

Charities

Information on how to apply for exempt status under Section 12(h) of the Income Tax Act, as well as the process for becoming an approved charity.

PROCEDURES FOR APPROVING APPLICATIONS FOR CHARITABLE STATUS UNDER SECTION 12(H) INCOME TAX ACT

Section 12(h) of the Income Tax Act exempts from Income Tax the income of any corporation or association organized and operated exclusively for religious, charitable, scientific or educational purposes, no part of the net income of which enures to the benefit of any private stockholder or individual: provided that it shall be in the discretion of the Commissioner General to determine whether or not a corporation or association comes within the meaning of this provision.

Organization/Association applying for exemption under this section shall:

1. be a registered company under the Companies Act, being a company without shares and limited by guarantee or
2. be established by an Act of Parliament or
3. be established by Constitution

Documents to be submitted:

- - **Registered Companies incorporated prior to the Companies Act of 2004**
 - Duplicate of executed Articles and Memorandum of Association of the Organization certified by the Companies Office of Jamaica.
 - Copy of Certificate of Registration of the Company.
 - Covering letter requesting exemption from Income Tax under Section 12(h) of the Income Tax Act.
 - TRN of the Organization/Association
 - **Registered Companies incorporated subsequent to the Companies Act of 2004**
 - Certificate of Incorporation certified by the Companies Office of Jamaica
 - Duplicate and executed Form 1B of the Articles of Incorporation with schedule attached detailing the Objects and Powers of the organization
 - Covering letter requesting exemption from Income tax under section 12(h) of the Income Tax Act.
 - TRN of the Organization/Association
- - **If by Act of Parliament**
 - Copy of the Act incorporating the organization
 - Covering Letter requesting exemption under Section 12(h) of the Income Tax Act
 - TRN of the Organization/Association
- - **If by Constitution**
 - Copy of the Constitution and Bye-Laws of the organization
 - Covering Letter requesting exemption under Section 12(h) of the Income Tax Act
 - TRN of the Organization/Association

The condition for continued approval is that these entities should submit Audited Financial Statements at the end of each financial year.

Processing Time

The taxpayer should receive a response to their application within thirty (30) days of receipt of the Application.