

**Deloitte.**

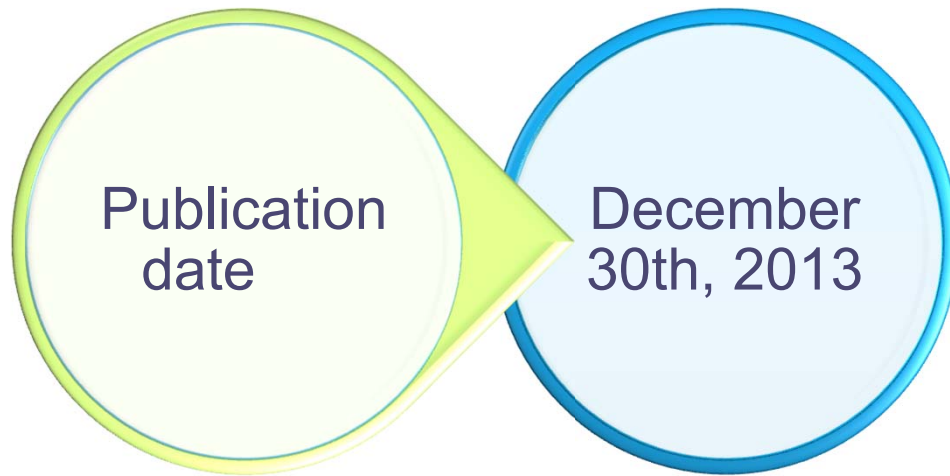
Changes in  
Legislation  
Honduras



2014

# PUBLIC FINANCE RESTRUCTURING, CONTROL OF EXONERATIONS AND ANTI EVASION MEASURES LAW

□ Decree  
278-2013



# PUBLIC FINANCE RESTRUCTURING, CONTROL OF EXONERATIONS AND ANTI EVASION MEASURES LAW

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Sales Tax or Value Added Tax (Rates at 15% and 18%)

Solidarity Contribution Tax of 5% (is now a permanent tax)

Article 22-A was added to the Income Tax Law, stating that all natural or legal persons domiciled in Honduras shall pay 1.5% over their total gross income above ten million Lempiras.

Amendments to exonerations and exemptions benefits

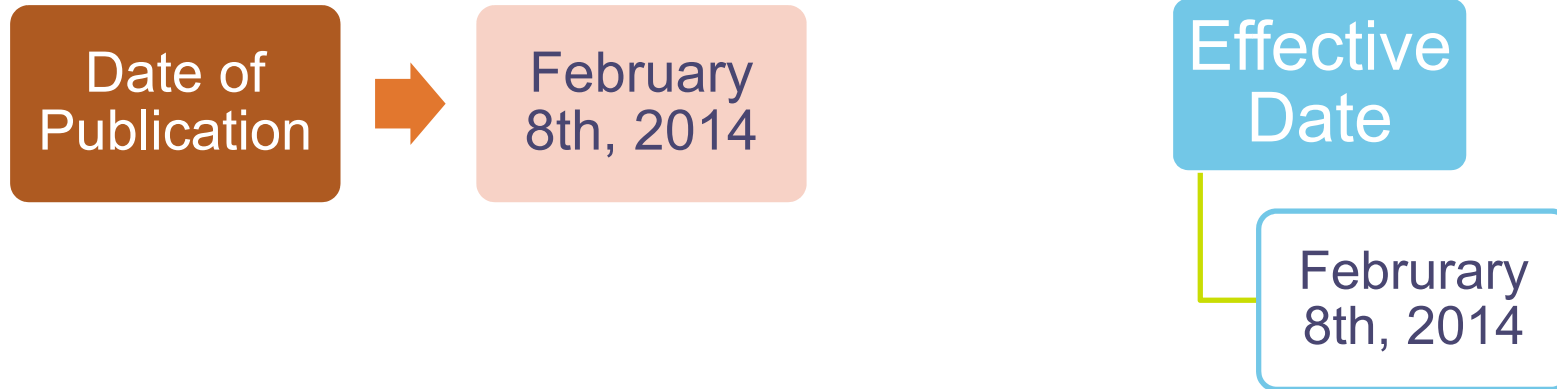
Among others

Agreement 462-2014 that contains the Regulations for the Public Finance Restructuring, Control of Exonerations and Anti Evasion Measures Law, sets forth the statute of limitations for several Legislative Decrees, General and Special Laws, whenever such law doesn't specify it.

<b>No.</b>	<b>Beneficiaries</b>	<b>Timeframe</b>
1.	Previous to Decree 278-2013	12 years following the effective date of Decree N°278-2013.
2.	Within a tax regime, and After the effective date of Decree 278-2013.	12 years after the date of subscription to such Fiscal Regime or Law.
3.	Currently within tax benefits regimes with a specific statute of limitations previous to the effectiveness of Decree N° 278-2014 and decide to move to another regime.	The remaining time until reaching 12 years. Such differential shall be calculated according to Article 23rd of the hereby Law, by deducting the years of tax benefits of the previous Special Regime or Law

# AMENDMENTS TO THE BASIC FOOD BASKET

□ Decree  
005-2014



Approval of a new list of the basic and most popular consumed articles with Sales Tax exemption.

<http://www.dei.gob.hn/web/site/uploaded/content/category/1735095405.pdf>



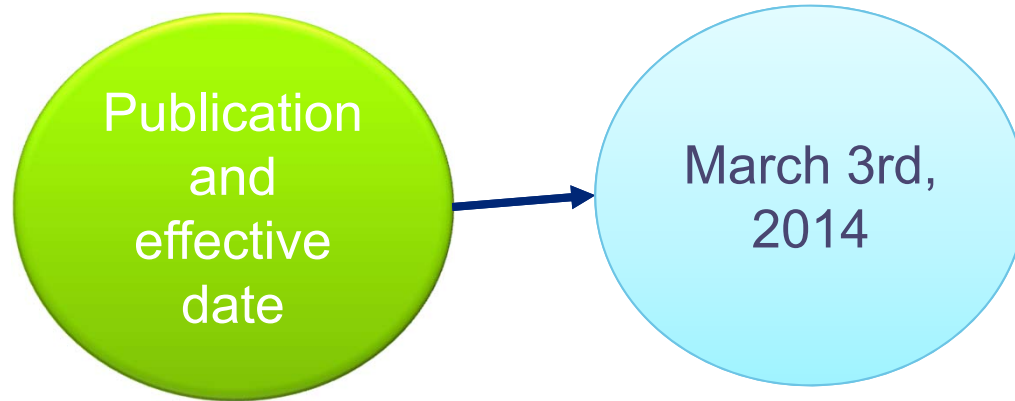
Publication and effective date

January 31st, 2014

Extends the applicable timeframe of the law from 5 to 10 years.

Article 9<sup>th</sup>, paragraph 22<sup>nd</sup>, exonerates all saving and current check accounts for natural persons with an average below One Hundred and Twenty Thousand Lempiras (L.120,000.00). Therefore, all the accounts of legal persons are subject to the Population Security Law dispositions.

Repeals Article 28 regarding mobile number portability.



Modified the fines percentages due to non declarations or out of time declarations, according to the dispositions of Article 177 of the Tax Code.

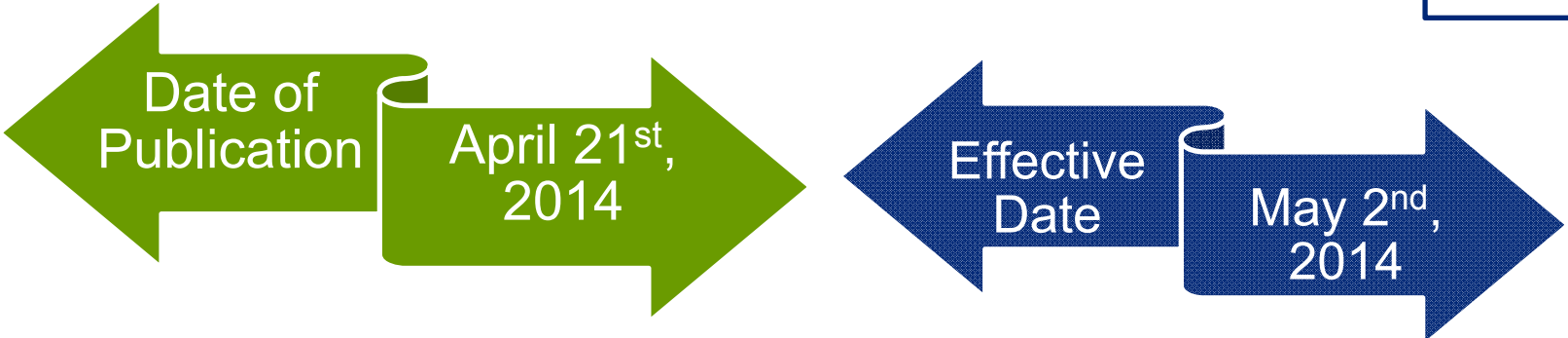
Modified the fines from 3 to 12 minimum average wages for the non-compliance of any of the dispositions within Article 43, Letter a) paragraph 1), 2), 3) and 4) of such article and; Article 43, Letter a), paragraph 4),5),6) and 7); Articles 47, 48 and 53 of the Tax Code.

A 3 to 6 year imprisonment is set forth for crimes of public incitement to delay or for non-payment of any tax obligations.

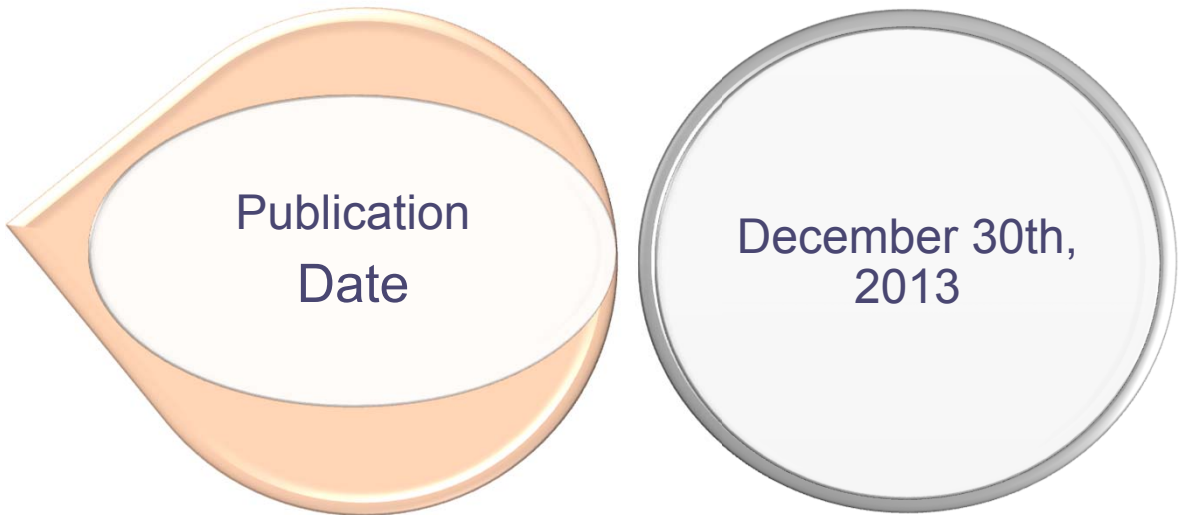


# INVOICING REGIME

Decreto  
189-2014



- Date to suscribe to the Invoicing Regime
- Methods of invoice printing
- Requierements for Fiscal Documents
- Other requierements and details regarding the Invoicing Regime



Sets forth all the regulations to issue any electronic fiscal document and clarifies, adds and eliminates certain matters of the the Invoicing Regime within the original law.



# INTERPRETATION OF ARTICLE 5TH, DECREE 278-2013

□ Decree 74-014

Date of Publication

December 27th, 2014

The interpretation ratified the validity of the tax exemption to natural persons above 65 years old, according to Article 14th, Decree No. 194-2002

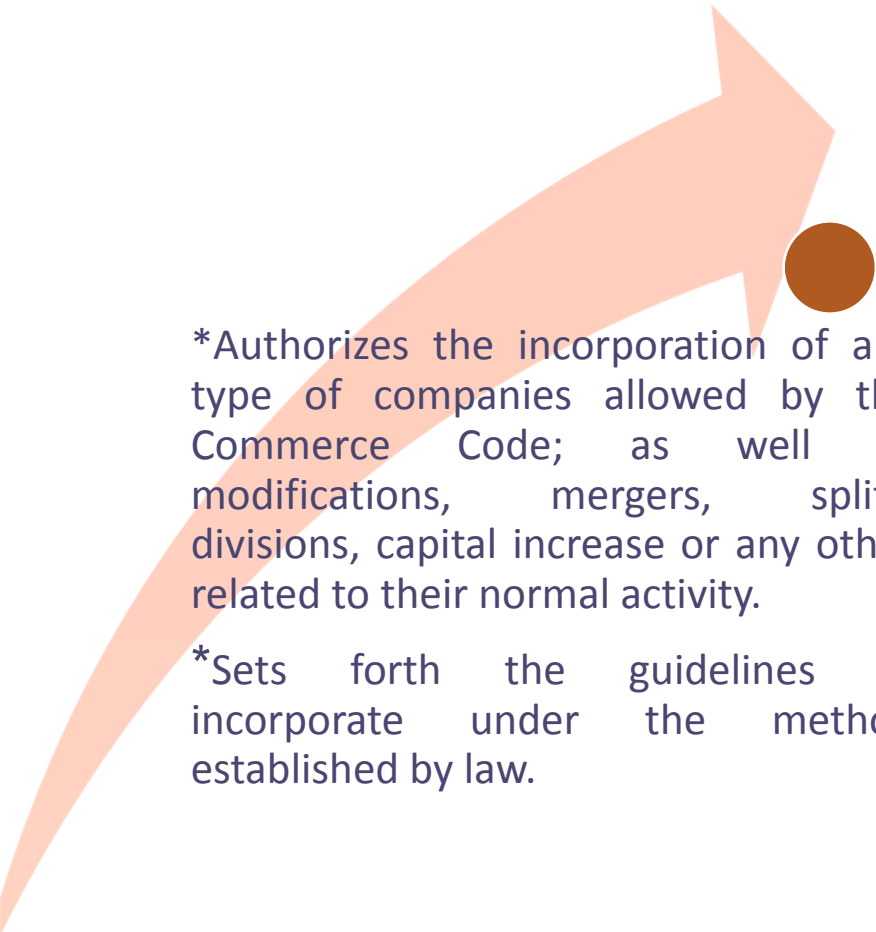
# EMPLOYMENT CREATION LAW

Decree 284-2013

Publication and effective date



June 8th, 2014



\*Authorizes the incorporation of any type of companies allowed by the Commerce Code; as well as modifications, mergers, splits, divisions, capital increase or any other related to their normal activity.

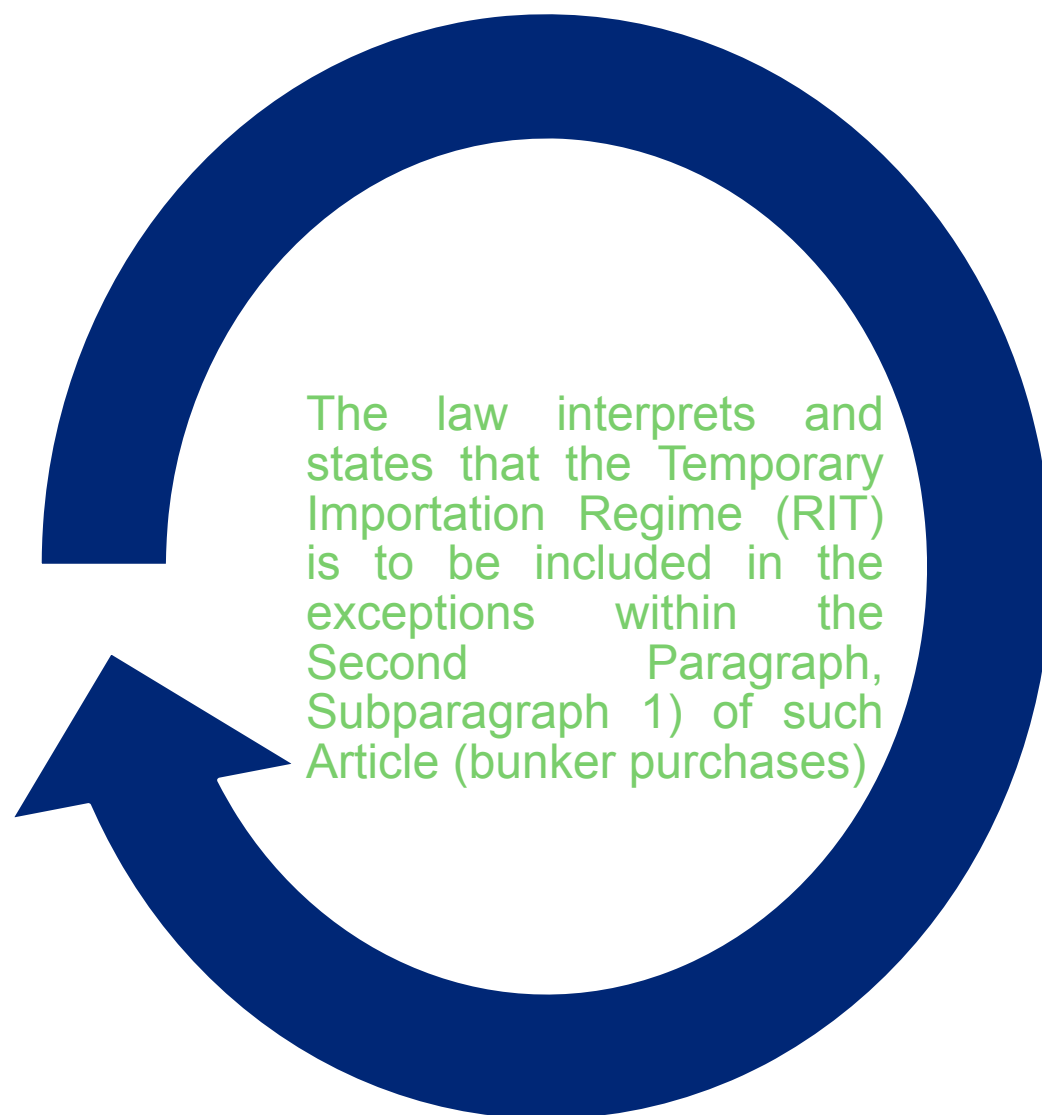
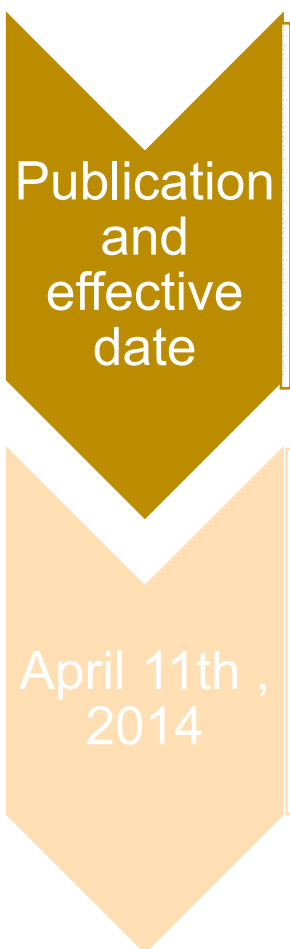
\*Sets forth the guidelines to incorporate under the method established by law.

The law has a Bylaw effective from October 25<sup>th</sup>, 2014: Agreement 679-2014



Adobe Acrobat Document

## □ Decree 335-2013



# LAW FOR THE PROTECTION OF INVESTEMENTS

□ Decree 051-2012



Benefits granted by this law:

Partial Income Tax exoneration.

Promotes a fast track for administrative requirements to incorporate a business, as well as to obtain all the necessary licenses and permits for their operation.

Tax stability contracts to ensure no further increases in Taxes will be applied on a national or local level, within the statute of limitations of the tax benefits.

# REGULATION TO THE LAW FOR THE PROTECTION OF INVESTEMENTS

□ Agreement  
22-DGTC-2014

Effective date:

December 25th, 2014

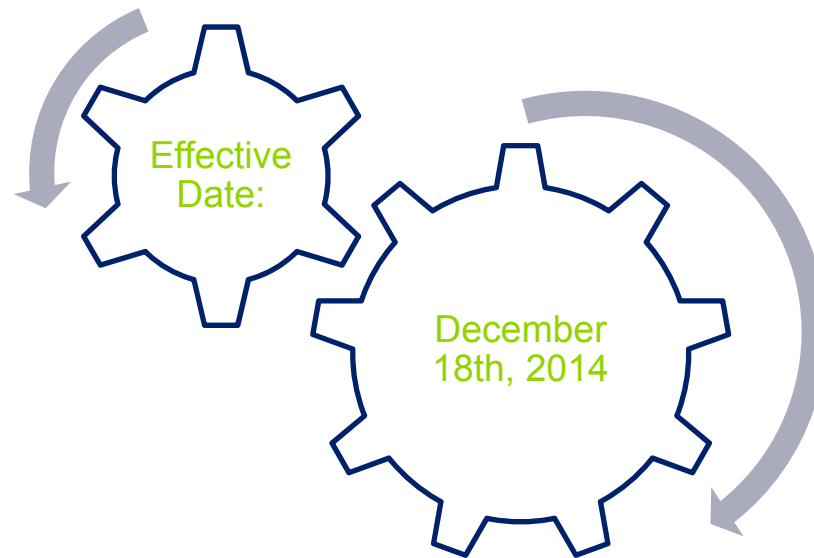


The National Investment Committee (CNI) is created



The CNI has been empowered to authorize and/or approve the exoneration benefit requests contemplated within the LAW.





Sets the obligation to present the Monthly Withholding Declarations (informative) within the first ten (10) days of the following month in which such withholdings were done.

2015

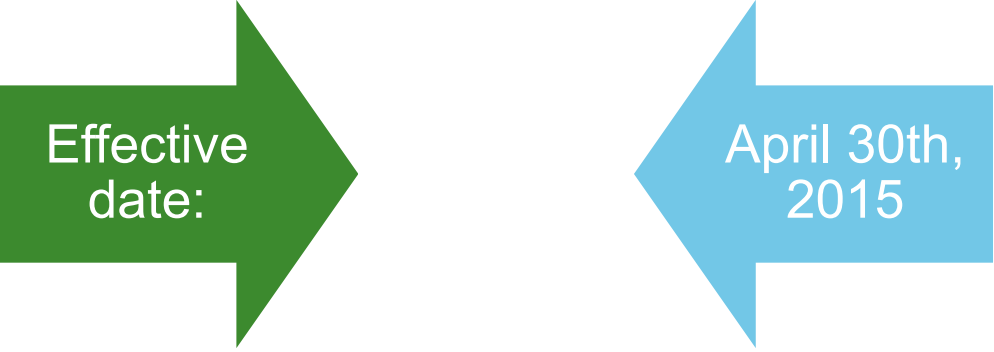
# DEROGATION OF THE 10% WITHHOLDING OVER DIVIDENDS

- Effective Date:

April 29th,  
2015

□ Decree  
N° 125-  
2014

Repeals the ten percent (10%) withholding to dividends when holding companies distribute such earnings or reserves, provided that such dividends have already been taxed.



This agreement sets forth the guidelines for the Tax Audit Reports that taxpayers shall present when they apply for the procedure foregoing in Article 13th, paragraph 4 of the Decree 462-2014 (Regulation to the Public Finance Restructuring, Control of Exonerations and Anti-Evasion Measures Law).

**This agreement also specifies the category of Audit Firms that can issue a report to a Taxpayer:**

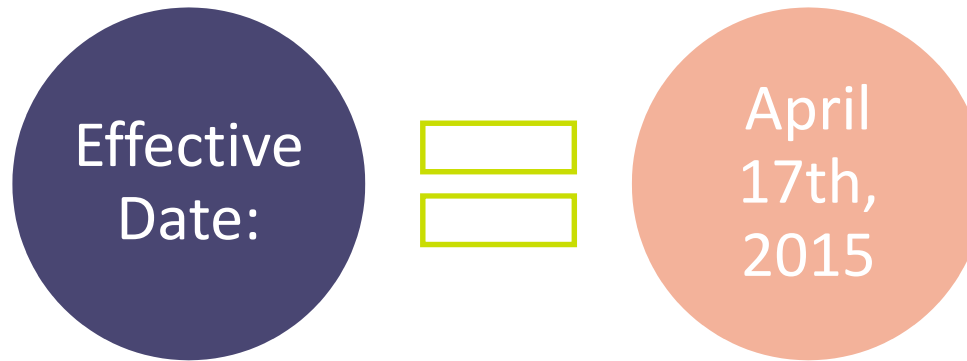
**Category A Audit Firms:** Entitled to audit all type of taxpayers.

**Category B Audit Firms:** Can audit medium and small Taxpayers.

**Category C & D Audit Firms:** Can only audit small taxpayers

# CAPITAL GAINS ON IMMOVABLE PROPERTY

□ Decree  
65-2014



Derogation of Article 11th of Decree 278-2013 of the Public Finance Restructuring, Control of Exonerations and Anti-Evasion Measures Law, dated December 21<sup>st</sup>, 2013 (included a ten percent (10%) tax over the increase in value or capital gain over real immovable property)

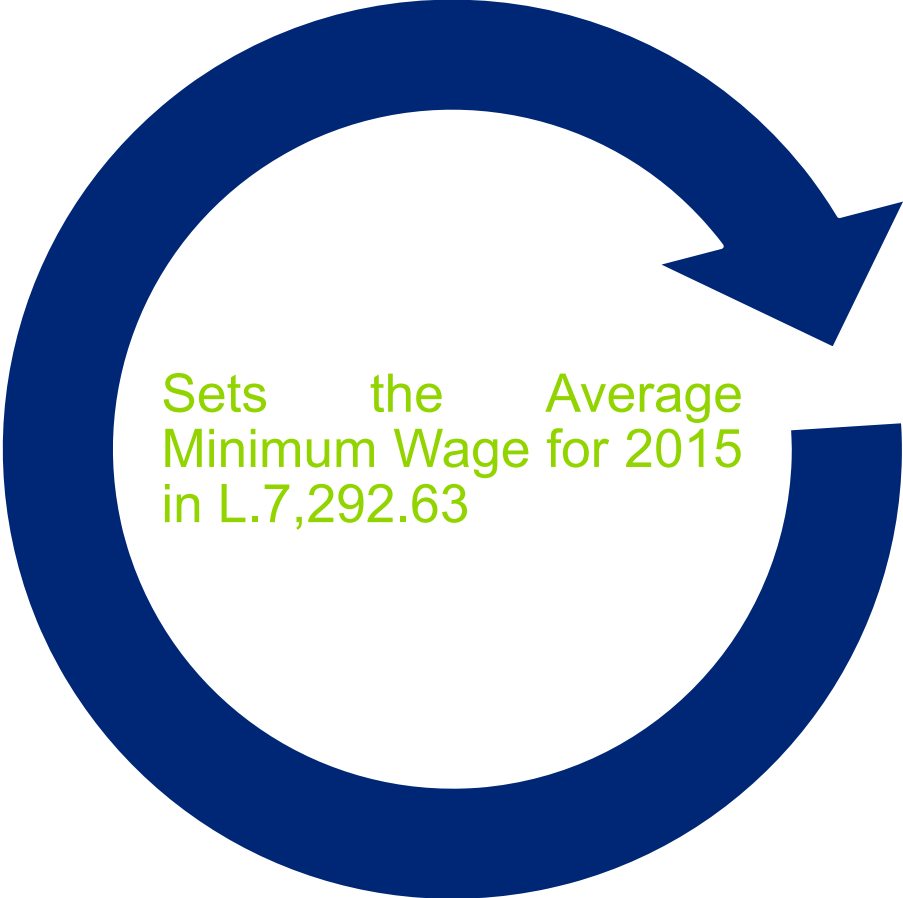
# CURRENT AVERAGE MINIMUM WAGE

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□ Circular Letter DEI-  
DL-DACOT 018-  
2015

Publication date:

January 28th, 2015



Sets the Average  
Minimum Wage for 2015  
in L.7,292.63

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