



TAX FLASH

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Amendments to the Tax Code

The Government Emergency Ordinance 200/2008 mainly regulates certain tax measures driven by the new general framework of worldwide economic crisis by adopting a safe position on the social policy.

The above Act amends the Tax Code, Law 571/2003, amending certain provisions regulating the corporate tax, VAT, financial instruments and taxation on dividends.

New articles and amendments are introduced as follows:

1. the corporate tax will be adjusted accordingly, going backwards, when research and development activities are undertaken for the benefit of the company (art. 19¹ from the Tax Code)
2. incomes received by individuals from bank deposits are considered non-taxable incomes commencing with 1.01.2009 (art. 67.2¹ from the Tax Code)
3. incomes received from bank deposits for non-EU individuals are exempted from tax commencing with 1.01.2009 (art. 117.k from the Tax Code)
4. a new VAT quote of 5% is introduced and it applies on taxable base for delivery of housing units for individuals as part of the social policy, certain conditions as, only one housing unit it can be bought with the decreased quote, the housing unit has to have 120m² maximum, the price has not to exceed 380.000 RON, being met (art. 140.2¹ from the Tax Code)
5. for VAT deduction, the importer, holder of an authorization for simplified custom measures issued by a different EU member state has to provide an import certificate for VAT and excise (art. 146.c-d from the Tax Code)
6. the importer, holder of an authorization for simplified custom measures, has to submit to the Custom Authorities, an import return for VAT and excise on the due date when the tax becomes payable (art. 151² from the Tax Code);

Article II from the above mentioned Emergency Writ exempts tax the re-invested profit for the fiscal year 2009.

All the above said is in accordance with the general framework generated by the global crisis.

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