

Last weeks to file annual CIT returns for 2021

I. CIT returns are filed by persons taxable with corporate income tax

Legal persons and organizational entities without legal personality are taxable with corporate income tax - CIT. After the end of the tax year, CIT taxable persons file form CIT-8 - declaration on the amount of income earned or loss incurred. CIT-8 are filed by: legal persons (e.g. limited liability companies and joint-stock companies, associations, cooperatives); limited companies in organization, i.e. at the stage from the conclusion of the articles of association to entry in the business register; organizational units without legal personality, with the exception of entities without legal personality (e.g. housing cooperatives); partnerships limited by shares; limited partnerships; companies without legal personality with their place of establishment or management in another state if under the tax regulations of that state they are treated as legal persons and are subject to taxation on all of their income in that state. CIT returns are filed with the local tax authority according to the taxable person's registered address listed in the relevant register, or in its statute or articles of association (if the registered address is not listed in the relevant register).

II. For most taxable persons the filing deadline is 30 June

This year, the deadline for the filing of a declaration on the amount of income earned (loss incurred) in the tax year ended in the period from 1 December 2021 to 28 February 2022 was extended until 30 June 2022. The same deadline has been set for the payment of the tax due under the declaration or of the difference between the tax due on the income declared in the declaration and the total of the advances due since the start of the tax year. Also extended until 30 June 2022 was the deadline for taxable persons taxed with flat-rate corporate income tax (so-called Estonian CIT) to present the annual tax return information on their revenue, costs and income (see Article 7aa par. 9 point 2 of the CIT Act). The new deadline applies to those CIT taxable persons whose first year of flat-rate taxation began in the period from 1 January 2021 to 1 March 2022.

These are the last weeks to file 2021 CIT returns. A completed CIT-8 should be signed and filed no later than by 30 June 2022. This deadline applies to taxable persons whose tax year ended in the period from 1 December 2021 to 28 February 2022. For other taxable persons the deadline is 3 months after the end of the tax year.



III. Appropriate forms must be used to file annual CIT returns

The following forms are currently used to file CIT returns for 2021: CIT-8 (31), i.e. declaration on the amount of income earned (loss incurred) and corporate income tax due and CIT-8AB (6), i.e. declaration on the amount of income earned (loss incurred) by a tax group and on the amount of corporate income tax due; CIT-8E (1), i.e. declaration on the amount of income earned and flat-rate tax due on corporate income for the tax year ended in the period from 1 December 2021 to 28 February 2022. CIT-8E is to be used by companies taxed with flat-rate tax on corporate income (so-called Estonian CIT). This form of taxation may be used by taxable persons who conduct operations in the form of a limited liability or joint-stock company referred to in Article 28j par. 1 of the CIT Act. Form CIT/EZ is an attachment to form CIT-8E.

IV. Relevant attachments must be filed along with the return

In addition, the returns are accompanied by the following attachments: CIT-8/O (17) Information about income and tax deductions and on tax-free and tax-exempt income; CIT/BR (8) Information about the deduction of qualified costs from the tax base; CIT-D (7) CIT taxable person's information on donations received (granted); CIT/IP (3) Information about the amount of income earned (loss incurred) from qualified intellectual property rights; CIT/MIT (3) Information about fixed assets and revenues filed by taxable persons required to pay the tax referred to in Article 24b of the act; CIT/NZI (2) Information about the market value of an asset determined in an EU member state for the purposes of taxation with a tax equivalent to the tax on unrealized income; ORD-ZU (3) Explanation of the reasons for correcting a declaration; CIT/PM (1) Information about the market value of an asset temporarily transferred outside the territory of the Republic of Poland; SSE-R (5) Income tax on income earned on operations performed in the territory of a special economic zone based on a permit; CIT/8S (5) Information about the amount of income earned from business operations performed in the territory of a special economic zone based on a permit; CIT/8SP (5) Information about the amount of income earned from business operations performed in the territory of a special economic zone based on a permit; CIT-ST/A (5) Information about permanent establishments (branches); CIT-ST (8) Taxable person's information to determine the local governments' share in the proceeds from corporate income tax; CIT/WW (3) Information about the amount of income earned from the sale of virtual currencies and the resulting income tax; CIT/WZ (2) Information about trade receivables and payables that decrease or increase the tax base (loss); CIT/KW (2) Information about revenue, costs, income from a transformation and the tax due in connection with choosing taxation with flat-rate tax on corporate income filed by companies whose first year of taxation with Estonian CIT began in the period from 1 January 2022 to 1 March 2022; CIT-ST (8) Taxable person's information to determine the local governments' share in the proceeds from corporate income tax.

V. Annual tax returns are filed electronically with a certified signature

Returns are filed by CIT taxable persons even if in a given year they had no income, or had only tax-exempt income. The obligation to file an annual return is also not waived due to the absence in a reporting period of revenues or tax-deductible costs. In the case of the latter, the taxable person files a so-called zero CIT-8. This is because CIT-8 is a declaration on the amount of income earned or loss incurred rather than the amount of tax. CIT taxable persons are currently required to file their annual tax returns electronically. What is more, electronically filed CIT-8 cannot be signed using a free electronic signature (ePUAP) or verification data (as is the case with PIT). Electronic filing of a CIT return requires a secure electronic signature verified using a valid certificate.



VI. Any underpaid tax must be paid by 30 June

Aside from the CIT return and the accompanying attachments, 30 June 2022 is the deadline for the taxable person to pay any tax due, or the difference between the tax that is due and the tax advances that have been paid. Tax due is the difference between revenue, costs and deductions as well as tax advances paid by the taxable person throughout of the tax year. Depending on the method they have adopted, during the tax year taxable persons are required to make monthly or quarterly tax advances at the amount of the difference between the tax due on the income earned since the start of the tax year and the total of the advances due for the previous months or quarters. It is not necessary for the payment to take place the same day as the return is filed. But both of these obligations must be fulfilled by 30 June 2022 at the latest. Taxable persons whose tax year ended or will end in a period other than from 1 December 2021 to 28 February 2022 have three months of the end of the tax year to both file the return and pay any tax due.

VII. CIT returns must be filed in electronic form

CIT-8 returns are filed electronically via the e-Deklaracje CIT system. Paper returns can only be filed by those CIT taxable persons who have only earned tax-exempt income and have no employees or contractors. Electronic declarations may be filed by an attorney-in-fact that has been authorized to do so. Such authorization is free of charge. It is form UPL-1 to sign electronic tax declarations. It is also possible to appoint an attorney-in-fact to file paper declarations. This type of power of attorney - UPL-1P - carries a fee of PLN 17. The fee has to be paid to the bank account of the city or municipality relevant to the location of the tax office at which the power of attorney is being filed.



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