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## Business Tax Update

Issue 94  
August 2018



### Reminders

We have a [range of calendars](#) to help you plan ahead to meet your obligations.

**Remember:** If a due date falls on a weekend, public holiday or provincial anniversary day, we can receive your return and payment on the next working day without a penalty being applied.

**From 1 September** you need a myIR Secure Online Services account to file your *Fringe benefit tax quarterly return (IR420)* online.

### Get ready to shift to payday filing

From April 2019 all employers will need to file their employment information every payday.

This means instead of filing an *Employer monthly schedule (IR348)* every month, you'll file employment information every payday in line with your normal payroll cycle.

Providing us with more timely information means your employees will have more certainty about what they will receive, eg Working for Families Tax Credits, and/or have to pay.

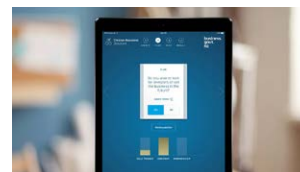
Filing each pay day is best when incorporated into your payroll tasks. So now's the time to get your business processes in order and plan for the shift to payday filing before April 2019.

The change is just one of the ways we're making tax simpler for New Zealanders.

[Find out more about payday filing](#)

**Choose your business structure - three quick questions and you're on your way**

There are different ways to structure your business, each with different legal and financial obligations. The structure you choose can impact your ability to grow or sell the business, so it's important to get it right.



That's where [Choose Business Structure](#) comes in.

Choose Business Structure is a free, easy-to-use online tool that gathers information from across government and the private sector to help you make the best choice for structuring your business.

If you're already in business, it's a good way to check to see if you have the right business structure for your current and future needs. As your business evolves, its structure may need to evolve as well.

The Choose Business Structure tool has been developed by [business.govt.nz](http://business.govt.nz) in association with the New Zealand Companies Office, the New Zealand Business Number, Inland Revenue and ACC.

## We'll still accept late submissions for CRS and FATCA disclosures

Although the due date for Common Reporting Standards (CRS) and Foreign Account Tax Compliance Act (FATCA) disclosures has passed, we'll still accept late submissions.

Financial institutions needed to report information about foreign tax resident financial accounts to us for the year ending 31 March 2018 by **30 June**. This is an annual obligation to comply with the CRS and FATCA legislation. We are due to exchange information internationally by 30 September 2018.

[Find out more about CRS registration and reporting](#)  
[Find out more about FATCA registration and reporting](#)

Our customers continue to focus on how the CRS applies to trusts, as well as broader CRS due diligence and reporting obligations, specifically:

- **tax residency self-certification requirements** - are accounts you or your clients hold or control with financial institutions, reportable accounts?
- **persons connected to a trust (including discretionary beneficiaries receiving distributions)** - are trusts and/or trust accounts you manage, reportable persons?
- **whether the trust or corporate trustee is a financial institution** - do New Zealand trusts or New Zealand foreign trusts you act for as a corporate trustee have to register and/or report to us?

### Guidance and support materials

Build your knowledge using our factsheets:

- [Accountants and the CRS \(IR1089\)](#)
- [Is the Trust a Reporting New Zealand financial institution \(IR1052\)](#)
- [Family Trust obligations under the CRS \(IR1053\)](#)
- [CRS Due Diligence and Reporting \(IR1049\)](#)
- [CRS Obligations: Account holders \(IR1220\)](#)

### For more information

- Sign up with CCH Learning for our [free AEOI overview 'Back to basics' webinar](#)
- Email your questions and sign up to receive updates at [global.aeoi@ird.govt.nz](mailto:global.aeoi@ird.govt.nz)
- [Read about FATCA obligations, guidance and the support materials available](#)

### Banks closing or freezing bank accounts of customers (incomplete tax residency declarations)

As part of the automatic exchange of information (AEOI) combating global tax evasion, financial institutions including banks, are legally required to ask **all** their customers to "self-certify" their country of tax residency.

If any of your clients have had their financial accounts frozen and/or closed because they have not completed the relevant "self-certification" requirements, please refer them to their bank for completion.

[Find out more about tax residency](#)

## Business running of a motor vehicle - kilometre rate

The Commissioner has issued a new [Operational Statement 18/01 - Commissioner's statement on using a kilometre rate for business running of a motor vehicle](#).

This updates and replaces [Operational Statement 09/01 - Commissioner's statement of a mileage rate for expenditure incurred for business use of a motor vehicle](#), issued in May 2009.

The new rules allow the choice between using the cost method (which is based on keeping records of actual costs incurred) or a kilometre rate method which has replaced the mileage rate method from 1 April 2017.

The kilometre rates for the 2017/2018 income year are as follows:

2017/2018 kilometre rates		
Vehicle type	Tier one rate	Tier two rate
Petrol or diesel	76 cents	26 cents
Petrol hybrid		18 cents
Electric		9 cents

Tier one is a combination of the vehicles fixed and running costs. It applies for the business portion of the first 14,000kms travelled by the motor vehicle in a year.

Tier two includes only the running costs. It applies for the business portion of any travel in excess of 14,000kms.

## Foreign investment fund income - deemed rate of return

The deemed rate of return is 6.44% for the 2017-2018 income year. This is up from the previous rate of 6.28%.

## Income tax - what is the treatment of allowances paid and benefits provided to farm workers?

A recent [Question We've Been Asked \(QB 18/13\)](#) considers the income tax treatment of allowances or benefits paid or provided to employees in a farming context. It sets out the Commissioner's view on the extent to which they can be paid as exempt from tax.

## War pensions paid under the Dutch ABVP Scheme

The recent [Question We've Been Asked \(QB 18/12\)](#) confirms that pensions under the Dutch (Benefit Act for Victims of Persecution 1940-1945) are tax exempt.

## Taxation of trusts - income tax

The recent [Interpretation Statement \(IS 18/01\)](#) summarises the income tax law as it applies to trusts. The interpretation statement sets out the Commissioner's view on the application of the trust rules for income tax purposes.

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