

Internal Revenue Service, Treasury

§ 1.61-2

Section 1.149(b)-1 also issued under 26 U.S.C. 149(b)(3)(B) (v).

Section 1.149(d)-1 also issued under 26 U.S.C. 149(d)(7).

Section 1.149(e)-1 also issued under 26 U.S.C. 149(e).

Section 1.149(g)-1 also issued under 26 U.S.C. 149(g)(5).

Section 1.150-4 also issued under 26 U.S.C. 150 (c)(5).

Section 1.152-4 also issued under 26 U.S.C. 152(e).

Section 1.162-24 also issued under 26 U.S.C. 162(h).

Section 1.162(k)-1 is also issued under section 26 U.S.C. 162(k).

Section 1.163-8T also issued under 26 U.S.C. 469(k)(4).

Section 1.163-9T also issued under 26 U.S.C. 163(h)(3)(D).

Section 1.163-11T is also issued under 26 U.S.C. 163(h).

Section 1.165-12 also issued under 26 U.S.C. 165(j)(3).

Section 1.166-10 also issued under 26 U.S.C. 166(f).

Section 1.168(d)-1 also issued under 26 U.S.C. 168(d)(3).

Section 1.168(f)(8)-1T also added under sec. 112(c), Black Lung Benefits Revenue Act of 1981 (Pub. L. 97-119).

Section 1.168(h)-1 also issued under 26 U.S.C. 168.

Section 1.168(i)-1 also issued under 26 U.S.C. 168(i)(4).

Section 1.168(i)-1T also issued under 26 U.S.C. 168(i)(4).

Section 1.168(i)-2 also issued under 26 U.S.C. 168.

Section 1.168(i)-4 also issued under 26 U.S.C. 168(i)(5).

Section 1.168(j)-1T also added under 26 U.S.C. 168(j)(10).

SOURCE: T.D. 6500, 25 FR 11402, Nov. 26, 1960; 25 FR 14021, Dec. 21, 1960, unless otherwise noted.

COMPUTATION OF TAXABLE INCOME

DEFINITION OF GROSS INCOME, ADJUSTED GROSS INCOME, AND TAXABLE INCOME

§ 1.61-1 Gross income.

(a) *General definition.* Gross income means all income from whatever source derived, unless excluded by law. Gross income includes income realized in any form, whether in money, property, or services. Income may be realized, therefore, in the form of services, meals, accommodations, stock, or other property, as well as in cash. Section 61 lists the more common items of

gross income for purposes of illustration. For purposes of further illustration, § 1.61-14 mentions several miscellaneous items of gross income not listed specifically in section 61. Gross income, however, is not limited to the items so enumerated.

(b) *Cross references.* Cross references to other provisions of the Code are to be found throughout the regulations under section 61. The purpose of these cross references is to direct attention to the more common items which are included in or excluded from gross income entirely, or treated in some special manner. To the extent that another section of the Code or of the regulations thereunder, provides specific treatment for any item of income, such other provision shall apply notwithstanding section 61 and the regulations thereunder. The cross references do not cover all possible items.

(1) For examples of items specifically included in gross income, see Part II (section 71 and following), Subchapter B, Chapter 1 of the Code.

(2) For examples of items specifically excluded from gross income, see part III (section 101 and following), Subchapter B, Chapter 1 of the Code.

(3) For general rules as to the taxable year for which an item is to be included in gross income, see section 451 and the regulations thereunder.

§ 1.61-2 Compensation for services, including fees, commissions, and similar items.

(a) *In general.* (1) Wages, salaries, commissions paid salesmen, compensation for services on the basis of a percentage of profits, commissions on insurance premiums, tips, bonuses (including Christmas bonuses), termination or severance pay, rewards, jury fees, marriage fees and other contributions received by a clergyman for services, pay of persons in the military or naval forces of the United States, retired pay of employees, pensions, and retirement allowances are income to the recipients unless excluded by law. Several special rules apply to members of the Armed Forces, National Oceanic and Atmospheric Administration, and Public Health Service of the United States; see paragraph (b) of this section.