

Legislative Tracking



If you would like advice with regard to any of these issues, please do not hesitate to contact the Tax & Legal Department of Deloitte CIS at +7 (495) 787 06 00 (Moscow) or + 7 (812) 703 71 06 (St. Petersburg).

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CRS News

Jurisdictions with which Switzerland intends to automatically exchange information under CRS

The list of eight jurisdictions with which Switzerland intends to automatically exchange information under the OECD Standard for Automatic Exchange of Financial Account Information (Common Reporting Standard, or CRS) was published in an official [press release](#) of the Federal Department of Finance of Switzerland. The list includes Iceland, Norway, Guernsey, Jersey, the Isle of Man, Japan, Canada, and the Republic of Korea. The information will be also exchanged with the members of the European Union and Australia.

Switzerland plans to negotiate the automatic exchange of information with more states and territories in accordance with the CRS.

11 July 2016

Official website of the OECD

<http://www.oecd.org/tax/oecd-announces-further-developments-in-beps-implementation.htm>

OECD releases new documents on implementation of BEPS Actions and automatic exchange of tax rulings

The Organisation for Economic Co-operation and Development (OECD) released a [discussion draft](#) under Action 4 “Limiting Base Erosion Involving Interest Deductions and Other Financial Payments” of the Base Erosion and Profit Shifting (BEPS) Project.

The draft outlines an approach to limiting deductible interest under intra-group transactions based on a “group ratio”, i.e. the net third party interest expenses to EBITDA ratio of a group.

Specifically, the draft highlights approaches to:

- Calculating a group’s net third party interest expenses (including the adjustment of figures taken from consolidated income statements);
- Defining group-EBITDA;
- Addressing the impact of losses on the operation of the group ratio rule (for entities with negative EBITDA).

The OECD also released the [XML Schema](#) under BEPS Action 5 “Harmful Tax Practices” for the exchange of the following categories of tax rulings:

- Rulings related to preferential regimes;
- Cross border unilateral advance pricing arrangements (APAs) or other unilateral transfer pricing rulings;

- Rulings giving a downward adjustment to profits;
- Permanent establishment and conduit rulings.

12 July 2016

Official website of the Russian State Duma

[http://asozd2.duma.gov.ru/addwork/scans.nsf/ID/B80FD0700236820D43257FED0044BF13/\\$File/1122936-6_11072016_1122936-6.PDF?OpenElement](http://asozd2.duma.gov.ru/addwork/scans.nsf/ID/B80FD0700236820D43257FED0044BF13/$File/1122936-6_11072016_1122936-6.PDF?OpenElement)

New draft law to change reorganisation rules for legal entities

The Russian State Duma is considering Draft Law No. 1122936-6, which would change the rules for the reorganisation of legal entities. Specifically, the Draft Law proposes to:

- Stipulate that participants in companies subject to reorganisation would preserve their status of participants in the companies resulting from the reorganisation, pursuant to resolutions adopted at a general meeting of the participants in the companies subject to reorganisation;
- Oblige entities acquiring other entities to increase their authorised capital to match that of the acquired company (companies);
- Introduce additional legal grounds for declining applications for the state registration of reorganisations through acquisition, including cases when an acquired legal entity has arrears or outstanding penalties on taxes and duties or liabilities certified by a court, and for initiating a field tax audit in respect of such legal entities.

12 July 2016

Kommersant

<http://kommersant.ru/doc/3036078>

Government initiatives to support electric transport

The Russian Government is working on a programme for the development of electric vehicles. The programme envisages a number of benefits for electric car owners, including reduced toll rates, free-of-charge parking, driving on dedicated lanes for public transport, and transport tax exemptions (or a reduced transport tax rate for owners of hybrid vehicles). The Government is also discussing measures aimed at expanding the network of charging stations, including the development of a simplified procedure for allocating land for the construction of such stations, the introduction of a mandatory percentage of electric-powered public transport in big cities, and the provision of retail centres and urban parking areas with electric recharging points.

The text of the programme has not yet been officially published.

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Official website of the Russian Ministry of Economic Development

<http://economy.gov.ru/minec/about/structure/depMB/2016110704>

Russian Ministry of Economic Development proposes to shorten list of goods not allowed for online sale

The Russian Ministry of Economic Development proposes to shorten the list of goods that may not be sold online. The initiative embraces a few categories of restricted items such as jewellery made of precious metals and stones, alcohol, tobacco products, pharmaceuticals, medical supplies and certain food products.

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