

Streamlined Sales and Use Tax Agreement – New Jersey

Certificate of Exemption

**Do not send this form to the Streamlined Sales Tax Governing Board.
Send the completed form to the seller and keep a copy for your records.**

This is a multi-state form. Not all states allow all exemptions listed on this form. Purchasers are responsible for knowing if they qualify to claim exemption from tax in the state that would otherwise be due tax on this sale. The seller may be required to provide this exemption certificate (or the data elements required on the form) to a state that would otherwise be due tax on this sale.

The purchaser will be held liable for any tax and interest, and possibly civil and criminal penalties imposed by the member state, if the purchaser is not eligible to claim this exemption. A seller may not accept a certificate of exemption for an entity-based exemption on a sale made at a location operated by the seller within the designated state if the state does not allow such an entity-based exemption.

- 1. Check if you are attaching the Multi-State Supplemental form.
 If not, enter the two-letter postal abbreviation for the state under whose laws you are claiming exemption.
- 2. Check if this certificate is for a single purchase and enter the related invoice/purchase order # _____

3. Print or Type

Name of purchaser _____

Business address _____ City _____ State _____ ZIP Code _____

Purchaser's tax ID number _____ State of Issuance _____ Country of Issuance _____

If no tax ID, enter one of the following:	FEIN	Driver's License Number/State Issued ID Number		Foreign diplomat number
		State of Issuance:	Number:	

Name of seller from whom you are purchasing, leasing, or renting _____

Seller's address _____ City _____ State _____ ZIP Code _____

4. Purchaser's Type of business. Check the box for the number that describes your business.

- | | |
|---|--|
| <input type="checkbox"/> 01 Accommodation and food services | <input type="checkbox"/> 11 Transportation and warehousing |
| <input type="checkbox"/> 02 Agricultural, forestry, fishing, hunting | <input type="checkbox"/> 12 Utilities |
| <input type="checkbox"/> 03 Construction | <input type="checkbox"/> 13 Wholesale trade |
| <input type="checkbox"/> 04 Finance and Insurance | <input type="checkbox"/> 14 Business services |
| <input type="checkbox"/> 05 Information, publishing, and communications | <input type="checkbox"/> 15 Professional services |
| <input type="checkbox"/> 06 Manufacturing | <input type="checkbox"/> 16 Education and health-care services |
| <input type="checkbox"/> 07 Mining | <input type="checkbox"/> 17 Nonprofit organization |
| <input type="checkbox"/> 08 Real Estate | <input type="checkbox"/> 18 Government |
| <input type="checkbox"/> 09 Rental and leasing | <input type="checkbox"/> 19 Not a business |
| <input type="checkbox"/> 10 Retail trade | <input type="checkbox"/> 20 Other (explain) _____ |

5. Reason for exemption. Check the box for the letter that identifies the reason for exemption.

- | | |
|--|---|
| <input type="checkbox"/> A. Federal government (department) _____ | <input type="checkbox"/> H. Agricultural production # _____ |
| <input type="checkbox"/> B. State or local government (name) _____ | <input type="checkbox"/> I. Industrial production/manufacturing # _____ |
| <input type="checkbox"/> C. Tribal government (name) _____ | <input type="checkbox"/> J. Direct pay permit # _____ |
| <input type="checkbox"/> D. Foreign Diplomat # _____ | <input type="checkbox"/> K. Direct mail # _____ |
| <input type="checkbox"/> E. Charitable organization # _____ | <input type="checkbox"/> L. Other (explain) _____ |
| <input type="checkbox"/> F. Religious organization _____ | <input type="checkbox"/> M. Educational organization # _____ |
| <input type="checkbox"/> G. Resale # _____ | |

6. Sign here.

I declare that the information on this certificate is correct and complete to the best of my knowledge and belief.

Signed authorized purchaser _____

Print name here _____

Title _____

Date _____

Streamlined Sales and Use Tax Agreement – New Jersey Certificate of Exemption Instructions

Use this form to claim exemption from sales tax on purchases of otherwise taxable items. The purchaser must complete all fields on the exemption certificate and provide the fully completed certificate to the seller in order to claim exemption.

Warning to purchaser: You are responsible for ensuring that you are eligible for the exemption you are claiming. You will be held liable for any tax and interest, and possibly penalties imposed by the member state due the tax on your purchase, if the purchase is not legally exempt.

Purchaser instructions for completing the exemption certificate

1. Some purchasers may wish to complete a single certificate for multiple states where they conduct business and regularly make exempt purchases from the same seller. If you do, check the box on the front of the SSUTA Certificate of Exemption to indicate that you are attaching the Multi-State Supplemental form.

Caution: Certificates completed with a multi-state supplement may include nonmember states of the SST Governing Board, provided those states have agreed to accept the SSUTA Certificate of Exemption. Both sellers and purchasers **must be aware** that these additional nonmember states may not have adopted the SSUTA provisions for Direct Mail. Additionally, completion of this certificate in its entirety may not fully relieve the seller from liability unless nonmember states' requirements have been met.

If you are not attaching the Multi-State Supplemental form, enter the two-letter postal abbreviation for the state under whose laws you are claiming exemption. For example, if you are claiming an exemption from sales or use tax imposed by the state of Minnesota, enter "MN" in the boxes provided. If you are claiming exemption for more than one member state, complete the SSUTA Certificate of Exemption: Multi-State Supplemental form.

2. Single purchase exemption certificate: Check this box if this exemption certificate is being used for a single purchase. Include the invoice or purchase order number for the transaction.

If this box is not checked, this certificate will be treated as a blanket certificate. A blanket certificate continues in force so long as the purchaser is making recurring purchases (at least one purchase within a period of 12 consecutive months) or until otherwise cancelled by the purchaser.

3. Purchaser information: Complete the purchaser and seller information section, as requested. An identification number for you or your business must be included. Include your state tax identification number and identify the state and/or country that issued the number to you. If you do not have a state tax identification number, enter the federal employer identification number (FEIN) issued to your business, or if no FEIN is required, enter your personal driver's license number and the state in which it is issued. Foreign diplomats and consular personnel must enter the individual tax identification number shown on the sales tax exemption card issued to you by the United States Department of State's Office of Foreign Missions.

Identification numbers for resale purchases: If you are claiming that a purchase is not subject to tax because it is for resale (exemption reason G) and you are:

- Required to be registered in New Jersey – Provide your New Jersey Sales Tax identification number.
- Not registered in New Jersey – Provide your sales tax identification number issued by any state.
- Not required to register for sales tax and you do not have a sales tax identification number from any state:
 - If you have an FEIN; enter your FEIN
 - If you do not have an FEIN, enter a different state-issued business identification number.
- A foreign purchaser and you do not have an identification number described in 1, 2, or 3 – Enter the tax identification number (e.g., VAT number) issued by your country.

Multi-state purchasers: The purchaser should enter its headquarters address as its business address.

4. Type of business: Check the box for the number that best describes your business or organization. If none of the categories apply, check the box for 20 and provide a brief description.

5. Reason for exemption: Check the box for the exemption that applies to you and your business and enter the additional information requested for that exemption. If the member state that is due tax on your purchase does not require the additional information requested for the exemption reason code checked, enter "NA" for not applicable on the appropri-

ate line. New Jersey law does not allow for the exemptions referenced in C, E, F, and M. Therefore, those exemptions have been stricken. In addition, B only applies to purchases made by New Jersey State or New Jersey local governments for purchases less than \$150.

Exemptions not listed: The New Jersey Division of Taxation issues preprinted exemption forms directly to taxpayers that qualify for exemption under UEZ (the Urban Enterprise Zone program), BRRAG (Business Retention and Relocation Assistance Grant program), or are qualified exempt organizations. Your UZ-4, UZ-5-SB, ST-4 (BRRAG), or ST-5 must be supplied to claim exemption on these grounds.

If some other exemption that is not listed applies, circle “L Other” and enter an explanation. The explanation for “L Other” must include a clear and concise explanation of the reason for the exemption claimed. Some more common exemptions that may be listed as explanation could be: wrapping materials, research and development, commercial truck, etc.

Multi-state purchasers: Attach the SSUTA Certificate of Exemption – Multi-State Supplemental form and indicate the applicable reason for exemption and identification number (if required) for each of the additional states in which the purchaser wishes to claim exemption from tax.

Caution: The exemptions listed are general exemptions most commonly allowed by member states. However, each state’s laws governing exemptions are different. New Jersey law provides for several exemptions that are not specifically named on this form. For general information on the taxability of common goods and services, and the applicability of the sales tax exemptions allowed under New Jersey law, see the Division’s website at: nj.gov/treasury/taxation/businesses/salestax/index.shtml.

Seller: You are required to maintain proper records of exempt transactions and provide those records to member states of the SST Governing Board, Inc., when requested. These certificates may be provided in paper or electronic format. If a paper exemption certificate is not forwarded by the purchaser, but instead the data elements required on the form are otherwise captured by the seller, the seller must maintain such data and make it available to member states in the form in which it is maintained by the seller.

You are not required to verify the purchaser’s identification number or determine the purchaser’s registration requirements.

You are relieved of the responsibility for collecting and remitting sales tax on the sale or sales for which the purchaser provided you with this exemption certificate, even if it is ultimately determined that the purchaser improperly claimed an exemption, provided all of the following conditions are met:

1. All fields on the exemption certificate are completed by the purchaser or the required information is captured and maintained. (The reason code ID # in Section 5 is not required for the exemption certificate to be fully completed);
2. The fully completed exemption certificate (or the required information) is provided to you at the time of sale or as otherwise provided by Section 317 of the SSUTA;
3. If the purchaser is claiming an entity-based exemption (i.e., an exemption based on who the purchaser is) the state that would otherwise be due the tax on the sale allows the specific entity-based exemption claimed by the purchaser if the purchase was made at a sale location operated by the seller within that state;
4. You do not fraudulently fail to collect the tax due; or
5. You do not solicit customers to unlawfully claim an exemption.