



**TAX FLASH RE: APA AND ATR
JUNE 13TH 2007**

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Decision 529/ 30.06.2007 regarding the procedure for the issuance of Advance Tax Rulings and Advanced Pricing Agreements.

The Decision established the procedure that needs to be followed by taxpayers in order to obtain an advanced tax ruling or an advanced pricing agreement, as defined by the Fiscal Procedural Code. The procedure also provides for the relevant information and documents that need to be submitted by the taxpayers to the National Agency for Fiscal Administration.

A fee of EUR 1,000 is payable by the taxpayers to the tax authorities for the issuance of an advanced tax ruling.

The taxpayers performing transactions with related parties and who obtain an advanced pricing agreement are liable to submit an annual report regarding the fulfillment of the terms and conditions provided in the agreement. Failure to comply with this requirement leads to cancellation of the agreement.

The fees payable to the tax authorities for the issuance / amendment of an advance pricing agreement are as follows:

- EUR 20,000 and EUR 15,000 respectively in case of large taxpayers or for agreements on transactions with a consolidated value exceeding the threshold of 4 million EUR; and
- EUR 10,000 and 6,000 respectively – in all remaining cases.

The advanced pricing agreements are normally issued for a period of up to 5 years; however, this term may be extended.

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