

GENERAL INSTRUCTIONS

(For Entries to be Made on This Form, See the Instructions on the Back of the Original Copy)

This form is to be used by each employer of one or more individuals in reporting and paying the taxes imposed under the Federal Insurance Contributions Act. This Act imposes an employers' tax of 1 percent upon wages paid by each employer and, in addition, an employees' tax of 1 percent upon wages received by each employee. An explanation of the principal provisions and requirements of the Act and related regulations is outlined below.

PARAGRAPH A. Wages that are taxable.—All wages paid to employees, with certain exceptions, are taxable. (The most important of these exceptions are listed in part B, below.) Taxable wages include not only money but the fair value of any other thing received by an employee from the employer in payment for work done, such as meals, lodging, clothing, or merchandise. In general, taxable wages also include the following:

- (1) Wages paid to temporary or part-time employees.
- (2) Salaries or wages paid to officers of corporations.
- (3) Wages paid to employees over age 65.
- (4) Commissions paid to employees.
- (5) Meals furnished to employees at restaurants and hotels, to seamen on American vessels, etc.
- (6) Bonuses.
- (7) Vacation allowances.
- (8) Wages paid by an individual employer to a son or daughter who is 21 or more years of age.

PAR. B. Wages that are not taxable.—Wages that are not taxable include:

- (1) Amounts over and above the first \$3,000 of wages paid to each employee by the same employer in any one calendar year. In determining whether this exemption applies in the case of an employee who worked for more than one employer during the year, each employer may take into consideration only the total amount of wages paid by himself to the employee. In other words the exemption applies separately to the wages the employee received from each employer and not to the total wages he received from all employers.
- (2) Compensation for services which are not covered by the Act, such as agricultural labor and certain kinds of domestic service.
- (3) Payments made by employers under certain plans providing for retirement, sickness or accidents, medical and hospitalization expenses, or death.
- (4) Dismissal payments which the employer is not legally required to make.
- (5) Tips paid directly to an employee by a customer of the employer, provided they are not accounted for by the employee to the employer.

PAR. C. Collection of employees' tax.—The employer should deduct the employees' tax of 1 percent when he pays them their wages, and if he does not do this, he becomes liable for this tax himself. Tax so deducted is a special fund in trust for the United States and should be accumulated until the time fixed for its payment, when it should be paid over to the Collector of Internal Revenue. Employees' tax deducted from an employee's wages must not be used by the employer for his own purposes. Severe penalties are imposed by law for willful failure to pay, collect, or truthfully account for this tax.

PAR. D. Quarterly tax return and wage report.—A return must be filed for each quarter of the calendar year as follows:

Quarter Ending	Due Date
March 31st	On or before April 30th
June 30th	On or before July 31st
September 30th	On or before October 31st
December 31st	On or before January 31st

Every employer must make a return on this form for the first quarter within which he pays taxable wages to his employee or employees, and for each quarter thereafter (whether or not taxable wages are paid therein) until he files a "final return," as explained in part E, below. The return should be mailed or delivered to the office of the United States Collector of Internal Revenue for the district in which your principal place of business is located, and should be accompanied by remittance of the amount of taxes due, including both the employers' tax and the employees' tax. Every employer who files a return after the due date, and who wishes to avoid the addition to tax for such delinquency (see part J, below), must attach a statement to the return as a part thereof, making an affirmative showing of all facts alleged as a reasonable cause for his failure to file the return on time.

After an employer has once filed a return on this form, a blank form will be mailed to him every 3 months; but if at any thing period his form should fail to reach him, the employer should write to his local Collector of Internal Revenue or call at his office for a form so that he can make his return on time.

PAR. E. Final returns.—Any person who ceases to pay taxable wages must indicate on this form that this is his final return. Check the reason in Item 23 on the face of the form and write "Final Return" at the top of the return, show the period which it covers and the date of the last payment of taxable wages, and mail it, accompanied by a remittance of the taxes due, to the Collector so that it will reach his office on or before the 30th day after such date. He should also attach to the return a statement, in duplicate, giving the address at which the records referred to in part I of the General Instructions will be kept, the name of the person keeping such records and, if the business has been sold or otherwise transferred to another person, the name and address of that person, and the date on which the sale or other transfer took effect.

An employer who has only temporarily ceased to pay wages (for example, an employer engaged in seasonal activities) must continue to file returns. If such an employer pays no taxable wages during a quarter he should enter on the face of the return for that quarter the date of the last payment of wages and the date when he expects to resume paying wages to one or more employees.

PAR. F. Statements to be furnished employees.—Every employer is required to furnish each of his employees a written statement in a form suitable for the employee to keep, showing the amount in a form suitable for the employee to keep, showing the

PAR. I. Records.—Every employer must keep sufficient records to enable him to fill in the return accurately for each employee, and to enable the Collector to verify the amount of taxes due. Such records must be retained for a period of 4 years from the date when the taxes were paid, and must at all times be open for inspection by Internal Revenue officers. The employer's copy of this return, and copies of all schedules and statements required to be attached to the original copy, must be kept by the employer at his principal place of business.

PAR. J. Interest and penalties.—If tax is not paid when due, interest accrues at the rate of 6 percent per year. If the return is not filed on time, 5 percent of 25 percent of the tax will be added to the tax unless the employer establishes that a reasonable cause exists for the delinquency. The amount to be added to the tax depends on the duration of the delinquency. (See part D, above, relative to the statement which the employer must submit if he does not file his return on time.) If the employer does not pay the amount of an assessment within 10 days after the service or mailing of a notice for such payment, a penalty of 5 percent will be added to the assessment. Penalties are also imposed by law for willful failure to pay, collect, or truthfully account for and pay over tax, furnish statements to employees, keep records, make returns, or for false or fraudulent returns.