

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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27 August 2015

Consultant Plus

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=149246>

E-submission of tax and accounting reports

The letter of the Federal Tax Service of 20 August 2015 No ПА-3-17/3169@ notifies that the functionality of the FTS website has been extended with a special function "[e-Submission of tax and accounting e-reports](#)" allowing to submit tax and accounting reports certified by a digital signature to the tax authorities, with VAT declaration being the only exception. VAT reports are to be submitted by telecommunications channels via an e-document flow operator.

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=149112>

Procedure to define CFC income based on its financial reports for the purposes of calculating corporate tax

The letter of the Ministry of Finances of 27 July 2015 No 03-03-06/43075 notifies that the Tax Code does not stipulate for acknowledging the CFC income (loss) based on its financial reports compiled according to its personal law for a financial year, if these financial reports are approved by the auditor solely because the founding (corporate) documents of this CFC stipulate for a mandatory auditing. At the same time, it is also mentioned that a [draft law](#) is currently being considered, according to which it will be possible to determine CFC income (loss) based on its financial reports, which were subject not only to mandatory, but also to voluntary audit.

27 August 2015

Official Website of the Russian State Duma

[http://asozd2c.duma.gov.ru/addwork/scans.nsf/ID/6AAE611557C9997B43257EA00024D6C7/\\$FILE/869604-6_26082015_869604-6.PDF?OpenElement](http://asozd2c.duma.gov.ru/addwork/scans.nsf/ID/6AAE611557C9997B43257EA00024D6C7/$FILE/869604-6_26082015_869604-6.PDF?OpenElement)

Criminal responsibility may be imposed for the failure to pay social contributions

The State Duma is reported to have received for its review a draft law No 869604-6 "On amending the Criminal Code of Russia" stipulating amendments to articles 199, 199.1 and 199.2 of the Criminal Code. In particular, the draft law stipulates for criminal responsibility for avoiding paying social contributions, failing to perform social contributions payer

obligations and concealing monetary resources and assets of organizations and individual entrepreneurs at the expense of which social contributions can be recovered.

[http://asozd2c.duma.gov.ru/addwork/scans.nsf/ID/9EBAC725096B301D43257EA005CC37F/\\$FILE/871036-6_27082015_871036-6.PDF?OpenElement](http://asozd2c.duma.gov.ru/addwork/scans.nsf/ID/9EBAC725096B301D43257EA005CC37F/$FILE/871036-6_27082015_871036-6.PDF?OpenElement)

Possible extension of the list of expenses deductible for profits tax purposes

The State Duma is reported to have received for its review a draft law No 871036-6 "On amending articles 255 and 270 of the second part of the Russian Tax Code." In particular, it extends the list of deductible expenses with remunerations paid out to organizations arranging tourism and leisure activities in Russia under tour contracts concluded between an employer and a tour agent in favor of the employees and their family members. Organizations will be able to deduct the actual expenses on organizing for tour and leisure activities in Russia not exceeding 50,000 rubles per person. If approved, the law will enter into force since 1 January 2016.

[http://asozd2c.duma.gov.ru/addwork/scans.nsf/ID/F58194D9D6AB430D43257EA00029B130/\\$FILE/870360-6_27082015_870360-6.PDF?OpenElement](http://asozd2c.duma.gov.ru/addwork/scans.nsf/ID/F58194D9D6AB430D43257EA00029B130/$FILE/870360-6_27082015_870360-6.PDF?OpenElement)

Draft repeal of the law on microfinance organizations

The State Duma is reported to have received for its review a draft law No 870360-6 "On annulling the federal law "On microfinancing and microfinance organizations." The explanatory note thereto indicates the possibility to devise and adopt a new, thought-through law for this financial activity in line with the global financial system.

27 August 2015

Federal Portal of Draft Laws and Regulations

<http://regulation.gov.ru/projects#npa=38566>

Possible amendments to the legal regulation of NPOs

The Ministry of Justice is reported to be working on the draft federal law "On amending the federal law "On non-profit organizations" (in terms of aligning it to the revised Russian Civil Code)." In particular, the federal law "On non-profit organizations" will only contain provisions on state registration and control over NPOs, specifics of their legal status, business activities and liquidation as legal entities, as well as possible state benefits to non-profit organizations. Moreover, the draft law extends the term for notifying of changes in NPO data from three days to one month, provides with the possibility to correct technical errors in statutory documents without conducting shareholder meetings, and governs the legal status of foreign NPOs' branches in Russia. The draft federal law is currently undergoing public debates.

Possible amendments to citizenship law for foreign entrepreneurs

The Ministry of Finances is reported to be working on the federal law "On amending the federal law "On citizenship of the Russian Federation" which will amend criteria for granting citizenship to foreign individual entrepreneurs and investors. In particular, a foreign individual entrepreneur willing to take the Russian citizenship through a simplified procedure will have to be paying annually tax and levies to the Russian budget in the amount of at least one million rubles over three years. Along with this, the expected revenues threshold from the entrepreneurial activities will remain unchanged. As a reminder, to become a Russian citizen through a simplified procedure, a foreign individual entrepreneur working in Russia must receive annual revenues from business activities in the amount of at least 10 million rubles. The draft federal law is currently undergoing an independent anti-corruption expertise.

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