

Deloitte News

May 2017, Deloitte in Slovakia

Direct Taxes:

- **Tax Loss and Application of Article 17 (37) of the ITA**
Option to decrease the tax base per student undertaking dual education for a company reporting a tax loss.
- **Term “Other” Study**
The term “marketing and other study” which is subject to a payment condition for tax deductibility purposes should be interpreted as marketing and any other studies not only relating to marketing.
- **Guidance on the Procedure for Corporate Income Tax Loss Deductions for a Financial Year**
In late March 2017, the Financial Directorate of the SR issued guidance on the tax loss deduction and disclosure in a corporate income tax return for the financial year ending in 2017, for which there is no column for disclosure in the return form.
- **Judgement in the Czech Republic on the Eligibility of the Tax Deduction of R&D Expenses**
The dispute relates to the application of tax-deductible R&D expenses where the tax authority contested formal requirements as not having being met by a taxable person.
- **Partial Settlement of Expenses Stated in Article 17 (19) of the ITA**
The Financial Directorate of the SR commented on expenses subject to the payment condition in connection with their partial settlement and VAT settlement.
- **Licence Fee Paid to an Author**
The Financial Directorate of the SR addresses the issue of licence fees as expenses subject to the payment condition, their recognition and subsequent treatment if they are paid for a number of years from the perspective of a reporting entity that pays the fees to a natural person – author.

Indirect Taxes:

- **EU Court of Justice – VAT**

- ***C - C-699/15 Brockenhurst College – Provision of Restaurant and Entertainment Services by an Educational Establishment to a Limited Public in Return for Consideration***

- The provision of meals at a reduced price to third parties by an educational establishment as part of practical training is VAT exempt under certain conditions as a service “closely related” to education.

- ***C - 564/15 Farkas – VAT Deduction for an Incorrectly Issued Invoice***

- A purchaser of goods may be refused the right to deduct VAT which the purchaser paid without a legal basis to the seller on the basis of an invoice drawn up in accordance with standard VAT rules where the relevant transaction is subject to the reverse charge mechanism, and the seller paid such tax to the State Treasury.

Legal:

- **Amendment to the Act on the Residence of Foreigners**

- The amendment establishes rules and conditions for seasonal employment and secondment with respect to intra-corporate employee transfers for non-EU nationals.

Others:

- **Guidance on the Implementation of Country-by-Country Reporting (CbCR) and Updated Guidance on Local CbCR Filing Requirements**

- The OECD released updated guidance on the implementation of CbCR in April 2017 and updated guidance on local CbCR filing requirements. The guidance is primarily intended for multinational companies and tax jurisdictions.

- **Information of the Social Insurance Company on:**

- ***Rules for the additional payment of pension insurance premiums;***

- ***Accident and unemployment benefits for statutory representatives;***

- ***Documents which must be requested and retained upon termination of work abroad;***

- ***Adherence to an Employee's Medical Treatment Regimen.***

- Information was published on the Social Insurance Company's website on the rules for additional payment of pension insurance premiums; the entitlement to accident and unemployment benefits of statutory representatives; documents which must be requested and retained upon termination of work abroad; and the adherence to an employee's medical treatment regimen.

- **taxCube™**
smart tax thinking

taxCube™ is a dedicated software developed by Deloitte to substantially increase the efficiency of the preparation of regular and additional VAT returns, VAT transactions statements and EC sales lists.

taxCube™ simplifies and automates the preparation of VAT reports, reduces costs the risk of errors, and shortens the time needed for the preparation of VAT reports from days to hours.

taxCube™ performs a wide range of checks on imported data. taxCube™ is compatible with the IT environment and accounting procedures and methods that you use (use of exchange rates and credit notes, setup of tax codes, etc). Deloitte professionals will tailor the software to your needs.

More informations at www.taxcube.sk.

- **Deloitte VAT Analytics**

Deloitte has developed a tool enabling an aggregated review of the entire set of documents that are reflected in the VAT return, EC Sales List and VAT Transactions Statement. An input for VAT Analytics is a data file from an accounting system containing detailed information about accounting documents.

A Deloitte team of VAT specialists has prepared more than 70 tests which after uploading a data file check whether VAT rules have been applied correctly and identify specific accounting documents that could be incorrect.

For more informations, please contact **Ján Skorka** at jskorka@deloittece.com.

- **Deloitte Legal Dbriefs**

We invite you to explore our Deloitte Legal Dbriefs – live webcasts on current legal topics. You can explore past and upcoming Dbriefs at this link:

<http://www.deloitte.com/dbriefs/deloittelegal>

- **Dbriefs**

We invite you to explore our Deloitte Dbriefs – live webcasts on current tax topics. You can explore past and upcoming Dbriefs at this link:

Dbriefs UK

www.ukdbriefs.com

Deloitte Europe

www.emeadbriefs.com

Global Dbriefs

[website](#)

Please contact your usual Deloitte contact person or any of the contact persons listed here if you would like our help.



Partner

Larry Human
lhuman@deloitteCE.com



Partner

Martin Rybár
mrybar@deloitteCE.com



Taxation of Companies

Jana Farkašová
jafarkasova@deloitteCE.com



Slovak accounting and IFRS

Ľudmila Buzgová
lbuzgova@deloitteCE.com



Taxation of Individuals

Ľubica Dumitrescu
ldumitrescu@deloitteCE.com



Korean Desk

Jin Suk Choi
jinsuchoi@deloittece.com



VAT and Customs

Ján Skorka
jsorka@deloitteCE.com



Deloitte Legal

Miroslava Terem Greštiaková
mgrestiakova@deloitteCE.com



Transfer Pricing

Martin Sabol
msabol@deloitteCE.com

Deloitte Tax s.r.o.
Digital Park II
Einsteinova 23
851 01 Bratislava
Slovak Republic
Tel.: +421 2 582 49 111
Fax: +421 2 582 49 222
www.deloitte.sk

Deloitte Legal s.r.o.
Digital Park II
Einsteinova 23
851 01 Bratislava
Slovak Republic
Tel.: +421 2 582 49 111
Fax: +421 2 582 49 222

Our Offices

Bratislava

Digital Park II
Einsteinova 23
851 01 Bratislava
Tel.: +421 2 582 49 111
Fax: +421 2 582 49 222

Žilina

Komenského 8854/19
010 01 Žilina
Tel.: +421 905 365 282
Fax: +421 910 828 333

Košice

Štúrova 28
040 01 Košice
Tel.: +421 55 728 1811
Fax: +421 55 728 1827

taxCubeTM

smart tax thinking

Deloitte SK | mobile application

Newsletters | Publications | Seminars | Alerts | Videos



Deloitte.

This publication contains general information only, and none of Deloitte Touche Tohmatsu Limited, any of its member firms or any of the foregoing's affiliates (collectively the "Deloitte Network") are, by means of this publication, rendering accounting, business, financial, investment, legal, tax, or other professional advice or services. This publication is not a substitute for such professional advice or services, nor should it be used as a basis for any decision or action that may affect your finances or your business. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser. No entity in the Deloitte Network shall be responsible for any loss whatsoever sustained by any person who relies on this publication.

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee, and its network of member firms, each of which is a legally separate and independent entity. Please see www.deloitte.com/sk/about for a detailed description of the legal structure of Deloitte Touche Tohmatsu Limited and its member firms.

Deloitte provides audit, tax, consulting, transaction advisory and legal services to public and private clients spanning multiple industries. With a globally connected network of member firms in more than 150 countries and territories, Deloitte brings world-class capabilities and high-quality service to clients, delivering the insights they need to address their most complex business challenges. Deloitte's approximately 244, 000 professionals are committed to making an impact that matters.

© 2017 Deloitte in Slovakia