

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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29 July 2015

ConsultantPlus

<http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=QUEST;n=147977>

Accounting for income from participation in the charter capital of daughter and dependent companies for the purposes of separate accounting of VAT

In this letter it is reported that an organisation is not obliged to account for income from participation in the charter capital of daughter and dependent companies when calculating proportions of VAT for separate accounting.

RF Ministry of Finance Letter No. 03-07-11/39228 of 8 July 2015

http://www.consultant.ru/document/cons_doc_LAW_183565/

Deflator coefficients applied when calculating mineral extraction tax rates on coal extraction for the third quarter of 2015

In accordance with the information of the RF Ministry of Economic Development from 29 July 2015, the deflator coefficients for the mineral extraction tax rate on coal extraction for the third quarter of 2015 have been determined. In particular, the deflator coefficient applied when calculating mineral extraction rates on anthracite has been set at 1.030, on coke – 1.07, on lignite – 1.014 and on coals other than anthracite, coke and lignite – 0.939.

29 July 2015

Federal portal for draft regulations

<http://regulation.gov.ru/projects#npa=38368>

Ratification of the Double Taxation Treaty between the RF Government and the Government of the People's Republic of China and the Treaty on Prevention of Income tax Avoidance

It is reported that the RF Ministry of Finance is preparing a draft law 'On the Ratification of the Double Taxation Treaty between the RF Government and the Government of the People's Republic of China and the Treaty on Prevention of Income tax Avoidance'.

<http://regulation.gov.ru/projects#npa=37012>

Procedure for determining types of actual use of buildings and premises

It is reported that the RF Ministry of Economic Development is developing a draft departmental regulation "On Confirming the Procedure for the Determination of Types of Actual Use of Buildings/Structures/Constructions and Premises". Please note that the procedure for determining types of actual use of buildings has not yet been established at the federal level. At the level of the federal subject, the issue is addressed in the procedure set out by the regulations of the federal subject concerned.

<http://regulation.gov.ru/projects?type=Grid#npa=32067>

Administrative liability for residents for non-timely fulfilment of obligations upon receiving RF currency into accounts from international trade contracts

It is reported that the RF Ministry of Finance is developing a draft law "On the Introduction of Amendments to Article 15.25 of the Code of Administrative Offences". In particular, administrative liability will be introduced for the non-timely fulfilment of obligations upon receiving RF currency from international trade contracts for which RF legislation stipulates the creation of currency transaction report forms, into accounts with authorised banks or with banks outside the RF borders, in an amount determined by the RF legislation. For legal entities, the size of the fine will be from 75% to 100% of the non-transferred amount.

30 July 2015

Vedomosti

<http://www.vedomosti.ru/business/articles/2015/07/30/602779-inostrantsi-smogut-sami-razrabivat-otkritie-imi-krupnie-mestorozhdeniya>

Possible changes to the procedure for allowing deposits of federal importance to be developed by foreign companies

It is reported that the RF Government is deliberating a draft law "On Mineral Resources" in accordance with which a foreign company may develop a deposit of federal importance, if the company itself discovered this deposit within three years after receiving preliminary consent from the RF Government on exploiting and mining.

29 July 2015

E-justice: catalogue of arbitral cases

http://kad.arbitr.ru/PdfDocument/c737fd03-55c8-4a19-851c-205495ccd987/A65-13722-2014_20150715_Opredelenie.pdf

VAT on the transfer of permanent improvements to property to lessors

RF Supreme Court Ruling No. 306-KG15k7133 of 15 July 2015 on Case No. A65-13722/2014 has ruled on a dispute between Federal-Mogul

Naberezhnye Chelny LLC and the tax authorities on the issue of VAT on the transfer of permanent improvements to property to lessors. The RF Supreme Court dismissed the re-examination of the case, recognising that transfer of permanent improvements to lessor is subject to VAT. Please note that courts of three instances ruled in favour of the tax authorities.

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