

Legislative Tracking



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22 June 2015

Garant: federal legislation monitoring

<http://www.garant.ru/hotlaw/federal/632522/>

Reducing export customs duty on oil and other categories of goods produced from oil

In information from the RF Ministry of Economic Development of 19 June 2015, it is reported that export tariffs have been reduced on oil and other categories of goods produced from oil for the period from 1 to 31 July 2015 inclusive.

19 June 2015

ConsultantPlus: document of the day

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=146821>

Tax exemptions for dividends received by controlled foreign companies from Russian companies

In this letter, it is clarified that, if income in the form of dividends received from a Russian company with 13% tax withheld at the source of the payment is a controlled foreign company's only income, then the profits of the controlled foreign company are not subject to taxation, since the condition on exceeding the effective profit tax rate of this foreign company of 75% of the weighted average rate of Russian profit tax is met.

RF Ministry of Finance Letter No. 03-03-06/31565 of 1 June 2015

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=146821>

Considering court practice when preparing clarifications of tax regulations

In this letter, it is reported that when preparing clarifications of RF tax and levy regulations, the RF Ministry of Finance must consider existing court practice. In instances in which the clarifications of the RF Ministry of Finance on issues relating to the application of RF legislation on taxes and levies are not consistent with decisions, resolutions and information from the RF Supreme Arbitration Court or RF Supreme Court, the RF Ministry of Finance, the RF Ministry of Finance and tax authorities must conform to the indicated laws and court letter when executing their powers.

RF Ministry of Finance Letter No. 03-04-05/332513 of 4 June 2015

22 June 2015

ConsultantPlus: document of the day

<http://www.usoft.ru/news/law/docofaday/8601/>

Amending the list of rare species of wild, living animals and wild plants included in the endangered species lists of the states of the Eurasian Economic Union in relation to which a regulatory approval system of import has been established

Decision of the Board of the Eurasian Economic Commission No. 67 of 16 June 2015 has introduced amendments to the list of rare species of wild, living animals and wild plants included in the endangered species lists of the states of the EEU in relation to which a regulatory system of import on to the territory of the EEU and/or export from the territory of the EEU has been established.

23 June 2015

ConsultantPlus

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=146887>

Calculating profit tax when replacing defective fixed assets by warranty

In this letter, it is explained that the replacement of defective fixed assets with non-defective fixed assets by warranty is not recognised as a separate transaction, and is performed under the original supply agreement. In relation to this, it is not necessary to reverse depreciation previously accrued on the defective fixed assets.

RF Ministry of Finance Letter No. 03-07-11/31971 of 3 June 2015

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=146328>

Applying a zero VAT rate when rendering international goods transport services

In this letter, it is explained that all transport-expediting services for international goods transport are liable to a zero rate of VAT. This relates to both the transport operators rendering international goods transport services at separate stages, and all entities employed by the transport operator or expeditor to render certain kinds of transport-expediting services. It is furthermore recommended in the letter that Plenum of the Supreme Arbitration Court of the Russian Federation Resolution No. 33 of 30 May 2015, should be referred to when deliberating issues in relation to the application of zero VAT rates on the international transport of goods.

RF Ministry of Finance Letter No. 03-07-08/29322 of 21 May 2015

19 June 2015

Official website of the RF State Duma

[http://asozd2c.duma.gov.ru/addwork/scans.nsf/ID/061B2435626EAAB543257E6900508BDD/\\$FILE/819634-6.PDF?OpenElement](http://asozd2c.duma.gov.ru/addwork/scans.nsf/ID/061B2435626EAAB543257E6900508BDD/$FILE/819634-6.PDF?OpenElement)

Draft law on increasing personal income tax rates

It is reported that a draft Federal Law 'On the introduction of changes to Chapter 23 of the second part of the RF Tax Code' has been introduced to the RD State Duma. In particular, the draft law increases the personal income rate from 13% to 16% and exempts income up to the minimum wage from taxation for each month of the tax period. The draft law provides for the entry of the amendments into force on 1 January 2016.

22 June 2015

E-justice: catalogue of arbitration cases

http://kad.arbitr.ru/PdfDocument/cfd20b41-94fb-4963-9785-653f0e0a7900/A41-14215-2014_20150526_Reshenija%20i%20postanovlenija.pdf

Recovering input VAT when it is not reflected in tax returns

In this Resolution, it is stated that the right of a tax payer to claim VAT for recovery does not relieve the tax authorities of the obligation to determine the actual amount of tax when carrying out field tax audits, even if the recovered tax is not reflected in the returns, but documents supporting the right to recover the tax are presented to the tax authorities.

Arbitration Court of the Moscow District Resolution No. A41-14215/2014 of 26 May 2015

19 June 2015

RBC Daily

<http://www.rbcdaily.ru/economy/562949995678268>

Introduction of unified rules for the regulation of the activities of LLCs and JSCs

It is reported that the RF Ministry of Justice has begun the development of a draft single law on commercial companies, which is intended to replace the Federal Law 'On limited liability companies', and the Federal Law 'On joint-stock companies'.

22 June 2015

Vedomosti

<http://www.vedomosti.ru/economics/articles/2015/06/22/597281-minfin-pitaetsya-skorrektirovat-metodi-kontrolya-za-transfertnimi-tsenami>

Adjusting the method of control for transfer pricing

It is reported that the RF Ministry of Finance is preparing a letter proposing corrections to the method of control for transfer pricing. In particular, the letter

states that transactions not falling under the concept of controlled cannot be subject to a tax audit to verify if the prices are at the market level.

23 June 2015

Vedomosti

<http://www.vedomosti.ru/finance/articles/2015/06/23/597529-tsentrobank-nauchit-korporatsii-hedzhirovat-valyutnii-risk>

Introduction of obligatory reporting on derivatives transactions

It is reported that the Central Bank of Russia has decided to introduce obligatory reporting on derivatives transactions (forwards, options and swaps) for large companies from April 2016.

23 June 2015

Kommersant

<http://www.kommersant.ru/doc/2752816>

Charging VAT on sales of cinema tickets

It is reported that the RF Ministry of Culture and RF Ministry of Economic Development is deliberating on the possibility of charging VAT on sales of cinema tickets.

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