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Global Tax Alert

News from EY Americas Tax

Costa Rica's tax authorities issue guidance on the tax obligations for "inactive companies"

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EY Americas Tax

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On 20 December 2019, Costa Rica's tax authorities published, in the *Official Gazette*, Resolution No. DGT-R-075-2019 (the Resolution), on the obligation of "inactive companies" (i.e., entities that do not carry on a trade or business in Costa Rica) to register with the Tax Registry and file a specific tax return. The Resolution is effective as of the date of its publication in the *Official Gazette*.

According to the Resolution, inactive companies domiciled in Costa Rica must register in the Tax Registry (in Spanish: *Registro Único Tributario*) under activity code "960113 - companies incorporated in the country that do not carry out any trade or business of Costa Rican source" and include their legal representatives' information and an updated address. Inactive companies should register under this new "activity code," by the date corresponding to the last digit of their corporate ID numbers as follows:

Corporate ID number last digit	Month
1 and 2	During the calendar month following the Resolution's effective date
3 and 4	During the second calendar month following the Resolution's effective date
5 and 6	During the third calendar month following the Resolution's effective date
7 and 8	During the fourth calendar month following the Resolution's effective date
9 and 0	During the fifth calendar month following the Resolution's effective date

Inactive companies that previously registered before the Resolution's publication will be assigned activity code 960113.

All inactive companies must submit information on their assets, liabilities and capital on Form D-135, "Declaration of Assets for Inactive Companies." Inactive companies must file this form annually within two months and 15 calendar days from the end of the tax year for income tax purposes. The form must be filed even if the information has not changed from the previous year.

The Resolution amends Resolution No. DGT-R-012-2018 to provide that legal entities registered under activity 960113 cannot issue electronic invoices.

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