

**TAX FLASH - JULY 2009**  
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**Order no. 1290/2009 issued by NAFA regarding the modification and completion of the model and content of certain tax returns**

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The Government had issued Order no. 1290/2009, amending Order no. 101/2008, adjusting the model and content of withholding tax statutory tax returns and enters into force commencing the statutory reporting requirements of the second quarter of 2009.

The new 100 tax return allows settlement of the minimum corporate tax due applicable as of 1<sup>st</sup> of May 2009, tax floor introduced by GEO 34/2009. The minimum corporate tax is between 2.200 up to 43.000 RON and is determined considering the turnover of the company. This also applies for micro-enterprises. According to the new instructions, on the 100 tax return it will be stated the amount representing the minimum corporate tax due for the reporting period, if the corporate tax is lower than the one due, as imposed by GEO 34/2009.

The 100 tax return will be submitted on a quarterly basis also for:

- Intermediate corporate tax payments for the annual corporate tax due by banking institutions, whether Romanian legal entities or branches.
- Corporate tax due by Romanian legal entities other than the ones above mentioned;
- Corporate tax due by individuals on incomes received from pas-through associations;
- Corporate tax due by foreign legal entities other than the ones mentioned above, Romanian permanent establishments and Romanian JV associations.
- Flat turnover based tax due by micro-enterprises;

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