

**INSTRUCTIONS FOR COMPLETING THE
CASINO COMPLIMENTARIES TAX RETURN**

A. General comments regarding the Casino Complimentaries Tax Return

1. Pursuant to P.L. 2003, c. 116, licensees are required to pay a tax on the value of rooms, food, beverages, or entertainment provided at no cost or at a reduced price. This quarterly return provides for the reporting and payment of these taxes to the New Jersey Casino Control Commission.
2. In accordance with N.J.S.A. 5:12-148.1, no excise tax shall be imposed on the value of any service or property upon which a sales or use tax has been paid by a casino licensee.

B. Preparation of the Tax on Casino Complimentaries Tax Return

1. All monetary amounts are to be reported in whole dollars, without cents. Formulas have been included on the electronic version of the form so that the mathematical calculations will be accurate (Lines 3 and 9) and subtotals and the totals will automatically calculate (Lines 5 and 8).
2. The following lines on the Casino Complimentaries Tax Return must be completed for each quarter:

<u>Line</u>	<u>Description</u>
1.	Number of Complimentary Rooms Issued – Enter on this line the total number of complimentary room nights provided to patrons during the quarter. (Include only rooms where the patron does not pay any portion of the room cost.) This line should agree with the number entered on line 5 of the Casino Control Commission’s Form CCC-265 (Quarterly Statistics).
2.	Room Rate – In accordance with the authority granted in <u>N.J.S.A. 5:12-148.1</u> , the Casino Control Commission has mandated a room rate of \$92 per night (see Casino Control Commission Resolution No. 03-19-21).

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|-------------|---|
| 3. | Value of Complimentary Rooms – This line reflects line 1 multiplied by line 2. |
| 4. | Value of Discounts for Partially Complimentary Rooms – Where there is a partially complimentary room(s) rented during the quarter (i.e., complimentary rooms rented at less than \$92 per day), enter the total for all rooms rented during the quarter of the difference between \$92 and any consideration paid by persons receiving the partially complimentary room. A complimentary room is a room not normally offered to the general public or group at a discounted rate. Rooms that are available to the general public at a reduced rate, as opposed to a targeted audience, are not subject to the complimentary excise tax and should not be included on this return (e.g. a casino advertises rooms in a newspaper for \$59 Sunday – Thursday). Also, discounted rooms, which after discount, are greater than \$92 are not subject to the New Jersey Casino Complimentaries Tax and are not to be included on this return. |
| 5. | Total Value of Complimentary Rooms – This line reflects the sum of lines 3 and 4. |
| 6. | Retail Value of Complimentary Food – Enter on this line the retail value of food provided to patrons at no cost and the value of the discount if food was provided at a reduced price. |
| 7. | Retail Value of Complimentary Entertainment – Enter on this line the retail value of entertainment provided to patrons at no cost and the value of the discount if entertainment was provided at a reduced price. |
| 8. | Taxable Complimentaries – This line reflects the sum of lines 5 through 7. |
| 9. | Complimentaries Tax Due – Pursuant to P.L. 2003, c.116, the tax rate is
as follows: |

Fiscal Year:	Tax Rate
July 1, 2003 through June 30, 2006	4.2500%
July 1, 2006 through June 30, 2007	3.1875%
July 1, 2007 through June 30, 2008	2.1250%
July 1, 2008 through June 30, 2009	1.0625%

3. The Casino Complimentaries Tax Return shall be signed on the licensee's behalf by the chief executive officer, chief gaming executive, financial vice president, treasurer, or controller if the licensee is a corporation; by a general partner or the financial director if the licensee is a partnership; by the chief executive officer or chief gaming executive if the licensee is any other form of business association; or by the proprietor if the licensee is a sole proprietorship.

C. Remittance and Filing the Casino Complimentaries Tax Return

1. The Casino Complimentaries Tax Return, along with a check or money order made out to the **Casino Revenue Fund** for the amount due, shall be submitted to the following address:

**Casino Control Commission
Division of Financial Evaluation
Revenue Unit
Tennessee Avenue and Boardwalk
Arcade Building
Atlantic City, New Jersey 08401**

2. The Casino Complimentaries Tax Return shall be submitted according to the following schedule:

Quarter Ended:	Form Due:
March 31	May 15
June 30	August 15
September 30	November 15
December 31	February 15

3. Please note that pursuant to P.L. 2003, c.116, the Casino Control Commission is to apply the provisions of the State Uniform Tax Procedure Law (N.J.S.A. 54:48-1) upon any delinquent or underpayment of tax. Key provisions of that statute provide for the imposition of a 5% penalty on any underpayment and the assessment of interest at three percentage points above the prime rate.