

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).

A search tool for our daily Legislative Tracking issues is available on our website, at <http://www2.deloitte.com/ru/en/pages/tax/articles/deloitte-online-newstoyourdesk.html>. The Legislative Tracking Service is maintained by professionals from Deloitte CIS. This service is for informational purposes only, and the application of its contents to specific situations will depend on the particular circumstances involved.

10 September 2015

ConsultantPlus

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=149736>

Procedure for using the coefficient characterising the degree of complexity of oil extraction for the purposes of calculating mineral extraction tax

In this letter, it is reported that if an oil field was placed on the State Register of Mineral Reserves as a separate registration unit after 1 January 2012, the coefficient characterising the degree of complexity of oil extraction equals 0.2 and applies to oil extracted from this oilfield beginning from the tax period following the tax period in which the federal agency that maintains the State Register of Mineral Reserves approved the resolution of state assessment of the mineral resources in accordance with the established procedure. The Ministry of Finance additionally notes that the Tax Code does not establish maximum limits for the degree of depletion of the reserves of an oil field in case of changes to the values of the permeability and/or net oil pay indicators for said oil field after 1 January 2012.

RF Ministry of Finance Letter No. 03-06-06-01/48202 of 20 August 2015

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=149734>

Method for refunding to foreign organisations of excessive profit tax withheld by a tax agent

In this letter, it is reported that amounts of profit tax excessively withheld by a tax agent from the amounts due to foreign organisation may be refunded by the tax authorities based on a written application from the tax agent.

RF Ministry of Finance Letter No. 03-08-05/48127 of 20 August 2015

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=149532>

Using e-signatures to authorise reports on business trip expenses for the purposes of calculating profit tax

In this letter, it is reported that when preparing an advance report for business trip expenses in electronic form, all contributors to the document must use an e-signature.

RF Ministry of Finance Letter No. 03-03-06/2/48232 of 20 August 2015

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=149524>

Freezing an organisation's bank account during monitoring procedures being conducted in relation to the organisation

In this letter, it is reported that the fulfilment of tax authority decisions on freezing an organisation's bank accounts is not overturned by the introduction of monitoring procedures by an arbitration court. However, the freeze ends automatically from the date of the introduction of financial restructuring procedures, external management or bankruptcy proceedings, and a tax authority decision on overturning it is not required.

RF Ministry of Finance Letter No. 03-02-07/1/47850 of 19 August 2015

10 September 2015

Official internet portal for legal information

<http://publication.pravo.gov.ru/Document/View/0001201509100016>

Convention on Mutual Administrative Assistance in Tax Matters published

It is reported that the Convention on Mutual Administrative Assistance in Tax Matters of 25 January 1988 amended by the Protocol of 27 May 2010 has been published. In particular, the Convention envisages administrative assistance in tax matters between the states participating in the Convention, consisting of information exchange, including conducting simultaneous tax inspections and participation in overseas tax inspections; assistance in tax collection, including injunctive measures; and sending documents. The text of the Convention has been published on the official internal portal for legal information in English and Russian with RF limitations and statements attached. Please note that the Convention was ratified by the RF with separate limitations and statements on 4th November 2014 and came into force on 1 July 2015.

11 September 2015

Vedomosti

<http://www.vedomosti.ru/finance/articles/2015/09/11/608368-tsb-ogranichit-investitsii-strahovschikov-v-ipotechnie-bumagi>

Possible limitations to insurance company investments in mortgage certificates

It is reported that the Central Bank of Russia has published a [draft Statement](#) "On the Introduction of Changes to Central Bank of Russia Statement No. 3444-U of 16 November 2014 'On the Method for Investing Funds from Insurance Reserves and on the List of Assets Allowed for Investment' and Central Bank of Russia Statement No. 3445-U of 16 November 2014 'On the Method for Investing Insurers' Own Funds (Capital) and on the List of Assets Allowed for Investment'". In particular, in accordance with the draft statement, insurance companies may only invest in mortgage certificates if they have a high rating, are included either in the quotation list of the highest level or in the Central Bank of Russia Lombard List or if the issuer's issuing liabilities are at least partially guaranteed by the state or the Agency for Housing Mortgage Lending.

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee, and its network of member firms, each of which is a legally separate and independent entity. Please see www.deloitte.com/about for a detailed description of the legal structure of Deloitte Touche Tohmatsu Limited and its member firms. Please see www.deloitte.com/ru/about for a detailed description of the legal structure of Deloitte CIS.

Deloitte provides audit, tax, consulting, and financial advisory services to public and private clients spanning multiple industries. With a globally connected network of member firms in more than 150 countries, Deloitte brings world class capabilities and deep local expertise to help clients succeed wherever they operate. Deloitte has in the region of 200,000 professionals, all committed to becoming the standard of excellence.

Deloitte's professionals are unified by a collaborative culture that fosters integrity, outstanding value to markets and clients, commitment to each other, and strength from diversity. They enjoy an environment of continuous learning, challenging experiences, and enriching career opportunities. Deloitte's professionals are dedicated to strengthening corporate responsibility, building public trust, and making a positive impact in their communities.