

# Instructions

## Requirements for a valid New York State extension

- You must file Form CT-5 and pay the properly estimated franchise tax and MTA surcharge on or before the original due date of the tax return for which this extension is requested.
- The properly estimated franchise tax and MTA surcharge must either:
  - Equal or exceed the franchise tax and 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 franchise tax and MTA surcharge as finally determined for the tax year for which this extension is requested.

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

The *franchise tax* is the amount of tax computed after the deduction of any tax credits and before the addition of the MTA surcharge.

The franchise tax and 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

General business corporations (Article 9-A), banking corporations (Article 32), insurance corporations (Article 33), and businesses taxed under Article 13 may file Form CT-5 to request a six-month extension of time to file the appropriate tax return and MTA surcharge return. **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 5 to compute the estimated franchise tax. Use lines 6 through 10 to compute the estimated MTA surcharge. Submit only one payment of the combined amount for both franchise tax and MTA surcharge.

Corporations filing a combined form (CT-3-A, CT-3-S-A, CT-32-A, or CT-33-A) must use Form CT-5.3 to request a six-month extension of time to file.

New York S corporations not included in a combined return must use Form CT-5.4 to request a six-month extension to file Form CT-3-S or CT-4-S.

Article 9 taxpayers, except providers of telecommunications services, must use Form CT-5.9 to request a three-month extension to file a franchise tax return and MTA surcharge return. Providers of telecommunication services must use Form CT-5.9-E, *Request for Three-Month Extension to File Form CT-186-E or Form CT-186-EZ (short form)*, to request an extension to file Form CT-186-E, *Telecommunications Tax Return and Utility Services Tax Return*, or Form CT-186-EZ (short form).

## Extensions of time for filing returns

A six-month extension of time for filing a franchise tax return or MTA surcharge return will be granted if Form CT-5 is properly filed and if properly estimated tax is paid on or before the original due date of the 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.

If applicable, you must also pay the mandatory first installment of estimated tax for the next tax year shown on lines 2 and 7 on or before the original due date of the tax return.

## When and where to file

File Form CT-5 on or before the due date of your tax return.

Type of corporation	Due date of extension
Businesses filing Form CT-13 .....	4½ months following the end of the tax period
Taxable DISCs .....	8½ months following the end of the tax period
All others .....	2½ months following the end of the tax period

If you cannot file within the six-month extended period, you may request two additional three-month extensions by filing Form CT-5.1 for each extension.

**Mailing instructions:** Mail Form CT-5 with payment to **NYS Corporation Tax, Processing Unit, PO Box 22094, Albany NY 12201-2094**. Otherwise, mail Form CT-5 to **NYS Corporation Tax, Processing Unit, PO Box 22102, Albany NY 12201-2102**. If you are using a private delivery service, please see Publication 55 for the designated delivery services. If you use any private delivery service, whether it is a designated service or not, address your return to: State Processing Center, 431C Broadway, Albany NY 12204-4836.

## Line instructions

**Reporting period** — If you are a calendar-year filer, check the box in the upper right corner on the front of the form. If you are a fiscal-year filer, complete the beginning and ending tax period boxes in the upper right corner on the front of the form.

**Line A** — Enter your payment 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**. Do not staple or clip your check or money order. Detach all check stubs.

**Lines 1 and 6** — Use the worksheet below to properly estimate the franchise tax and the MTA surcharge.

**Line 2** — If the franchise tax on line 1 exceeds \$1,000, but does not exceed \$100,000, multiply the amount on line 1 by 25% (.25) and enter the result. If the franchise tax on line 1 exceeds \$100,000, multiply the amount on line 1 by 30% (.30) and enter the result.

**Life insurance corporations** — The mandatory first installment of estimated tax for life insurance corporations is 40% of the preceding year's tax.

If you are not required to pay the first installment of estimated tax for the next tax year, enter "0" on line 2.

**Line 7** - If the franchise tax on line 1 exceeds \$1,000, but does not exceed \$100,000, multiply the amount on line 6 by 25% (.25) and enter the result. If the franchise tax on line 1 exceeds \$100,000, multiply the amount on line 6 by 30% (.30) and enter the result.

**Composition of prepayments** — If you need more space, write **see attached** in this section, and attach a separate sheet showing all relevant prepayment information. Transfer the total(s) to line 16, column A and B.

### Worksheet for lines 1 and 6

Complete Parts I and II. 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 I and complete only Part II. See the instructions below.

**Part I** — Preceding year (if it was a tax year of 12 months)

- A. Franchise tax from preceding tax year ..... A \_\_\_\_\_  
 B. MTA surcharge from preceding tax year ..... B \_\_\_\_\_

**Part II** — Current year

- C. Franchise tax estimated to be due for the current tax year ..... C \_\_\_\_\_  
 D. MTA surcharge estimated to be due for the current tax year ..... D \_\_\_\_\_

Enter on lines 1 and 6 either:

- The tax from the preceding year (Part I, lines A and B); or
- The tax from the current year (Part II, lines C and D).

Exception: The combination of lines A and D may be used on lines 1 and 6 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.

### Worksheet instructions

#### Part I

**Line A** — Enter the amount of franchise tax (computed after the deduction of any credits and before the addition of the MTA surcharge) shown on the franchise tax return for the preceding tax year, if it was a tax year of 12 months.

**Line B** — Enter the amount of MTA surcharge shown on the 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 II

**Line C** — Determine the franchise tax (computed after the deduction of any tax credits and before the addition of the MTA surcharge) for the tax year for which this extension is requested. Multiply the franchise tax by an amount not less than 90% and enter on line C (see *Requirements for a valid New York State extension* above).

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

**Form CT-3M/4M filers only:** If the fixed dollar minimum tax applies for the current year and you were not subject to the MTA surcharge for the preceding year, compute the MTA surcharge as follows:

- Multiply the fixed dollar minimum by the MTA allocation percentage of 100%; and
- Multiply the result by the MTA surcharge rate of 17% (.17).

See the applicable MTA surcharge return and instructions for information on the computation of the MTA surcharge. It may be necessary to complete the applicable MTA surcharge return to compute the estimated MTA surcharge for the tax year for which this extension is requested.