

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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Consultant Plus

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=148425>

Tax levy calculation and payment clarified by the Russian ministry of Finances

The letter of the Russian Ministry of Finances of 15 July 2015, No 03-11-10/40730 clarifies some aspects of tax levy calculation and payment. In particular, the trading facility shall be deemed the facility designed for goods layout and demonstration, servicing customers, conducting cash payments with customers and customers' passage. Therefore, whenever an office facility does not meet the requirements of the trading facility, trading activities performed therein shall not be subject to trade levy. Moreover, the authority clarified the meaning of retail and wholesale trade, trade network and other terms of chapter 33 of the Russian Tax Code.

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=148426>

3 years to claim export VAT

The letter of the Russian Ministry of Finances of 15 July 2015 No 03-07-08/40745 notifies that the VAT related to export transactions and paid without documents confirming application of 0% VAT rate shall be claimed within the 3-year period stipulated by clause 2 article 173 of the Russian Tax Code. The authority recommends to follow the Ruling of the Russian Constitutional Code of 24 March 2015 No [540-O](#).

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=148422>

Deductibility of interest expenses on loans for profit tax purposes

The letter of the Russian Ministry of Finances of 15 July 2015 No 03-01-18/40737 notifies that interest expenses on loans related to controlled transaction are recognized as income / expenses within the marginal interest rates. Moreover, the rule may apply to interest income / expenses related to non-controlled transaction between affiliated parties.

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=148735>

Russian tax residents to notify of their participation in foreign companies

The letter of the Russian Federal Tax Service of June 30 2015 No ZN-3-17/2536@ notifies that individual shall be obliged to notify a relevant tax authority of his / her participation in a foreign company upon any tax period / calendar year in which he /she is acknowledges as the Russian tax resident.

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=148680>

Thin capitalization rules applied to foreing sister companies

The letter of the Russian Federal Tax Service of June 22 2015 No GD-4-3/10807@ notifies that thin capitalization rules may not only apply to direct but also indirect relationship between a Russian taxpayer being the loan recipient and a foreign lending company. Alongside with this, an indirect relationship between the Russian taxpayer and the foreign lending company appears from the fact of both entities are controlled by a single foreign mother company even if no direct control / subordinacy relations exist between them.

11 August 2015

Official Internet Portal of Legal Information

<http://publication.pravo.gov.ru/Document/View/0001201508110013>

Acknowledgement procedure of official residency documents issued by the Russian Federation and the Republic of Kazakhstan

The decree of the Russian Government of 8 August 2015 No 1531-p approves the draft note to conclude an acknowledgement agreement for official residency documents issued by the Russian Federation and the Republic of Kazakhstan under the convention on avoiding double taxation and preventing tax avoidance between the Russian government and the Kazakh government. In particular, residency documents issued and stamped by Russian and Kazakh authorities are proposed to be acknowledged with no specific confirmation, including apostilization or consular certification. The procedure shall be applied to official documents issued on or after 1 January 2011.

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