



# Comparative table: Tax Crimes and Sanctions in Amended COT



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The amendment to the **Organic Tax Code (“Amended COT”)** was published in Extraordinary Official Gazette of the Bolivarian Republic of Venezuela N° 6152 on November 18, 2014,

introducing significant changes in sanctioning and investigation powers granted to the Tax Administration.

The most significant aspects included in the **Amended COT** include: (i) increase in penalty payments and restriction of liberty, (ii) extension of crimes punished with restriction of liberty, and (iii) extension of sentence of closure of main establishments and branches for most of crimes relating to non-compliance with formal duties.

Below is a comparative table on the most significant changes relating to tax crimes and applicable sanctions in the Amended COT:

	Amended COT			Derogated COT
<b>Article 100. Formal tax crimes relating to the formal duty of issuing, furnishing or asking for invoices or other documents</b>			<ul style="list-style-type: none"> <li>• Closure for 5 continuous days and fine of 150 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 50 TU</li> </ul>
	<ul style="list-style-type: none"> <li>• Registration with the Tax Administration after the deadline set forth in laws</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 2</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 5 continuous days and fine of 50 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 25 TU</li> </ul>
	<ul style="list-style-type: none"> <li>• Furnish incomplete or wrong information relating to historical records or data for registration or updating purposes</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 3</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 5 continuous days and fine of 50 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 25 TU</li> </ul>
	<ul style="list-style-type: none"> <li>• Furnish record updating information after the respective deadline</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 4</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 5 continuous days and fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 50 TU</li> </ul>
<p>The closure sanction set forth in this article shall be applied to any establishment or branches owned by the taxpayer.</p>				
	Amended COT			Derogated COT
<b>Article 101. Formal tax crimes relating to the formal duty of issuing, furnishing or asking for invoices or other documents.</b>	<ul style="list-style-type: none"> <li>• Failure to issue invoices or other mandatory documents, or issue those documents through unauthorized means</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 1</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 10 continuous days and fine of 150 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 1 TU per each invoice, voucher or document not issued, up to 200 TU</li> </ul>
	<ul style="list-style-type: none"> <li>• Issue invoices or other documents containing data not consistent with the corresponding operation, or illegible information</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 2</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 10 continuous days and fine of 150 TU</li> </ul>	

	<ul style="list-style-type: none"> <li>• Failure to keep copies of invoices or other mandatory documents during the period of time set forth in tax standards</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 3</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 10 continuous days and fine of 150 TU</li> </ul>	
	<ul style="list-style-type: none"> <li>• Alter the characteristics of tax-controlled cash registers</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 4</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 10 continuous days and fine of 150 TU</li> </ul>	
	<ul style="list-style-type: none"> <li>• Issue invoices or other mandatory documents with total or partial absence of legal requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 5</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 5 continuous days and fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 1 TU per each invoice, voucher or document not issued, up to 150 TU</li> </ul>
	<ul style="list-style-type: none"> <li>• Simultaneous use of more than one invoice issuance means</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 6</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 5 continuous days and fine of 100 TU</li> </ul>	
	<ul style="list-style-type: none"> <li>• Use billing means other than the mandatory means established in applicable standards</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 7</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 5 continuous days and fine of 100 TU</li> </ul>	
	<ul style="list-style-type: none"> <li>• Failure to submit mandatory invoices</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 8</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 5 continuous days and fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 1 TU per each invoice, voucher or document not issued, up to 150 TU</li> </ul>
	<ul style="list-style-type: none"> <li>• Failure to request invoices from vendors or service providers if an obligation to issue invoices exists</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 9</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 5 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 1 to 5 TU</li> </ul>

Article 102. Tax crimes relating to an obligation to keep accounting books and records	<ul style="list-style-type: none"> <li>Accept invoices for amounts not consistent with the related operation.</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 10</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 10 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 5 to 50 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Issue a document other than the invoice to report the partial or total amount of operations carried out.</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 11</li> </ul>	Closure for 5 continuous days and fine of 100 TU	
	Closure sanctions set forth in provisions number 1,4,5,6 and 7 will be extended until the taxpayer will comply with the respective formal obligations and inform the administration of the corresponding regularization. Upon correction of the situation originating the sanction, the Tax Administration will immediately proceed to lift the closure measure			
	The closure sanction set forth in this article will be applied to the place where the infraction was committed only, even if the taxpayer owns various establishments or branches			

	<b>Amended COT</b>	<b>Derogated COT</b>
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Article 102. Tax crimes relating to an obligation to keep accounting books and records	<ul style="list-style-type: none"> <li>Failure to keep books and records established in the respective standards</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 1</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 150 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 50 TU that will be increased by 50 TU per each new infraction up to 200 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Failure to keep books and records in the domicile, if an obligation to do so exists, or failure to furnish them to the Tax Administration upon its request.</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 2</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 5 continuous days and fine of 100 TU</li> </ul>	
	<ul style="list-style-type: none"> <li>Destroy, alter or failure to keep the memories of the tax-controlled cash registers</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 3</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 150 TU.</li> </ul>	

	containing the records of operations carried out.			
	<ul style="list-style-type: none"> <li>Failure to keep adequate and accessible means containing the books and records of operations carried out</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 4</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 5 continuous days and fine of 100 TU</li> </ul>	
	<ul style="list-style-type: none"> <li>Keep books and records with a delay of one month</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 5</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 5 continuous days and fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 25 TU that will be increased by 25 TU per each new infraction up to 100 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Failure to keep books and records as well as systems, programs or documentation supporting accounting data for the period of time set forth in applicable standards</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 6</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 5 continuous days and fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 25 TU that will be increased by 25 TU per each new infraction, up to 100 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Keep books and records without observing formal requirements set forth in applicable standards</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 7</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 5 continuous days and fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 25 TU that will be increased by 25 TU per each new infraction up to 100 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Failure to keep the accounting books and other accounting records in Spanish or in local currency</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 8</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 5 continuous days and fine of 100 TU</li> </ul>	
<p>The closure sanction set forth in this article will be applied to any establishment or branches owned by the taxpayer.</p>				

Closure sanctions established for crimes referred-to in this article shall be extended until the taxpayer will comply with the respective formal obligations and inform the administration of the regularization. Upon correction of the situation originating the sanction, the Tax Administration will immediately proceed to lift the closure measure.

		Amended COT		Derogated COT
<b>Article 103. Formal tax crimes relating to an obligation to submit returns and communications.</b>	<ul style="list-style-type: none"> <li>Failure to submit returns, or submit returns with a delay of over 1 year</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 1</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 150 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 10 TU that will be increased by 10 TU per each new infraction, up to 50 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Failure to submit communications established in the law</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 2</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 50 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 10 TU that will be increased by 10 TU per each new infraction up to 50 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Submit incomplete returns or with a delay of over 1 year</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 3</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 5 TU that will be increased by 5 TU per each new infraction up to 25 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Submit other incomplete communications, or submit them after the deadline established</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 4</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 50 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 5 TU that will be increased by 5 TU per each new infraction up to 25 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Submit more than one substitute return, or submit the first substitute return after the deadline</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 5</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 50 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 5 TU that will be increased by 5 TU per each new infraction up to 25 TU</li> </ul>

	<ul style="list-style-type: none"> <li>• Submit returns by using unauthorized forms, means or sites</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 6</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 50 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 5 TU that will be increased by 5 TU per each new infraction up to 25 TU</li> </ul>
	<ul style="list-style-type: none"> <li>• Failure to submit, or untimely submission of the informative return on investments in law taxation jurisdictions</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 7</li> </ul>	<ul style="list-style-type: none"> <li>• In case of no submission, closure for 10 continuous days and fine of 2000 TU; in case of delay, fine of 1000 TU</li> </ul>	<ul style="list-style-type: none"> <li>• If submitted, fine of 1000 to 2000 TU; in case of delay, fine of 250 to 750 TU</li> </ul>
<p>The closure sanction set forth in this article shall be applied to any establishment or branches owned by the taxpayer.</p>				
	<b>Amended COT</b>			<b>Derogated COT</b>
	<ul style="list-style-type: none"> <li>• Produce, distribute or trade products or goods without controlling elements established in tax standards, or with fake elements</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 1</li> </ul>	<ul style="list-style-type: none"> <li>• Closure for 10 continuous days, fine of 250 TU and confiscation of goods and products. If the activity is subject to authorization by the TA, the authorization</li> </ul>	<ul style="list-style-type: none"> <li>• Fines of 10 TU that will be increased by 10 TU per each new infraction up to 50 TU</li> </ul>



**Article 104. Formal tax crimes relating to an obligation to allow controls by the Customs Administration**

			will be suspended for 90 days; in case of recurrence, the authorization will be revoked.	
<ul style="list-style-type: none"> <li>Distribute or trade products or goods without invoices or other documents supporting their ownership</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 2</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days, fine of 250 TU and confiscation of goods and products. If the activity is subject to authorization by the TA, it will be suspended for 90 days; in case of recurrence, the authorization will be revoked.</li> </ul>	<ul style="list-style-type: none"> <li>Fines of 10 TU that will be increased by 10 TU per each new infraction up to 50 TU</li> </ul>	
<ul style="list-style-type: none"> <li>Failure to show certificates, posters, signs and other means used, required or distributed by the Tax Administration, or hide or destroy them.</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 3</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fines of 10 TU that will be increased by 10 TU per each new infraction up to 50 TU</li> </ul>	
<ul style="list-style-type: none"> <li>Prepare invoices or other documents without the authorization granted by the Tax Administration, as required by applicable standards</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 4</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days, fine of 1000 TU. The TA will not grant authorizations for the execution of activities in which taxpayers</li> </ul>	<ul style="list-style-type: none"> <li>Fines of 10 TU that will be increased by 10 TU per each new infraction up to 50 TU</li> </ul>	

			committed crimes.	
	<ul style="list-style-type: none"> <li>Trade tax-controlled cash registers or their essential parts that guarantee tax control, without authorization granted</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 5</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days, fine of 1000 TU. The TA will not grant authorizations for the execution of activities in which taxpayers committed crimes.</li> </ul>	
	<ul style="list-style-type: none"> <li>Failure to comply with obligations set forth in the standards relating to the authorization granted for preparation of invoices or other documents.</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 6</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 200 TU. Revocation of authorization granted.</li> </ul>	<ul style="list-style-type: none"> <li>Fines of 10 TU that will be increased by 10 TU per each new infraction up to 50 TU, and revocation of authorization</li> </ul>
	<ul style="list-style-type: none"> <li>Failure to comply with obligations set forth in standards relating to the authorization granted for manufacture of tax-controlled cash registers, and distribution and maintenance services.</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 7</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 200 TU. Revocation of authorization granted.</li> </ul>	
	<ul style="list-style-type: none"> <li>Prevent or obstruct either personally or through intermediaries the exercise of powers granted</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 8</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 500 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 150 to 500 TU</li> </ul>

	to the Tax Administration			
	<ul style="list-style-type: none"> <li>Failure to submit withholding voucher</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 9</li> </ul>	Fine of 100 TU	
	<ul style="list-style-type: none"> <li>Sale of fiscal goods, even if their movement is lawful, without the authorization of the Tax Administration</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 10</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 200 TU and confiscation of fiscal goods</li> </ul>	
	<ul style="list-style-type: none"> <li>Hide, hoard or deny forms or tax goods without justification</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 11</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 200 TU and confiscation of tax goods</li> </ul>	
	<ul style="list-style-type: none"> <li>Failure to keep documentation supporting the calculation of transfer prices</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 12</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 1000 TU</li> </ul>	
	Failure to keep in operating conditions the magnetic means that contain supporting documentation used in applications that include taxation-related data	<ul style="list-style-type: none"> <li>Paragraph 13</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 200 TU</li> </ul>	<ul style="list-style-type: none"> <li>Fines of 10 TU that will be increased by 10 TU per each new infraction up to 50 TU</li> </ul>
	<ul style="list-style-type: none"> <li>Failure to make available the technical equipment required for tax inspection of documentation micro-recorded by the taxpayer</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 14</li> </ul>	<ul style="list-style-type: none"> <li>Closure for 10 continuous days and fine of 200 TU</li> </ul>	
	<b>Amendment</b>			<b>Derogated Law</b>

**Article 105. Formal tax crimes relating to an obligation to report to and appear before the Tax Administration**

<ul style="list-style-type: none"> <li>• Failure to furnish information requested by the Tax Administration about own or third related party activities on a timely basis</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 1</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 10 TU that will be increased by 10 TU per each new infraction up to 200 TU</li> </ul>
<ul style="list-style-type: none"> <li>• Failure to report to the Tax Administration offsettings and assignments of credits in accordance with applicable terms</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 2</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 10 TU that will be increased by 10 TU per each new infraction, up to 200 TU</li> </ul>
<ul style="list-style-type: none"> <li>• Provide the Tax Administration with false or wrong information</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 3</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 10 TU that will be increased by 10 TU per each new infraction, up to 50 TU</li> </ul>
<ul style="list-style-type: none"> <li>• Failure to appear before the Tax Administration when required, unless a justified reason exists</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 4</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 100 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 10 TU that will be increased by 10 TU per each new infraction, up to 50 TU</li> </ul>

	<ul style="list-style-type: none"> <li>• Disclose or undue use of confidential information</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 5</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 1000 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 200 to 500 TU (public officers). Fine of 500 to 2000 TU (For those disclosing information on transfer pricing only)</li> </ul>
	<b>Amended COT</b>			<b>Derogated COT</b>
<b>Article 106. Tax crimes relating to defiance of orders of the Tax Administration</b>	<ul style="list-style-type: none"> <li>• Reopening premises, offices, establishments or others in violation of the closure measure imposed by the Tax Administration, not suspended or revoked</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 1</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 1000 TU and closure of establishment for twice the period initially set</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 200 to 500 TU</li> </ul>
	<ul style="list-style-type: none"> <li>• Destruction or alteration of seals or locks installed by the Tax Administration, or execution of any operation aimed at a distorting their installation</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 2</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 1000 TU and closure of establishment for twice the period initially set</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 200 to 500 TU</li> </ul>

	<ul style="list-style-type: none"> <li>• Use, subtraction, hiding or disposal of goods or documents retained on hands of alleged offenders, if protective measures have been established</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 3</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 500 TU</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 200 to 500 TU</li> </ul>
	<b>Amended COT</b>			<b>Derogated COT</b>
	<ul style="list-style-type: none"> <li>• Manufacture, import, trade or distribute goods without due authorizations set forth in the respective standards, as applicable</li> </ul>	<ul style="list-style-type: none"> <li>• Paragraph 1</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 1000 TU and confiscation of fiscal goods, without prejudice to the sanction set forth in article 119 (tax fraud punished by imprisonment for six (6) months to seven (7) years). In case of undue returns obtained, the sanction will be increased by one third. Likewise, for taxpayers punished for tax fraud, the court shall order an increase in the sanction by two hundred percent</li> </ul>	<ul style="list-style-type: none"> <li>• Fine of 150 to 350 TU and confiscation of fiscal goods</li> </ul>

**Article 107. Tax crimes relating to activities subject to authorization**

		(200%) of the tax omitted.	
<ul style="list-style-type: none"> <li>Distribute, trade or sell fiscal goods not meeting legal requirements</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 2</li> </ul>	<ul style="list-style-type: none"> <li>Confiscation of fiscal goods</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 50 to 150 TU and retention of goods until due authorization is obtained.</li> </ul>
<ul style="list-style-type: none"> <li>Distribute, trade or sell fiscal goods not meeting legal requirements for preparation, production and transportation purposes, as well as fiscal goods from illegal source or adulterated</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 3</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 1000 TU and confiscation of fiscal goods, without prejudice to the sanction set forth in article 119 (tax fraud punished by imprisonment for six (6) months to seven (7) years). In case of undue returns obtained, the sanction will be increased by one third. Likewise, for taxpayers punished for tax fraud, the court shall order an increase in the sanction by two hundred percent (200%) of the tax omitted.</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100 to 250 TU and confiscation of fiscal goods</li> </ul>

	<ul style="list-style-type: none"> <li>Changes or modifications altering the characteristics, type or nature of industries, establishments, businesses and outlets without due authorization.</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 4</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100 TU and suspension of the respective activity until authorization is obtained</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 25 to 100 TU and suspension of the respective activity until authorization is obtained</li> </ul>
	<p>The confiscation of fiscal goods, devices, containers, raw materials, machinery, supplies, production tools and goods relating to the clandestine industry shall be applied even if the offender has not been identified.</p>			
	<b>Amendment</b>			<b>Derogated Law</b>
<p><b>Article 108. Failure to comply with other formal duties</b></p>	<ul style="list-style-type: none"> <li>Failure to comply with Other Formal Duties with no specific sanction</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100 TU</li> </ul>		
	<p>For formal crimes set forth in this chapter committed by taxpayers classified as Special taxpayers, applicable penalty payments shall be increased by 200%.</p>			
	<b>Amended COT</b>			<b>Derogated COT</b>
<p><b>CHAPTER III. ARTICLES 109 TO 117. MATERIAL TAX CRIMES</b></p>	<ul style="list-style-type: none"> <li>Article 110. Untimely payment of tax debt.</li> </ul>	<ul style="list-style-type: none"> <li>Payment within 1 year</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 0.28% per each day of delay up to 100% of amount owed.</li> </ul>	<ul style="list-style-type: none"> <li>1% of amount owed</li> </ul>
	<ul style="list-style-type: none"> <li>Payment after 1 year</li> </ul>	<ul style="list-style-type: none"> <li>An additional fine of 50% of the amount owed</li> </ul>		
	<ul style="list-style-type: none"> <li>Payment after 2 years</li> </ul>	<ul style="list-style-type: none"> <li>An additional fine of 150% of</li> </ul>		



		the amount owed	
	For taxes paid during the inspection and determination procedure, sanctions set forth in article 112 shall be applied (fine of 100% up to 300% of the tax omitted), as the case may be.		
<ul style="list-style-type: none"> <li>Article 111. For taxes determined in accordance with the collection procedure in case of omission of returns</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 30% of the amount of tax determined</li> </ul>		
<ul style="list-style-type: none"> <li>Article 112. Unlawful decrease in taxable income through action or omission, even by means of undue enjoyment of exemptions or other tax benefits.</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100% up to 300% of tax omitted</li> </ul>		<ul style="list-style-type: none"> <li>Fine of 25% up to 200% of the tax omitted</li> </ul>
	In case of search and seizure (article 196)	Fine of 30% of tax omitted	Fine of 10% of tax omitted
<ul style="list-style-type: none"> <li>Article 113. Undue returns or reimbursement without prejudice to the sanction established in article 119.</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100% to 500% of amounts unduly obtained</li> </ul>		<ul style="list-style-type: none"> <li>From 50% to 200% of amounts unduly obtained</li> </ul>
<ul style="list-style-type: none"> <li>Article 114. Failure to comply with an obligation to make Advances on account of the main tax obligation.</li> </ul>	1. Omission of advance payments	Fine of 100% of advance payment omitted	10% to 20% of advance payment omitted
	2. Delayed payment of advances	Fine of 0.05% per each day of delay up to 100%	1.5% monthly of advances omitted
<ul style="list-style-type: none"> <li>Article 115. Failure to comply with obligations to withhold,</li> </ul>	1. For failing to withhold, receive or file taxes	Fine of 500% of tax not withheld or received	Fine of 100% to 300% of the tax not withheld or received

	receive or file taxes.	2. For withholding or receiving less than the corresponding amount	Fine of 100% of amount not withheld or received	Fine of 50% to 150% of amounts not withheld
		3. For filing amounts withheld or received after the deadline established	Fine of 5% per each day of delay in filing up to 100 days.	Fine of 50% per each month of delay up to 500%.
		4. For failing to file amounts withheld or received	Fine of 1000% of referred-to amounts, without prejudice to article 119.	
	<ul style="list-style-type: none"> <li>Article 116. Trade or sell in the national territory taxed goods for import or export for customs regime consumption</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 500 TU and confiscation of goods</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100 to 250 TU and confiscation of goods</li> </ul>	
	<ul style="list-style-type: none"> <li>Article 117. Trade taxed goods with establishments or persons not authorized therefor, if an authorization is required under tax standards.</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 300 TU.</li> </ul>	<ul style="list-style-type: none"> <li>Fine of 100 to 250 TU and confiscation of goods</li> </ul>	
	<b>Amended COT</b>			<b>Derogated COT</b>
CHAPTER IV. ARTICLES 118 TO 130. CRIMINAL TAX OFFENSES	<ul style="list-style-type: none"> <li>Article 119. Fraud perpetration</li> </ul>	Fraud	Imprisonment between 6 months and 7 years	Imprisonment between 6 months and 7 years
		For returns unduly obtained.	Imprisonment between 6 months and 7 years increasing the sanction by one third	Amount over 100 TU imprisonment between 4 and 8 years.
		Fraud	Additional sanction set forth in heading of article 112 increased by 200%.	
	<ul style="list-style-type: none"> <li>Article 121. Failure to file taxes withheld or received on a timely basis</li> </ul>	<ul style="list-style-type: none"> <li>Imprisonment between 4 and 6 years.</li> </ul>	<ul style="list-style-type: none"> <li>Imprisonment between 2 and 4 years.</li> </ul>	

<ul style="list-style-type: none"> <li>Article 122. Cause or aggravate own or others' insolvency despite knowing that a procedure has been started to determine or collect obligations.</li> </ul>	<ul style="list-style-type: none"> <li>Imprisonment between 1 and 5 years</li> </ul>		
<ul style="list-style-type: none"> <li>Article 123. Publicly encourage or carry out actions to organize the collective refusal to comply with obligations</li> </ul>	<ul style="list-style-type: none"> <li>Imprisonment between 1 and 5 years</li> </ul>		
<ul style="list-style-type: none"> <li>Article 124. Officers, public employees; taxpayers and their representatives; legal authorities and any other party directly or indirectly disclosing or using confidential information for personal or undue purposes.</li> </ul>	<ul style="list-style-type: none"> <li>Imprisonment between 3 months and 3 years</li> </ul>	<ul style="list-style-type: none"> <li>Imprisonment between 3 months and 3 years</li> </ul>	
<ul style="list-style-type: none"> <li>Article 129. Officers cooperating with or getting involved in these tax crimes.</li> </ul>	<p>Imprisonment years will be doubled.</p> <p>Additionally, these persons will be disqualified for public functions for periods between 5 and 15 years.</p>		

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