



Tax



Business



Taxpayers

Postponement of tax due dates considering recent earthquakes

January 17, 2019

As a result of the damages caused by earthquakes that have affected and continue to affect Puerto Rico since January 6, 2020, the Puerto Rico Treasury Department (“PRTD”) announced the postponement of various tax filing and payment due dates for the month of January 2020 through the issuance of Internal Revenue Circular Letter Num. 20-02 (“CC RI 20-02”).

Section 6080.12(c) of the 2011 Puerto Rico Internal Revenue Code, as amended (the “Code”), empowers the Secretary of Treasury of Puerto Rico (“Secretary”) to extend the due date of the payment of all kind of taxes or the filing of any form or declaration required by the Code, for taxpayers that have been affected by a disaster officially declared by the Governor of Puerto Rico.

On January 7, 2020, the Puerto Rico Governor issued Executive Order Num. OE-2020-01 to declare a state of emergency considering the damages caused by various earthquakes that greatly affected Puerto Rico. The earthquakes caused significant damages to critical infrastructure, life and property, including roads, bridges, schools, homes and other related damages. In addition, work in the government of Puerto Rico was cancelled for several days. Similarly, the start date of the school year was postponed.

Visit our website to view additional articles

www.grantthornton.pr

To that end, the PRTD has issued Internal Revenue Circular Letter Num. 20-02 with the purpose of postponing the deadline to file certain forms and declarations along with the payment of certain taxes that are due during the month of January 2020 and establishes that no interest, surcharges or penalties will be imposed due to said postponement.



To such effect, the new due dates for the following tax returns and/or payment of taxes are as follows:

Type of form	Original due date	Type of tax	New due date
Returns, declarations and forms related to employer contributions, withholdings and payments of estimated income tax, including the fourth 2019 estimated tax payment for individuals	January 7, 2020 thru January 30, 2020	Payroll Withholding Tax Income Tax	January 31, 2020
Income Tax Returns, including related forms, and requests of extension of time to file the returns	January 15, 2020	Income Tax	March 16, 2020
Monthly Excise Tax Returns and Tax on Imports Monthly Returns, including the corresponding payment	January 10, 2020	Excise Tax Sales and Use Tax	January 31, 2020
Monthly Sales and Use Tax Return	January 20, 2020	Sales and Use Tax	January 31, 2020
First installment of biweekly Sales and Use Tax payment	January 15, 2020	Sales and Use Tax	January 31, 2020
*The second installment of biweekly Sales and Use Tax payment for the month of January 2020, and all License Permits with an expiration date during the month of January 2020, will remain with the same deadline, which is January 31, 2020.			

With regards to imports, the PRTD has taken the necessary measures to ensure the continuity of the process of importing and taking possession of the merchandise. For this purpose, it is reported that the Unified Internal Revenue System ("SURI") continues to operate without any issues. Taxpayers may complete their declaration through SURI and pay the corresponding tax in order to obtain the authorization to take possession of the merchandise. Should any issue arise, the importer may visit the Satellite Office of the Consumer Tax Bureau corresponding to the maritime or land carrier used to introduce the merchandise to Puerto Rico and complete the procedure to obtain the authorization to take possession of the merchandise.

It is further clarified that the provisions of the circular letter will not apply to the following forms and therefore their filing deadline will be the one established in the Code, which is **January 31, 2020, for taxable year 2019:**

- Withholding Statements (Form 499R-2/W-2PR)
- Reconciliation Statements of Income Tax Withheld (Form 499 R-3)
- Informative Return – Mortgage Interest (Form 480.7A)
- Informative Return – Automobile Lease Payments (Form 480.7D).

The PRTD will make the necessary adjustments in its tax information systems to grant the automatic waiver of interest, surcharges and penalties imposed by the Code, in those cases where the taxpayer has fulfilled the tax responsibilities and dates set forth above. However, taxpayers who have been imposed interest, surcharges and penalties despite having complied with what is set forth here, may request the elimination through SURI, as appropriate, or may make such request in person at any of the Service Centers that are currently available.

Please contact our Tax Department should you require additional information regarding this or any other tax issue. We will be glad to assist you.



Lina Morales
Partner Head of Tax
E lina.morales@pr.gt.com



María de los Angeles Rivera
Tax Partner and IBC Director
E maria.rivera@pr.gt.com



Francisco Luis
Tax Partner
E francisco.luis@pr.gt.com



Isabel Hernández
Tax Partner
E isabel.hernandez@pr.gt.com



DISCLAIMER: This update and its content do not constitute advice. Clients should not act solely on the basis of the material contained in this publication. It is intended for information purposes only and should not be regarded as specific advice. In addition, advice from proper consultant should be obtained prior to taking action on any issue dealt with this update.

© 2020 Kevane Grant Thornton LLP All rights reserved. Kevane Grant Thornton LLP is a member firm of Grant Thornton International Ltd (GTIL). GTIL and the member firms are not a worldwide partnership. Services are delivered by the member firms. GTIL and its member firms are not agents of, and do not obligate, one another and are not liable for one another's acts or omissions. Please visit www.grantthornton.pr for further details.