percentage by Banking Corporations Taxable Under Article 32 of the Tax Law*, for additional information.

#### Method 1

A banking corporation (excluding corporations defined on page 2 of Form CT-32-A-I, *Instructions for Forms CT-32-A and CT-32-A/B*, under *Who must file*, item D), organized under the laws of the United States, New York State, or any other state, enters as its issuer's allocation percentage the alternative entire net income (ENI) allocation percentage computed on Form CT-32-A/B, *Combined Group Detail Spreadsheet*, line 121.

#### Method 2

A banking corporation (excluding corporations defined under *Who must file*, item D), organized under the laws of a country other than the United States enters as its issuer's allocation percentage the percentage determined by dividing gross income within New York State by worldwide gross income.

- Enter as gross income within New York State total receipts as shown on Form CT-32-A/B, line 90.
- Enter as worldwide gross income total receipts as shown on Form CT-32-A/B, line 102, plus all receipts as defined on lines 91 through 101, from sources outside the United States that were not taken into account in computing federal taxable income (FTI).
- Every corporation with an International Banking Facility (IBF) located in New York State (whether or not it computed ENI using the IBF modification method or the IBF formula allocation method) must include in the numerator and denominator of the issuer's allocation percentage receipts as defined on Form CT-32-A/B, lines 79 through 89 and lines 91 through 101, that are attributable to the production of eligible gross income of the IBF.
- If the receipts shown in the computation of the issuer's allocation percentage are different from the receipts shown on Form CT-32-A/B, Schedule E, Part 1, attach an explanation.

#### Method 3

A corporation that is filing under Article 32 solely as a result of *Who must file*, item D, and every bank holding company that is included in a combined return, should enter as its issuer's allocation percentage the percentage determined by dividing business and subsidiary capital allocated to New York State by total worldwide capital.

#### Method 3 — Computation of subsidiary capital allocated to New York State

Enter the full name and employer identification number (EIN) of each subsidiary corporation. *Subsidiary corporation* is defined by Tax Law section 1450(d), and in the instructions for Form CT-32-A, line 45. For each corporation listed, complete columns B through G on the corresponding lines. If you have more than five corporations, attach additional sheets to record all the information (name, EIN, and columns B through G) requested for each corporation. Record the totals from the additional sheets in the appropriate line before computing the total amounts in columns E and G.

**Column C — Average value of subsidiary capital**

Enter the average value of each subsidiary corporation. The average value is computed on a quarterly, monthly, weekly, or daily basis. Use the same basis of averaging subsidiary capital you used to average total assets on Form CT-32-A/B, line 69. *Subsidiary capital* is defined by Tax Law section 1450(e), and in the instructions for Form CT-32-A, line 45.

**Column D — Current liabilities attributable to subsidiary capital**

Enter the average value of current liabilities (maturing in one year or less from the date originally incurred) attributable to each subsidiary. The average value is computed on a quarterly, monthly, weekly, or daily basis. Use the same basis of averaging current liabilities you used to average subsidiary capital in column C.

**Column F — Issuer's allocation percentage**

Enter the issuer's allocation percentage for each subsidiary. Obtain the issuer's allocation percentage from the New York State corporation franchise tax return filed by the subsidiary corporation for the preceding year.

Issuer's allocation percentages are available on the Tax Department's Web site and from many online and printed tax services. You may also obtain up to three issuer's allocation percentages by calling toll free (see *Need help?*).

**Method 3 — Computation of business capital allocated to New York State**

**Line 3**

Deduct the total average value of current liabilities that are properly reflected on a balance sheet. The average value is computed on a quarterly, monthly, weekly, or daily basis.

Use the same basis of averaging current liabilities you used to average total assets on Form CT-32-A/B, line 69. *Current liabilities* are any liabilities maturing in one year or less from the date originally incurred.

**Method 3 — Computation of the issuer's allocation percentage**

**Line 9**

Enter as total worldwide capital the average value of the total assets as computed on Form CT-32-A/B, line 69, plus the average value of all assets from sources outside the United States that were not taken into account in computing FTI .

When valuing assets from sources outside the United States, compute the average value of such assets in the same manner as the average value of total assets on Form CT-32-A/B, line 69.

Deduct from total assets the total average value of current liabilities maturing in one year or less from the date originally incurred. Compute the average value of such current liabilities in the same manner as the average value of total assets.

If the assets shown in the computation of the issuer's allocation percentage are different from the assets shown on Form CT-32-A/B, line 69, attach an explanation.

If you fail to provide information needed to compute your issuer's allocation percentage you may be liable for a penalty of \$500, under Tax Law section 1085(o).

**Composition of prepayments**

Complete this schedule only if the corporation filing this Form CT-32-A/C made separate payments or has separate credits.

If you need more space, enter **see attached** in this section and attach a separate sheet showing all relevant prepayment information. Transfer the total to Form CT-32-A, line 209, or Form CT-32-M, *Banking Corporation MTA Surcharge Return*, line 9, whichever is applicable.

**Line 14**

Include franchise tax payments credited from prior years in the *Franchise tax* column and metropolitan transportation business tax (MTA surcharge) payments credited from prior years in the *MTA surcharge* column. You may also include from last year's return any amount of refundable tax credits you chose to be credited as an overpayment.

**Third-party designee**

If you want to authorize another person (third-party designee) to discuss this tax return with the New York State Tax Department, mark an **X** in the *Yes* box in the *Third-party designee* area of your return. Also **print** the designee's name, phone number, and any five-digit number the designee chooses as his or her personal identification number (PIN). If you want to authorize the paid preparer who signed your return to discuss the return with the Tax Department, **print** the preparer's name in the space for the designee's name and enter the preparer's phone number in the space for the designee's phone number. You do not have to provide the other information requested. If you do not want to authorize another person, mark an **X** in the *No* box.

If you mark the *Yes* box, you are authorizing the Tax Department to discuss with the designee any questions that may arise during the processing of your return. You are also authorizing the designee to:

- give the Tax Department any information that is missing from your return;
- call the Tax Department for information about the processing of your return or the status of your refund or payment(s); and
- respond to certain Tax Department notices that you shared with the designee about math errors, offsets, and return preparation. The notices will not be sent to the designee.

You are not authorizing the designee to receive your refund check, bind you to anything (including any additional tax liability), or otherwise represent you before the Tax Department. If you want the designee to perform those services for you, you must file Form POA-1, *Power of Attorney*, making that designation with the Tax Department. Copies of statutory tax notices or documents (such as a *Notice of Deficiency*) will only be sent to your designee if you file Form POA-1.

You cannot change the PIN. The authorization will automatically end on the due date (without regard to extensions) for filing your next year's tax return.

**Privacy notification**

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 5-a, 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Director of Records Management and Data Entry, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone 1 800 225-5829. From areas outside the United States and outside Canada, call (518) 485-6800.

**Need help?**

-  **Internet access:** [www.nystax.gov](http://www.nystax.gov)  
(for information, forms, and publications)
-  **Fax-on-demand forms:** 1 800 748-3676
-  To order forms and publications: 1 800 462-8100
- Corporation Tax Information Center:** 1 888 698-2908  
From areas outside the U.S. and outside Canada: (518) 485-6800
-  **Text Telephone (TTY) Hotline**  
(for persons with hearing and speech disabilities using a TTY): 1 800 634-2110