

STATE OF DELAWARE  
DEPARTMENT OF FINANCE  
DIVISION OF REVENUE  
601 DELAWARE AVENUE  
WILMINGTON, DELAWARE 19899

TAX NEWSGRAM 72-44

May 26, 1972

TAX APPEAL BOARD DECISION

CORPORATE INCOME TAX

- collection of tax
- tax credit (under Neighborhood Assistance Act)

QUESTION #1 Whether or not a corporation may receive tax credit for contributions made as provided by the Neighborhood Assistance Act, whether approval by the State Tax Board (now Tax Appeal Board) and the State Board of Welfare (now Division of Social Services) preceded or followed the making of the contribution?

QUESTION #2 Whether application for approval prior to making the contribution and failure by the State Tax Board (now Tax Appeal Board) and the State Board of Welfare (now Division of Social Services) to act on its application should be looked on, in effect, as a waiver of the prior approval requirement.

QUESTION #3 Whether the scope of discretionary authority vested in the Director of Revenue should have or be used to grant the credit in question.

EDITOR'S NOTE: Dissent as to Question #2 by one member of the Tax Appeal Board.

DECISION: For the Respondent.  
Date: 5/17/72  
Docket No. 447

  
J. H. Kennedy  
Director of Revenue

jvm

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