

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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Announcement

Requirements towards automatic exchange of information apply to trusts as additionally clarified by OECD

On 9 June 2016, the OECD confirmed that protectors of trusts classified as reporting financial institutions under the OECD Standard for Automatic Exchange of Financial Account Information (hereinafter, the Common Reporting Standards or CRS) must be treated as account holders of the trusts in all cases irrespective of whether they have effective control over the trusts.

This statement implies that certain information about the protectors of such trusts is covered by the CRS and may be transferred to the jurisdictions of the aforementioned protectors' tax residency.

For more information about the OECD's comments, please refer to Clause 5, Part D, Section VIII of the CRS-related Frequently Asked Questions by following this [link](#).

General information on the CRS requirements can also be found in our brochure "[OECD International Automatic Exchange of Tax Information](#)".

Should you have any questions, please do not hesitate to contact our professionals:

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14 June 2016

Official website of the Russian State Duma

<http://asozd2.duma.gov.ru/main.nsf/%28SpravkaNew%29?OpenAgent&RN=1058132-6&02;>

<http://asozd2.duma.gov.ru/main.nsf/%28SpravkaNew%29?OpenAgent&RN=1083199-6&02>

Russian State Duma adopts new draft laws

The Russian State Duma recently adopted the following draft laws:

- Draft law No. [1058132-6](#) ratifying the [Protocol](#) to amend the Agreement Between the Government of the Russian Federation and the Government of the Republic of Singapore for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on

Income was adopted at the third reading (for more details, please refer to LT in Focus of [28 August 2015](#));

- Draft law No. [1083199-6](#) establishing less stringent standards for holding corporations criminally liable for economic crimes was adopted at the first reading (for more details, please refer to LT of [27 May 2016](#)).

14 June 2016

ConsultantPlus

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=157423>

Determining tax residency for personal income tax in accordance with Double Tax Treaty between Russia and France

This letter clarifies that the criteria that qualify an individual as a tax resident of a Contracting State established in item 2, Article 4 of the [Convention](#) for the Avoidance of Double Taxation between Russia and France, including the “centre of vital interests” criterion, shall only apply for the purposes of the Convention if, as stipulated in item 1, Article 4 of the Convention, the individual is a tax resident of both the Russian Federation and the French Republic under the laws of each of the Contracting States. Therefore, individuals who are not tax residents of the Russian Federation under the effective tax laws of Russia and, specifically, Article 207 of the Russian Tax Code, cannot be deemed residents for the purposes of the Convention.

Please note that the Russian Ministry of Finance previously stated that under international treaties, individuals could be deemed tax residents of the Russian Federation if they had a permanent home or a centre of vital interests in Russia, however those letters were subsequently revoked (see Ministry of Finance Letter No. [03-08-P3/23009](#) of 21 April 2016).

14 June 2016

Kommersant

<http://www.kommersant.ru/doc/3012506>

Working group being formed to discuss establishment of a center of competence on copyright laws on the Internet

The Institute of Internet Development is planning to form a working group to address copyright issues and establish a centre of competence on copyright laws on RuNet as a platform for dialogue between copyright holders and the Internet industry. The initiative also envisages a court of arbitration within the centre to settle disputes arising between copyright holders and online platforms, including those with pirated content. Other proposals include the introduction of video fingerprinting technology that would enable copyright holders to track the distribution of audio and video files and grant media rights electronically.

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