

# Legislative Tracking



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

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## Announcement

### The International Tax Authority of the British Virgin Islands announced the opening of web portal allowing the exchange of tax information in frames of FATCA

On 24 March 2015, the International Tax Authority (“ITA”) of the British Virgin Islands (“BVI”) published its highly anticipated updated FATCA Guidance Notes and announced the opening of a web portal that will allow the exchange of tax information. Access to the portal is expected to be available to the public from 15 April 2015.

For more information about the portal, please read the alert on our [site](#).

## Document of the day

6 April 2015

RF President official site

### Changes to the date for organisations to begin disclosing information about participation in foreign companies

We hereby report that on 6 April 2015, the President of the Russian Federation signed Federal Law No. 85-FZ “On Amendments to Article 219 of the Second Part of the Tax Code of the Russian Federation” and Article 4 of the Federal Law “On Amendments to the First and Second Parts of the Tax Code of the Russian Federation (in relation to the taxation of controlled foreign company profits and income of foreign organisations)” (see our report of [6 April 2015](#)).

In accordance with this law, the deadline for the submission of notifications of participation in foreign companies and non-legal entities has been postponed from 1 April 2015 to 15 June 2015. By this date, a notification should be submitted in relation to participation in foreign companies (establishment of non-legal entities) as of 15 May 2015. If the participation in a foreign company is terminated or the non-legal entity is liquidated from 1 January 2015 to 14 June 2015 (inclusive), the obligation to file the notification does not arise.

As expected, in accordance with the law, in the case of non-submission of a notification of participation in a foreign company prior to 1 April 2015 (as prescribed by the effective legislation), under Clause 2, Article 129.6 of the RF Tax Code (penalty in the amount of RUB 50,000 for each foreign company not disclosed), no liability arises.

6 April 2015

Garant: federal legislation monitoring

<http://www.garant.ru/hotlaw/federal/617603/>

### **New VAT rate on suburban passenger rail services**

According to this Federal Law, a 0% VAT rate has been established for suburban passenger rail services for the period up to 31 December 2016. The Federal Law comes into effect from the day of its official publication, except for certain clauses for which other terms are set.

Federal Law No. 83-FZ of 6 April 2015

**No. 8, April 2015**

**Russian Tax Courier**

pp. 8, 11, 29, 55, 66, 67

### **PIT on employee revenues related to participation in entertainment activity**

This letter states that an employee's revenues related to participation in entertainment activity are not subject to PIT even without a sales slip.

RF Ministry of Finance Letter No. 03-04-06/11078 of 3 March 2015

### **Introducing criminal liability for legal entities**

The RF State Duma is reportedly considering a draft Federal Law No. [750443-6](#) introducing criminal liability for legal entities.

### **Reflection of goods in purchases ledger that are intended for operations subject to 0% and 18% VAT**

This letter states that when a company buys goods that are intended for use in operations subject to 0% and 18% VAT, it is obliged to register a VAT invoice in column 16 of the purchases ledger in the amount of the recovery the company can claim.

RF Ministry of Finance Letter No. 03-07-09/10695 of 2 March 2015

### **Withholding PIT from the incomes of a standalone subdivision employees**

This letter states that a company is obliged to transfer the PIT withholding from the incomes of employees of standalone subdivisions to the state budget according to the registered address of the standalone subdivision.

RF Ministry of Finance Letter No. 03-04-06/3505 of 30 January 2015

### **Payment of VAT by a company using a municipal property free of charge**

These resolutions state that a company using a municipal property free of charge should not pay VAT.

Volgo-Vyatsky District Arbitration Court Resolutions No. F01-5364/2014 and No. F01-5715/2014 of 17 February 2015

### **Documents requests by tax authorities**

This resolution states that tax authorities are obliged to specify the control activity under which they are requesting documents during a third party tax audit.

Western Siberia Arbitration Court Resolution No. F04-16434/2015 of 10 March 2015

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