To

☒ **Finanzamt Österreich**, Postfach 260, 1000 Wien

☒ **Finanzamt für Großbetriebe**, Postfach 251, 1000 Wien

Receipt note

2022



*Please fill out in CAPITAL LETTERS and only in black or blue colour. Amounts in euros and cents (right-aligned).*

Tax number

NAME OF THE CORPORATION

# Corporate income tax return for 2022

*Legal provisions without further specification refer to the Corporate Income Tax Act 1988 (Körperschaftsteuergesetz, KStG 1988).*

**Information on electronic filing of returns can be found at bmf.gv.at or directly at FinanzOnline (https://finanzonline.bmf.gv.at).**
**Information on corporate income tax can be found at bmf.gv.at under Findok - Richtlinien (corporate income tax directives).**

*Corporate income tax return for domestic and comparable foreign taxpayers with* ***unlimited*** *tax liability obligated to keep books under the provisions of corporate law, and for co-operatives, commercial enterprises and private foundations that fall under Section 7 (3).*



***Please check the relevant box.***

Seat of the corporation

Address and telephone number of the management

Industry code (ÖNACE 2008) according to E 2 **Please fill out.** 1 | Mixed operation

Length of the income calculation period **only** if not 12 months (number of months) 2 | The year-end has been approved by the competent bodies: yes no

Balance sheet date T T M M J J J J | 3 Liquidation period from T T M M J J J J to T T M M J J J J

The company is *(Please also fill out form K 1g)* 4: Parent company | Subsidiary | Minority shareholder of an associated company

A reorganisation took place during the assessment period: yes

The option in favour of tax applicability is exercised for (a) **new** international inter-company participation(s) (Section 10 (3), *Please enclose Attachment K 10). **Please note:** Attachment K 10 must also be enclosed if an option was exercised in previous years.* ***Attachment K 10 must therefore be enclosed if an option has been exercised in the assessment year or in a previous year.*** 5

Option to be treated as a Section 7 para. 3 corporation for commercial and industrial cooperative societies 6

One or more **tax-exempt COVID-19 subsidy(ies)** was(were) received, for which the prohibition on deduction under Section 20 para. 2 must be taken into account in the 2022 assessment [1)]
no | yes | if yes, amount of the subsidy(ies): **9341**

One or more **taxable COVID-19 subsidy(ies)** was (were) received, which must be recorded in the 2022 assessment [2)]
no | yes | if yes, amount of funding(s): **9342**

| **1. Balance sheet items pursuant to Section 224 of the Commercial Code (*Unternehmensgesetzbuch*, UGB)** 7 | | Amounts in euros and cents |
|---|---|---|
| Real estate<br>EKR 020-022 | **9310** | |
| Buildings on own land<br>EKR 030, 031 | **9320** | |
| Financial assets<br>EKR 08-09 | **9330** | |
| Inventories<br>EKR 100-199 | **9340** | |
| Trade receivables<br>EKR 20-21 | **9350** | |
| Other provisions (excluding provisions for severance payments, pensions or taxes) unless they must be recorded under code **9363** – EKR 304-309 | **9360** | |

1) *In the case of compensation for losses relating to the 2022 assessment the prohibition on deduction pursuant to Section 20 para. 2 must be taken into account. For the reduction of expenses, see in particular margin note 313b of the Austrian Income Tax Guidelines 2000.*
2) *This includes the revenue loss bonus, insofar as it applies to months of the year 2022*

| | | |
|---|---|---|
| General provisions for other contingent liabilities | **9363** | |
| Liabilities to credit institutions and financial institutions<br>EKR 311-319 | **9370** | |
| **2. Profit and loss statement pursuant to Section 231 UGB** 7 | | |
| **Revenue** *[As a rule, revenue must be indicated unsigned. Only when a code bears a negative value must a negative sign ("-") be used.]* | | |
| Sales revenues (goods and services revenues)<br>EKR 40-44 ***Please note:*** *This code must be filled in in any case (Section 62 Para. 5 Federal Fiscal Code (FFC – Bundesabgabenordnung). If necessary, enter the value "0".* | **9040** | |
| Investment revenue<br>EKR 460-462 before any resolution to 463-465 or 783 | **9060** | |
| Internally produced and capitalised assets<br>EKR 458-459 | **9070** | |
| Inventory changes<br>EKR 450-457 | **9080** | |
| Other revenue (including financial revenue, capital changes, profit shares from a silent partnership)<br>Balance | **9090** | |
| **Sum of the revenue** *(does not have to be filled in)* | | |
| **Expenses** *[As a rule, expenses must be indicated unsigned. Only when a code bears a negative value must a negative sign ("-") be used.]* | | |
| Goods, raw materials, auxiliary materials<br>EKR 500-539, 580 | **9100** | |
| Provided personnel (external personnel) and external services<br>EKR 570-579, 581, 750-753 | **9110** | |
| Personnel expenses ("own staff")<br>EKR 60-68 | **9120** | |
| Depreciation of property, plant and equipment (e.g. depreciation for wear and tear, low-value assets, EKR 700 - 708), unless they are to be recorded under code **9134** | **9130** | |
| Degressive depreciation for wear and tear | **9134** | |
| Depreciation of current assets, insofar as this exceeds the usual depreciation in the company - EKR 707 - and **allocation/reversal of specific value adjustments to receivables** | **9140** | |
| Allocation/reversal of flat-rate value adjustments to receivables<br>***Please note:*** *For reversals, the amount must be entered with a negative sign.* | **9142** | |
| Maintenance (maintenance costs) for buildings<br>EKR 72 | **9150** | |
| Travel expenses including mileage allowance and daily allowances (but not actua motorl vehicle costs)<br>EKR 734-737 | **9160** | |
| Actual motor vehicle costs (without depreciation for wear and tear, leasing and mileage allowance)<br>EKR 732-733 | **9170** | |
| Rental and leasing expenses<br>EKR 740-743, 744-747 | **9180** | |
| Commissions to third parties, licence fees<br>EKR 754-757, 748-749 | **9190** | |
| Advertising and representation expenses, donations not to be recorded under codes **9243** to **9246**, tips EKR 765-769 | **9200** | |
| Book value of disposed assets<br>EKR 782 | **9210** | |
| Interest and similar expenses<br>EKR 828-834 | **9220** | |
| Profit shares of genuine silent partners within the meaning of Section 27 para. 2 item 4 | **9258** | |
| Pension fund contributions (Section 4 para. 4 item 2 EStG 1988 (*Einkommensteuergesetz* – Austrian Income Tax Act)) | **9248** | |
| Company donations to beneficiary research and teaching institutions, museums, cultural institutions, the Federal Monuments Office, umbrella organizations for disabled sports, the International Anti-Corruption Academy, etc. | **9243** | |
| Donations to charitable organisations, beneficiary fundraising associations, etc. [3] | **9244** | |
| Donations to environmental organisations and animal shelters [3] | **9245** | |
| Donations to voluntary fire brigades and state fire brigade associations | **9246** | |



[3] *Deductible only if the respective institution is included in the list of beneficiary donation institutions of the Austrian Federal Ministry of Finance.*

| | | |
|---|---|---|
| Donations to the endowment of a charitable foundation [3] | **9261** | |
| Donations to the Innovation Foundation for Education and its sub-foundations [3] | **9262** | |
| Donations to a foundation in support of corporate purposes | **9263** | |
| Donations to an employee development foundation | **9264** | |
| Donations to a workforce share participation foundation | **9265** | |
| Donations to an employee share participation foundation | **9266** | |
| Other expenses, capital changes<br>Balance | **9230** | |
| **Sum of the expenses** *(does not need to be filled in)* | | |
| **Net profit/loss** *(without taking into account profit/loss carried forward, including any foreign income for which the taxation right belongs to another state on the grounds of double taxation conventions)* | | |

**3. Corrections to the net profit/loss (tax increase/decrease calculation)**

*To determine the taxable profit/loss, the net profit/loss – insofar as it has not yet been determined in accordance with tax regulations – must be corrected by the following additions or deductions. Profit-increasing corrections are to be entered without a sign; profit-reducing corrections are to be indicated with a negative sign ("-").*

| | | | |
|---|---|---|---|
| Allocations to reserves/writing back of reserves | 8 | **9236** | |
| Profits/losses of subsidiaries included in the parent company's corporate net profit/loss owing to a profit and loss transfer agreement | 9 | **9238** | |
| Corrections to depreciation of property, plant and equipment under code **9130**, unless they are to be recorded under code **9269** | | **9240** | |
| Corrections to depreciation of property, plant and equipment under code **9130**, insofar as accelerated building depreciation (Section 8 para. 1a) is affected | | **9269** | |
| Corrections pursuant to Section 7 para. 1a to declining-balance depreciation under code **9134** | | **9268** | |
| Fifth of a value adjustment to be recorded in the 2022 assessment pursuant to Section 124b item 372 litera a in conjunction with litera c EStG 1988 ("old receivables") | 10 | **9273** | |
| Corrections to motor vehicle costs | | **9260** | |
| Corrections to rental and leasing expenses (EKR 740-743, 744-747) - code **9180** | | **9270** | |
| Corrections to advertising and representation expenses, donations, tips (EKR 765 -769) - code **9200** | | **9280** | |
| Corrections regarding donations under codes **9243, 9244, 9245, 9246** | 11 | **9317** | |
| Corrections regarding donations to the endowment of a charitable foundation - code **9261** | 11 | **9322** | |
| Corrections regarding grants to the Innovation Foundation for Education and its sub-foundations - code **9262** | 11 | **9325** | |
| Corrections related to social capital reserves (Section 14 EStG 1988) | | **9282** | |
| Fifth of a reserve amount to be recorded in the 2022 assessment pursuant to Section 124b item 372 litera b in conjunction with litera c EStG 1988 ("old amounts") | 12 | **9274** | |
| Other corrections not to be taken into account under code **9292** related to other reserves | | **9286** | |
| Corporate income tax (including allocation to reserves, minus release of reserves and rebates), foreign personal taxes in accordance with codes **673, 836** and **841** and tax allocations in the case of a group of companies | 13 | **9292** | |
| Capital yields tax on capital yields received that are retained or assumed by the liable party | | **9293** | |
| 6/7 of the depreciation and losses relating to capital shares to be distributed pursuant to Section 12 para. 3 item 2 | 14 | **9294** | |
| Corrections regarding remuneration for work and services (Section 20 para. 1 items 7 and 8 EStG 1988 in conjunction with Section 12 para. 1 item 8) | 15 | **9257** | |



[3] *Deductible only if the respective institution is included in the list of beneficiary donation institutions of the Austrian Federal Ministry of Finance.*

| | | | |
|---|---|---|---|
| Additional remuneration of any kind to members of the Supervisory Board, Board of Directors or to other persons appointed to supervise the management pursuant to Section 12 para. 1 item 7 | | 9295 | |
| Additional interest and licence fees pursuant to Section 12 para. 1 item 10 | 16 | 9318 | |
| Additional expenses pursuant to Section 14 KStG 1988 | 17 | 9333 | |
| Additional revenue pursuant to Section 14 KStG 1988 | 17 | 9334 | |
| Seventh pursuant to Section 12 para. 3 item 2 from the second business year of the distribution period | 14 | 9296 | |
| Fifteenths from goodwill amortisations pursuant to Section 9 para. 7 ***(only for group taxation and acquisition of shares prior to 01/03/2014)*** | 18 | 9297 | |
| Investment income pursuant to Section 10 para.1 items 1 to 4 | 19 | 9298 | |
| Investment income pursuant to Section 10 para.1 items 5 a | 19 | 9313 | |
| Investment income pursuant to Section 10 para. 1 item 7 (international inter-company participation) | 19 | 9314 | |
| Tax-exempt changes in value pursuant to Section 10 para. 3 (international inter-company participation | 20 | 9302 | |
| Subsequent taxation of foreign losses (Section 2 para. 8 item 4) | 21 | 9303 | + |
| Increase or reduction pursuant to Section 4 para. 2 EStG 1988 | | 9247 | + |
| Other allocations | 22 | 9304 | |
| Other deductions | 23 | 9306 | |
| Net profit/loss after the above corrections | | 704 | |
| Passive income that needs to be added from low-taxed foreign corporations and permanent establishments pursuant to Section 10a – *please fill out Attachment K 12 for the affected participation(s)/permanent establishment(s)* | | 599 | |
| Attributable earnings as minority shareholder of an associated company in domestic target entities (Attachment K 1g) | | 726 | |
| Attributable earnings as minority shareholder of an associated company in foreign target entities (Attachment K 1g) | | 827 | |
| Minus positive foreign income for which the taxation right belongs to another state on the grounds of double taxation conventions | 24 | 678 | |
| Income from the granting of **management rights** (Section 107 EStG 1988), which are to be taxed<br>☐ in the amount of 33% of the payment amount (without VAT)<br>☐ in the amount substantiated by an expert opinion<br>(standard taxation option pursuant to Section 107 para. 11 EStG 1988 in conjunction with Section 24 para.) | 25 | 554 | |
| **4. Total amount of income** before applying point 5<br>*Must be filled in in any case if point 5 is being taken into account.* | | 777 | |
| **5. Interest barrier** (Section 12a)<br>*For groups of companies pursuant to Section 9, this point is only to be completed by the parent company.* | | | |
| ☐ The interest barrier does not apply due to the exception for independent corporations (Section 12a para. 2) 26<br>*Not applicable when there is a group of companies pursuant to Section 9 (Section 12a para. 7 item 5)* | | | |
| ☐ An interest surplus that is non-deductible pursuant to Section 12a para. 1 was deducted in full because the requirement of Section 12a para. 5 was met (equity ratio comparison)<br>*(Code 168 must not be entered)* | 27 | | |
| Additional non-deductible interest surplus pursuant to Section 12a KStG 1988<br>☐ It is requested that the amount under code **168** be taken into account in subsequent business years as **interest carryforward**. *Please attach Attachment K 12a or K 12a-G* | 28 | 168 | + |
| Deductible interest carryforward pursuant to Section 12a para. 6 item 1 KStG 1988<br>*(please enclose Attachment K 12a or K 12a-G)* | 29 | 177 | – |
| ☐ It is requested that the unused taxable EBITDA be carried forward to the five subsequent business years in the amount of (**EBITDA carryfoward**):<br>*Please attach Attachment K 12a or K 12a-G* | 30 | 170 | + |
| Usage of the EBITDA carryforward pursuant to Section 12a para. 6 item 2 litera b KStG 1988<br>*(please attach Attachment K 12a or K 12a-G)* | 31 | 178 | – |
| **6. Total amount of income** (after taking point 5 into account)<br>*Does not need to be filled in* | | | |

| | | | |
|---|---|---|---|
| **7. Foreign losses** | | | |
| When calculating the income, **foreign losses** calculated in accordance with Austrian tax law were taken into account **at most** to the extent of the loss under foreign tax law (*Please note: Code **746** and/or **944** must be filled in in any case when taking foreign losses into account)* | | | |
| Losses taken into account from states with which **comprehensive administrative assistance** exists | 32 | **746** | |
| Losses taken into account from states with which **no comprehensive administrative assistance** exists | 32 | **944** | |
| **8. Included in the income from commercial operations/taxes to be credited** | | | |
| Creditable domestic capital yields tax | 33 | **645** | |
| **Creditable taxes in the event of additional taxation (Section 10a)** | | | |
| Actual creditable tax burden of the controlled corporation/establishment applicable to passive income under code **599** | | **318** | |
| Creditable comparable foreign upstream additional taxation applicable to passive income under code **599** | | **319** | |
| **Change in methodology (Section 10a para. 7)** | | | |
| Investment income pursuant to Section 10a para. 7 - *please fill in Attachment K 12 for the affected investments* | | **289** | |
| Foreign corporate income tax must be credited against this in the amount of | | **290** | |
| Foreign tax deducted at source must be credited against this in the amount of | | **291** | |
| **Other** | | | |
| Other foreign income | | **840** | |
| Foreign tax must be credited against this in the amount of | | **841** | |
| **Loss shares** from participation in partnerships/associations (Attachment K11) | 34 | | |
| Non-compensable losses included therein (Section 2 para. 2a EStG 1988) | | **615** | |
| **Profit shares** from participation in partnerships/associations (Attachment K 11) | 34 | | |
| Donations from business assets taken into account when calculating the positive income from participation in a partnership **933** | | | X |
| Non-compensable losses from previous years (Section 2 para. 2a EStG 1988) must be offset against profit shares from participation in partnerships as co-entrepreneurs in the amount of | | **616** | |
| Withholding tax to be credited pursuant to Section 107 EStG 1988 in conjunction with Section 24 para. 7 for income from the granting of management rights | 25 | **292** | |
| Income that is privileged in accordance with the Energy Promotion Act (*Energieförderungsgesetz*, EnFG). ***Please note:*** *The privilege is applicable only if operations started before 1 January 2020.* | | **670** | |
| **9. Special expenses** | | | |
| Loss deduction<br>a) Open loss deductions from previous years | 35 | **619** | |
| b) Income included in the total amount of income pursuant to Section 8 para. 4 item 2 litera b to calculate the carryforward limit (excluding the losses of foreign group members to be taxed subsequently and recorded under codes **9855** or **9875** of Attachment K 1g) | 36 | **624** | |
| **10. Recapitalisation gains** | | | |
| Profit from a debt reduction pursuant to Section 23a para. 2 (code **669**)<br>Quota to be paid in percent **668** | 37 | **669** | |
| **11. Payment of the tax liability in instalments (Section 6 item 6 litera c EStG 1988)** | | | |
| It is requested that the tax liability arising pursuant to Section 6 item 6 litera a and b be paid in **instalments for** an amount included in the income. | 38 | **978** | |
| Of this amount, the following is attributable to<br>☐ fixed assets (**5 instalments**) | | **559** | |
| ☐ current assets (**2 instalments**) | | **991** | |

## 12. Other

| | | |
|---|---|---|
| Distributions or grants have been decided in the amount of | **9307** | |
| Of that, an amount of **9308** ______ is for the following reasons not subject to tax deduction from capital yields: | | |
| a) ☐ Capital repayment within the meaning of Section 4 para. 12 EStG 1988 b) ☐ Significant participation (Section 94 item 2 EStG 1988) c) ☐ Other reasons | | |
| Repayment amount of reserved withdrawals pursuant to Section 18 para. 2 item 1 UmgrStG (*Umgründungssteuergesetz*, Austrian Restructuring Tax Act) | **813** | |
| Remaining amount of reserved withdrawals in the event of a resolution to dissolve, merge, convert or split up pursuant to Section 18 para. 2 item 1 UmgrStG | **814** | |
| A surcharge pursuant to Section 22 para. 3 of 25% of the following amount must be paid | **849** | |
| Amounts to be taxed by medium-sized companies pursuant to Section 6b para. 6 at 27.5% | **658** | |
| An application for crediting foreign corporate income tax from previous years is submitted for the following amount (credit carryforward, Section 10a para. 9) 39 | **850** | |
| Minimum corporation tax to be credited after a reorganisation | **941** | |

*Note for employee share participation foundations (Section 4d para. 4 EStG 1988): Together with this declaration, the information must be transmitted in accordance with Ordinance BGBl II No. 290/2020. This transmission must take place via data stream or a web service.*

I certify that the above information is **correct** and **complete** to the best of my knowledge and belief. I am aware that the information will be checked and that incomplete or incorrect information is a punishable offence. Should I subsequently realise that the above declaration is incorrect or incomplete, I will inform the tax office of this immediately (Section 139 Austrian Tax Procedure Law).

***IMPORTANT NOTE:*** *Please **do not sent any original documents/receipts**, as all documents that arrive at the tax office are destroyed in accordance with data protection regulations after having been recorded digitally. Keep this for at least **7 years** for possible verification.*

**It is even easier to submit this paperless declaration via bmf.gv.at (FinanzOnline).**
**FinanzOnline is available to you free of charge and around the clock and does not require any special software.**

| Tax representative (name, address, telephone number) |
|---|
| |

Date, signature

# Explanations for filling out the K 1 corporate tax return for 2022

**1** For industry codes, see the corresponding explanations in E 2 (explanations in Attachment E 1a). With regard to mixed operations, the following applies: A mixed operation exists if at least 20% of the operational turnover cannot be assigned to the specified industry code. In this case, the industry code of the majority of turnover must be specified and the existence of a mixed operation indicated.

**2** In the case of a short business year, the number of months of the short business year must be entered here. Months that have been started count as full months. If two (multiple) business years are recorded in the 2022 assessment (e.g. if the different balance sheet date is changed to 31 December), the number of months of the two (multiple) assessed business years must be stated. In such a case

- under point 1 ("Balance sheet items pursuant to Section 224 UGB") only the values of the last assessed business year should be stated and
- under point 2 ("Profit and loss statement pursuant to Section 231 UGB"), point 3 ("Corrections to the net profit/loss – tax increase/deduction calculation"), and point 9 ("Included in the income from commercial operations") the balance from the two (multiple) business years must be stated.

**3** The **liquidation period** starts at the end of the business year immediately before the decision to wind up came into effect, and ends with the actual winding up. Until the liquidation is completed, only the start of the liquidation needs to be stated. On completion of the liquidation, only the liquidation period needs to be stated; the duration of the income calculation period (see note 2) need not be stated.

**4** If applicable, the position of the corporation in a group of companies within the meaning of Section 9 KStG 1988 must be stated here. Double entries are also possible.

**5** pursuant to Section 10 para. 3, tax neutrality does not apply to an international inter-company participation if the taxpayer declares, in the corporate income tax return for the year of the acquisition of an international inter-company participation or the creation of one through the additional purchase of shares, that profits, losses and other changes in value should be tax applicable for the participation. When exercising the option, Attachment K 10 must be enclosed.

The option must be exercised **on the tax return** by checking the box. It can only be added or revoked within one month of submitting the corporate income tax return by way of an amendment.

**6** pursuant to Section 7 para. 3 KStG, the commercial and industrial cooperative societies that are no longer required to provide accounting owing to the Austrian Cooperatives Act (*Genossenschaftsgesetz*, GenG) can apply to be handled as commercial and industrial cooperative societies that are subject to accounting requirements. This means they retain their status as a Section 7 para. 3 corporation.

**7** Balance sheet accountants shall take into account, insofar as accounts of the Austrian Standard Chart of Accounts (*Einheitskontenrahmen* – EKR) are used, only the expenses/revenue or balance sheet items to be recorded on the expressly designated accounts under the corresponding codes. The revenue and expenses to be entered under "2. Profit and loss calculation pursuant to Section 231 UGB" must correspond to the amounts in the profit and loss statement in accordance with the company balance sheet. If the content of a code does not correspond to expenses/revenue in accordance with the EKR, this is expressly highlighted. Revenue that must not be recorded under codes **9040** through **9080** must be entered under code **9090** . Expenses and reductions of profit that must not be recorded under codes **9100** through **9266** must be entered under code **9230** . Any corrections can be found in the corresponding codes under "3. Corrections to the net profit/loss (tax increase/deduction calculation)".

**8** Allocations to profit and/or capital reserves and releases of profit and/or capital reserves must be entered here.

**9** Subsidiary profits included in the corporate result in accordance with the annual financial statements must be deducted under code **9238** and the losses added, provided there is a profit and loss transfer agreement in place. Calculation of the group income is computer-assisted, taking into account the information in K 1g and the corporate income tax returns of the other participants in the group of companies.

**10** For business years starting after 31 December 2020, **flat-rate bad debt allowances** are permitted under the conditions of Section 201 para. 2 item 7 of the Austrian Commercial Code (UGB). Flat-rate bad debt allowances may also be made for business years that end before 1 January 2021; the allowance amounts to be taken into account are to be distributed evenly over the business year starting after 31 December 2020 and the four subsequent business years.

**11** Under codes **9243** through **9246** (point 2 of the form), donations made to the donation recipients named under the respective codes must be entered. They constitute operating expenses insofar as they do not exceed a total of 10% of the operating profit. If donations amount to more than 10% of the operating profit, the amount must be corrected to the tax-permissible amount using code **9317**.

Donations to the endowment of a charitable foundation must be entered under code **9261** (point 2 of the form). They constitute operating expenses insofar as they do not exceed EUR 500,000 in total and 10% of the operating profit in the year of the donation. If donations amount to more than that, the amount must be corrected to the tax-permissible amount using code **9322**. Donations to the Innovation Foundation for Education and its sub-foundations must be entered under code **9262**. Any corrections must be made under code **9325**.

**12** For business years starting after 31 December 2020, **lump-sum provisions** are permitted under the conditions of Section 201 para. 2 item 7 of the Austrian Commercial Code (UGB). Lump-sum provisions may also be formed for business years ending before 1 January 2021; the reserve amounts to be taken into account must be distributed evenly over the business year beginning after 31 December 2020 and the four subsequent business years.

**13** The corporate income tax must be added with the amount by which it reduced the balance sheet profit in the profit and loss statement. In exceptional cases, a deduction of corporate income tax may also be considered if a corporate income tax credit was made when assessing previous years and this led to a yield on corporate income tax from previous years. Insofar as foreign income taxes were recorded as reducing profits, they must also be added under code **9292**.

**14** Deductible depreciation on the lower going-concern value or capital losses on an investment that is part of the fixed assets must be spread over seven years, unless write-ups or uncovered hidden reserves are offset against this (upon application) (Section 12 para. 3 item 2 KStG 1988). In the year of depreciation, 6/7ths of the depreciation amount must be added under **9294**. In subsequent years, open 1/7th amounts must be entered under code **9296**.

**15** From Section 20 para. 1 items 7 and 8 EStG 1988 in conjunction with Section 12 para. 1 item 8 KStG 1988, it follows that wages, certain remuneration for the provision of staff, pensions and pension severance payments, and voluntary severance payments are no longer fully deductible. If the deduction restriction applies, please enter the non-deductible amount to correct the value under code **9120** or **9110** under code **9257**.

**16** pursuant to Section 12 para. 1 item 10 KStG 1988, expenses for interest or licence fees, of which the recipients are corporate, non-taxed or low-taxed, domestic or comparable foreign corporations under private law, are not deductible. These non-deductible expenses must be entered under code **9318**.

**17** pursuant to Section 14 KStG 1988, tax discrepancies owing to hybrid arrangements must be neutralised. This neutralisation must be done by adding expenses and/or revenue. The amounts to be added must be entered under code **9333** or **9334**, unless they are already covered by Section 10 para.4 KStG 1988 and Section 12 para. 1 item 10 KStG 1988.

**18** For investments acquired after 28 February 2014, no goodwill amortisation can be carried out pursuant to Section 9 para. 7 in conjunction with Section 26c item 47 KStG 1988. Open fifteenth amounts from the goodwill amortisation for investments acquired before 1 March 2014 must continue to be claimed under code **9297** if the tax advantage from the goodwill amortisation upon acquisition of the investment could affect the calculation of the purchase price.

**19** The tax-exempt investment income must be entered under codes **9298**, **9313** and **9314** as follows:

- Section 10 para. 1 items 1 through 4 KStG 1988 provide for tax exemption for various forms of investment income from domestic sources (in particular for profit shares from domestic corporations and commercial and industrial cooperative societies). These must be recorded under code **9298**.
- Section 10 para. 1 item 7 KStG 1988 contains an exemption for investment income that comes from international inter-company participations. These must be recorded under code **9314**.
- Foreign investment income that does not come from an international inter-company participation is exempt pursuant to Section 10 para. 1 item 5 and 6 KStG 1988 if the foreign corporation either meets the requirements of Annex 2 to the EStG 1988 or is comparable to the domestic corporations covered by Section 7 Paragraph 3 KStG 1988 and there is comprehensive administrative assistance with their country of domicile for tax purposes. These must be recorded under code **9313**.

**20** Section 10 para. 3 KStG 1988 concerns the tax exemption of profits, losses and other changes in value from international inter-company participations. Such tax-exempt changes in value must be entered under code **9302**. This does not include profits or losses from the sale of such investments for which an option was exercised in favour of the tax applicability of said investments.

**21** A **foreign loss** that has been offset against domestic income pursuant to Section 2 para. 8 must be subsequently taxed to the extent that the loss was (also) offset or could have been offset abroad (see Items 187 ff. of the EStR 2000). However, recognised losses from countries with which there is no comprehensive administrative assistance increase the total amount of income no later than in the third year after recognition. The additional tax amount must be recorded under code **9303**.

**22** All allocations not included in the codes specified above must be recorded here. Moreover, depreciation on the lower going-concern value and capital losses regarding investments in group members must be allocated at their full amount (Section 9 para. 7 KStG 1988). In addition, the difference must be added at this point if the final tax share of profit/loss from the participation in a partnership as a co-entrepreneur is not yet recorded in the profit and loss statement.

**23** All deductions not included in the codes specified above must be recorded here. In addition, the difference must be settled at this point if the final tax share of profit/loss from the participation in a partnership as a co-entrepreneur is not yet recorded in the profit and loss statement.

**24** The part of the (positive) income (foreign income) that is exempt from Austrian income tax must always be calculated in accordance with Austrian law.

**25** If the standard taxation option is used, income from the granting of management rights (Section 107 EStG 1988) amounting to 33% of the payment amount (excluding VAT) or in an amount to be substantiated by an expert report must be entered under code **554**. Necessary corrections must be made under code 9306 (other deductions). The creditable withholding tax must be entered under code **292**.

**26** Outside of a group of companies, the regulations regarding the interest barrier do not apply to corporations that are not fully included in a consolidated financial statement, do not have an affiliated company within the meaning of Section 10a para. 4 item 2 and do not have a permanent establishment abroad. In this case, the box must be ticked. If there is no interest carryforward, no further entries need to be made under point 5; Attachment K 12a does not need to be filled out. However, if an interest carryforward is deducted owing to the exception for independent corporations, the deductible interest carryforward must be entered under code **177** and Attachment K 12a must be filled out.

**27** An interest surplus remains fully deductible in a business year if the corporation is fully included in consolidated financial statements in accordance with the UGB, IFRS or other comparable accounting standards and the ratio between its equity and its balance sheet total (equity ratio) on the balance sheet date of that business year is higher, the same or not more than two percentage points lower than the group's equity ratio (**equity ratio comparison**). The following applies:

1. The group's equity ratio must be determined on the group's reporting date for the business year in which the corporation's financial statements were received.
2. If the corporation's annual financial statements were not prepared in accordance with the same accounting standard as the consolidated financial statements, they must be reconciled to the accounting standard applicable to the consolidated financial statements. The accuracy of the offsetting and reconciliation must be confirmed by an auditor upon request.
3. The valuation in the corporation's annual financial statements must be carried out using the same method as in the consolidated financial statements.

**28** The interest surplus for the business year that is non-deductible pursuant to Section 12a, and which remains deductible in later business years based on the application submitted, must be entered under code **168**. The amount must correspond to the value for the non-deductible interest surplus stated in Attachment K 12a or K 12a-G (for a parent company). The non-deductible interest surplus is added to the total amount of income.

**29** The interest carryforward, which is non-deductible pursuant to Section 12a para. 6 item 1, must be entered under code **177**. The amount must correspond to the value for the non-deductible interest carryforward, which results from Attachment K 12a or K 12a-G (for a parent company). The deductible interest carryforward is deducted from the total amount of income.
Code **177** must also be entered if the deductibility of the interest carryforward results from the exception for independent corporations or from the equity ratio comparison. In this case, Attachment K 12a or K 12a-G (for a parent company in the event of an equity ratio comparison) must be filled out.

**30** The unused taxable EBITDA for the business year, which, based on the application submitted, is carried forward into the five subsequent business years and can be offset against a non-deductible interest surplus, must be entered under code **170**. The amount must correspond to the value stated in Attachment K 12a or K 12a-G (for a parent company).

**31** The EBITDA carryforward used pursuant to Section 12a para. 6 item 2 litera b must be entered under code **178**. The amount must correspond to the value of the used EBITDA carryforward stated in Attachment K 12a or K 12a-G (for a parent company).

**32** Foreign losses that, pursuant to Section 2 para. 8, have been offset with domestic income to an extent no greater than the loss determined under Austrian tax law must be entered here. Foreign losses from countries with which there is comprehensive administrative assistance must be entered under code **746**. Foreign losses from countries with which there is no comprehensive administrative assistance must be entered under code **944**. Such losses must be taxed subsequently at the latest in the third year after their recognition under code **9303**.

**33** The capital yields tax retained or assumed by the liable party is offset against corporate income tax.

**34** The profit/loss shares from the participation in a partnership as a co-entrepreneur and the restricted investment loss carryforward arising from this participation pursuant to Section 2 Paragraph 2a EStG 1988 (code **615**) or loss offsets (code **616**) must be entered here.

**35** Please always enter the full amount of losses that can be carried forward. The loss deduction limit is applied automatically (see note 34). Losses that have not been determined through proper bookkeeping cannot be carried forward.

**36** As a rule, pursuant to Section 8 para. 4 item 2, losses that can be carried forward are only deductible up to 75% of the total amount of income. This does not apply if the total amount of income includes the profits or amounts specified in Section 8 para. 4 item 2 litera b; in this case, the loss deduction is not limited. When applying this provision, the relevant amount for calculating the actual loss deduction to be taken into account must be entered here.

**37** In cases of debt relief within the meaning of Section 23a KStG 1988, the corporate income tax arising from recapitalisation gains is not to be assessed to an extent exceeding the quota (Section 23a para. 2 KStG 1988). The profit from the debt relief must be entered under code **669** and the quota under code **668**.

**38** Pursuant to Section 6 item 6 litera c, in the event of the transfer of assets or the relocation of establishments or permanent establishments as defined in litera a or the restriction of Austria's taxation right as defined in litera b, the tax liability shall be paid in instalments on the basis of an application submitted in the tax return if the transfer/relocation takes place in an EU Member State or an EEA State or the restriction of the taxation right vis-à-vis such a State takes place.

The tax liability for the **fixed assets** must be paid evenly over a period of **five years** , with the first instalment at the end of one month after disclosure of the tax assessment notice and the other instalments due on 30 June of the following years. Deviating from this, open instalments are due insofar as

1. Economic goods, businesses or establishments are sold, withdrawn in some other way or are combined in states outside the EU/EEA area or relocated,
2. the place of management of a corporation is relocated to a country outside the EU/EEA area,
3. the taxpayer files for bankruptcy or is wound up or
4. the taxpayer fails to pay an instalment within twelve months of the due date or pays an insufficient amount.

The occurrence of these circumstances must be reported to the competent tax authority within three months of occurrence.

The tax liability on the **current assets** must be paid evenly over a period of **two years**, with the first instalment being paid at the end of one month after disclosure of the tax assessment notice and the second instalment due on 30 June of the following year. Since this is a flat-rate distribution, early withdrawal does not have to be reported and does not lead to outstanding instalments falling due prematurely.

The total amount for which the tax must be paid in instalments must be entered under code **978**. With regard to this amount, a corresponding entry under code **559** or **991** distributes the resulting tax liability over five years or two years and the first instalment is prescribed as part of the assessment notice that is issued.

Should one of the circumstances mentioned under point 1, 2 or 3 occur in 2022, no entry needs to be made under code 978.

**39** pursuant to Section 10a para. 9 KStG 1988, any foreign corporate income tax that exceeds the tax liability within the scope of the credit can be credited in subsequent years upon application. The credit must be applied for by entering the amount to be credited under code **850**.