

01 November 2023

Fiscal Bulletin



Content:

1. Law no. 296/2023 regarding fiscal-budgetary measures to ensure Romania's long-term financial sustainability

TAX MEASURES

Minimum turnover tax

The minimum turnover tax ("IMCA") becomes applicable as of 01.01.2024 or as of the first day of the amended tax year beginning in 2024.

The IMCA is applicable to companies which have a turnover exceeding EUR 50 million in the previous year and which determine in the year of calculation a corporate income tax lower than the IMCA amount. The IMCA is calculated according to the following calculation formula: $IMCA = 1\% \times (VT^1 - Vs^2 - I^3 - A^4)$.

The assets considered for the calculation of I and A are those established by Order of the Ministry of Finance, and the selection of eligible asset categories is made based on certain criteria linked to the nature of the activity carried out.

Application mechanism:

- If the corporate income tax ("CIT") is less than the IMCA, taxpayers are liable to pay CIT at the IMCA level;
- If there is a tax loss the taxpayer determines the IMCA;
- If a taxable profit is recorded, but as a result of recovering tax losses from previous years, the taxpayer ends up with a tax loss, the taxpayer will determine the IMCA;

¹ VT = total revenues

² Vs = income subtracted from total income (i.e. non-taxable income, income relating to costs of stocks of products, income relating to costs of services in progress; income from the production of tangible and intangible fixed assets; income from compensation; income from excise duties).

³ I = value of assets under construction acquired/produced as from 01.01.2024.

⁴ A = book depreciation of assets acquired/produced as from 01.01.2024

- If the IMCA has a negative value, the IMCA is considered to be zero.

For the purposes of comparing the CIT with the IMCA, the CIT represents the corporate income tax before subtracting the statutory amounts, adjusted as follows:

- Amounts representing sponsorship, other amounts to be deducted from corporate income tax, as well as allowances for measures to maintain/increase equity capital provided for by GEO 153/2020 **are deducted**;
- External tax credits, exempt reinvested corporate income tax and exempt corporate income tax according to the Agricultural Cooperation Act No. 566/2004 **are not deducted**.

If the taxpayer owes the IMCA, the exempted corporate income tax, other amounts to be deducted from the corporate income tax and the allowances for measures to maintain/increase equity capital provided for by GEO 153/2020 will not be deducted from the IMCA, but sponsorships can be deducted up to a minimum of 0.75% of the turnover and 20% of the corporate income tax due.

The economic operators exclusively engaged in the distribution, supply and transmission of electricity and natural gas which are regulated or licensed by ANRE are excluded from the application of the IMCA.

Specific rules are also provided for taxpayers who apply the advance payment system, the CIT being determined by comparing the IMCA with the advance payments, and the annual CIT must be finalised by the deadline for filing the annual corporate income tax return.

In the case of tax groups, the above rules are applied accordingly by the responsible legal person. Initially, each member of the tax group calculates the IMCA and communicates it to the responsible legal person, after which the responsible legal person compares the CIT at group level or the advance payments with the amount of the total IMCA submitted by the group members.

Additional tax for credit institutions

Credit institutions (Romanian legal entities and branches in Romania of foreign legal credit institutions) owe from 01.01.2024, in addition to CIT, a turnover tax, calculated by applying the tax rate to the turnover⁵, as follows:

- 2% for period 01.01.2024 - 31.12.2025;

⁵ CA comprises interest; dividends; fee and commission income, gains/losses on derecognition of financial assets and liabilities not measured at fair value through profit or loss; gains/losses on financial assets and liabilities held for trading; gains/losses on financial assets, not held for trading, necessarily measured at fair value through profit or loss; gains/losses on financial assets and liabilities designated as at fair value through profit or loss; gains/losses on hedge accounting; gains/losses on exchange rate differences; gains or losses on derecognition of non-financial assets; other operating income.

- 1% starting with 01.01.2026.

The additional tax for credit institutions is calculated, declared and paid quarterly and it is added to the CIT and to the advance payment(s), as the case may be. For the purpose of determining the tax result, the turnover tax is a non-deductible expense.

Turnover tax is calculated cumulatively from the beginning of the tax year. Where the turnover tax is due quarterly, it is determined as the difference between the cumulative turnover tax calculated from the beginning of the tax year and the turnover tax due for the period prior to the calculation period.

In case of tax groups, the above provisions shall be applied appropriately by the members according to their individual situation.

The model and content of the tax return related to the additional tax shall be established by National Tax Administration Agency Order within 60 days of the entry into force of the law.

Additional tax for companies operating in the oil and gas sectors

The additional tax ("ICAS") applies for the period 01.01.2024 - 31.12.2025. From 01.01.2026, taxpayers operating in the oil and gas sectors apply the IMCA. The concerned taxpayers are companies which are active in the oil and gas sectors and which have a turnover exceeding EUR 50 million.

ICAS is calculated according to the formula: $ICAS = 0.5\% \times (VT - Vs - I - A)$ ⁶

ICAS is due in addition to the CIT. It is calculated, declared and paid quarterly and added to the advance payments or corporation tax due/payable, as appropriate.

For the purposes of determining the taxable result, the ICAS is a non-deductible expense.

ICAS is calculated cumulatively from the beginning of the tax year. If ICAS is due quarterly, it is determined as the difference between the cumulative turnover tax calculated from the beginning of the tax year and the turnover tax due for the period preceding the calculation period.

In the case of tax groups, the above provisions shall be applied appropriately by the members according to their individual situation.

The model and content of the tax return shall be established by National Tax Administration Agency Order within 60 days from the entry into force of the law.

⁶ Where VT, Vs, I and A are the indicators presented in the chapter on IMCA, and the assets taken into account for the calculation of I and A are those established by Order of the Ministry of Finance, and the selection of eligible asset categories is made on the basis of criteria related to the nature of the activity carried out.

Taxpayers which also carry out activities of distribution, supply or transport of electricity and natural gas, do not include in the ICAS indicators the elements related to the activities of distribution, supply or transport of electricity and natural gas.

Microenterprise tax

Starting with 01.01.2024, the tax rates applicable to the income earned by micro-enterprises will change. Thus, the new applicable tax rates will be:

- 1%, if the micro-enterprise earns income not exceeding EUR 60,000 inclusive and does not carry out the activities referred to in the following point;
- 3%, if the micro-enterprise has revenues above EUR 60,000 or carries out activities specific to the following CAEN codes: 5821, 5829, 6201, 6209, 5510, 5520, 5530, 5590, 5610, 5621, 5629, 5630, 6910, 8621, 8622, 8623 and 8690.

The tax limits on the amount of income are checked on the basis of the cumulative income recorded since the beginning of the tax year. The exchange rate for determining the EUR equivalent shall be the one in force at the end of the previous financial year. Therefore, if during the tax year the income of a micro-enterprise exceeds EUR 60,000, or the micro-enterprise starts to carry out activities specific to the CAEN codes mentioned above, the tax rate of 3% is applied from the quarter in which these situations are recorded.

Also, if a micro-enterprise carries out activities specific to the CAEN codes mentioned above, but also obtains income from other activities (outside the CAEN codes related to these activities), the 3% tax rate also applies to the income from these other activities.

Similarly, if during the tax year, a micro-enterprise no longer carries out activities specific to the CAEN codes mentioned above and the income does not exceed EUR 60,000, the tax rate of 1% is applicable from the quarter in which these situations are recorded.

From a declaratory point of view, micro-enterprises that become corporate income taxpayers as a result of not fulfilling the conditions set out in Article 47 of the Tax Code or as a result of exercising the option, are required to notify the tax authorities about leaving the micro-enterprise tax system by 31 March of the following tax year.

Income tax

New limitations on the income tax exemption applicable to the IT/construction/agro-food sectors

Starting with the salary income related to November 2023, the tax incentives for the employees in the IT/construction/food industry and agriculture are aligned.

Thus, employees in these industries will benefit from tax exemption on salary income until 31 December 2028 for gross monthly income up to and including RON 10,000. The part of the gross monthly income exceeding RON 10,000 does not benefit from tax relief.

For the IT sector, the tax relief applies to income from salaries and income assimilated to salaries earned by the individual on the basis of an individual employment contract, employment relationship, act of delegation or secondment or a special status provided for by law, as the case may be.

For the construction, agriculture and food industry sectors, the tax incentive applies to the gross monthly income from salaries and income assimilated to salaries earned by the individual under an individual employment contract, on a full-time or part-time basis, as the case may be, calculated at a gross wage for 8 hours/day by reference to the level of the basic gross minimum wage per country guaranteed in payment for the relevant sector.

Thus, for the part of the income exceeding RON 10,000, but also for income obtained from another employer, income tax at the rate of 10% will be applied.

In addition, the CAS rate (25%) payable by employees will be reduced by the percentage points corresponding to the contribution rate to the privately administered pension fund (3.75% currently, 4.75% applicable starting with 1 January 2024), so that the CAS rate payable by employees is 21.25% in 2023. Affected employees may opt to pay the contribution to the privately administered pension fund.

The new limitations also concern the elimination of (i) the exemption from CASS (10%) payable by employees, (ii) the exemption for CAS payable by employers for extraordinary (4%) or special working conditions (8%) and (iii) the reduction of the CAM payable by employers, currently applicable in the construction sector/ food industry and agriculture.

Income from self-employed activities

Starting with 01.01.2023, individuals who earn income from self-employed activities taxed under the real system, are entitled to deduct both CAS (25%) and CASS (10%) when calculating the income tax. Previously, the CASS (10%) could not be deducted.

Salary revenues

The cost of tourist and/or treatment services, including transport, paid by the employer for his employees during their holiday, represents non-taxable income up to a monthly ceiling of 33% of basic salary, if the employees do not receive holiday vouchers. This limitation applies from 01.01.2024.

Income whose source has not been identified

Any income earned by individuals, ascertained by the tax authorities under the terms of Law No. 207/2015 regarding the Fiscal Procedure Code, whose source cannot be identified, is taxed at a rate of 70% applied to the adjusted taxable base. The tax authorities will determine the amount of tax and ancillary charges in the tax decision.

Social security contributions

Salary revenues

Meal vouchers and holiday vouchers granted by employers to employees will be subject to CASS at a rate of 10% from 01.01.2024. Currently, meal vouchers and holiday vouchers are not included in the CASS calculation basis and are only taxed at 10% income tax.

Income from self-employed activities

For self-employed income, CASS (10%) will be applied to the net income earned, but not more than 60 gross minimum wages per country (currently, the ceilings of 6, 12 and 24 wages are applicable).

If the estimated/realised income from self-employment is less than the level of 6 gross minimum wages per country, individuals owe a difference in CASS up to a level of at least 6 gross minimum wages per country.

The difference in CASS is not due if, in the previous tax year, the individual earned income from: a) salaries and income assimilated to salaries at a level of at least 6 gross minimum wages per country, or b) other income, for which CASS is due, at a level of at least 6 gross minimum wages per country (e.g. income from intellectual property rights/rent/investments, etc.).

These changes are applicable starting with the revenues obtained in 2024.

Other revenues obtained by the individuals

For other types of income obtained by individuals (i.e. income from intellectual property rights, from rents, from agricultural activities, from investments, from other sources), CASS (10%) is due at the level of the existing ceilings of 6, 12 and 24 minimum wages.

Thus, for these types of income, CASS (10%) is payable if the cumulative value of such revenues is at least equal to 6 gross national minimum wages.

Special tax on immovable and movable property of high value

It shall apply from 1 January 2024.

The following taxpayers are liable to pay the special tax on immovable property and movable property of high value:

- Individuals who, as of 31 December of the previous year, have ownership/joint ownership over residential buildings located in Romania, if the taxable value of the building exceeds RON 2,500,000;
- Individuals and legal entities who own cars registered in Romania whose individual purchase value exceeds RON 375,000. The tax is due for a period of 5 years starting from the tax year in which the handover of the car takes place or for the fraction of years remaining until the end of the 5-year period from this date for those for whom the handover took place earlier.

The special tax on immovable and movable property of high value is calculated as follows:

- in the case of properties representing residential buildings, by applying a rate of 0.3% on the difference between the taxable value of the building communicated by the local tax authority in the tax decision and the threshold of RON 2,500,000;
- in the case of properties representing cars, by applying a rate of 0.3% on the difference between the acquisition value and the threshold of RON 375,000.

The special tax on immovable and movable property of high value is due for the entire tax year. The taxpayers are obliged to compute, declare and pay the special tax on immovable and movable property of high value as follows:

- by 30 April inclusive of the current tax year in the case of high-value residential buildings;
- by 31 December inclusive of the current tax year in the case of high-value cars.

The special tax on immovable and movable property of high value constitutes revenue of the State Budget and is administered by the National Tax Administration Agency.

VAT

Modifications regarding VAT rates

Starting from 01.01.2024, the VAT rates for the following supplies of goods/ services will be changed, as follows:

- The VAT rate will increase from 5% to 9% for the following:
 - The supply of housing as part of social policy, including the land on which it is built, as defined in the Fiscal Code. As an exception to the

above provisions, it is proposed to maintain the reduced VAT rate of 5% between January 1 and December 31, 2024 for legal documents concluded between January 1 and December 31, 2023, which have as their object the advance payment for the purchase of such of houses. The obligation to organize the Register of home acquisitions with a reduced VAT rate is maintained. Also, for the purpose of applying the VAT rate of 9%, the home that can be inhabited as such means a home that must have individual free access to the living space, without disturbing the possession and exclusive use of the space owned by another person or family, access to electricity and potable water, controlled disposal of waste water and household waste, must consist of at least a space for rest, a space for food preparation and a sanitary group, have certain exterior and interior finishes, certain plumbing and sanitary fixtures, as well as electrical installations.

- Supply and installation of photovoltaic panels, solar thermal panels, heat pumps and other high-efficiency heating systems that meet certain parameters, including installation kits, as well as all necessary separately purchased components, intended for housing, central public administration buildings or local, the buildings of the entities under their coordination/subordination, with the exception of commercial companies. In order to benefit from the reduced VAT rate for these transactions, beneficiaries are required to provide a solemn declaration.
- The supply and installation of components for the repair and/or expansion of the systems provided for in the previous point, or the supply of these systems as a component part of construction deliveries or as extra options when delivering a construction. Also, in order to benefit from the reduced VAT rate for these transactions, beneficiaries are required to provide a solemn declaration.
- The VAT rate will increase from 5% to 19% for the following:
 - The right to use sports facilities, whose activities are included in NACE codes 9311 and 9313.
 - Transport of people for touristic or recreational purposes by certain trains or vehicles, including animal traction, boats or using cable transport facilities.
- The elimination of high-quality food from the scope of the reduced 5% VAT rate, and implicitly the application of the reduced rate of 9% or the standard 19% VAT rate, depending on the level of added sugar.

- 19% VAT will apply for the following supplies of goods that currently qualify for the 9% VAT rate:
 - Non-alcoholic beverages falling under CN codes 2202 (i.e. including non-alcoholic beer).
 - Foods with added sugar, with total sugar content of minimum 10g/100g product, other than cakes (i.e. cozonac) and biscuits. The definition of added sugar introduced in the context of the excise duty amendments applies.
- It is mentioned that the affidavit for the application of the reduced VAT rate of 5%, for the supply of firewood, sawdust, waste and wood scraps, in various forms to natural persons/legal persons/other entities, as well as the supply to these persons as end users for the use as heating fuel of sawdust, certain waste and wood scraps, must be drawn up by the beneficiary.

Changes regarding VAT exemption with the right to deduct

Beginning 01.01.2024, changes concerning the following operations will enter into force:

- Construction, rehabilitation, modernization services of hospital units from the state public network.
- The supply of medical equipment, apparatus, devices, and the like, as well as the adaptation, repair, rental and leasing of such goods, carried out to hospital units in the public network of the state.

Thus, the VAT exemption is maintained only when these operations are carried out to non-profit entities registered in the Public Register organized by National Tax Administration Agency and are intended for hospital units owned and operated by the non-profit entity or those in the state public network.

In addition, the method of directly granting the VAT exemption, through invoicing without VAT, is eliminated.

Excise duties

Among the excise duties related changes having a potentially significant impact on companies carrying out commercial activities involving excise goods are the following:

- It introduces the obligation for holders of certificates for wholesale of alcoholic beverages, manufactured tobacco and energy products, and for retail sale of energy products, to notify the issuing authority of any change in the information on the basis of which the original certificates were granted, within 30 days. The obligation will enter into force in 15 days after the publication in the

Official Gazette. Failure to comply with this obligation is subject to a fine of RON 20,000 - 100,000.

- The following products are inserted in the category of products subject to non-harmonised excise duties, with effect starting from 01.01.2024:
 - Products containing tobacco, intended for inhalation without burning, falling within CN code 2404 11 00, including those contained in refills delivered together with electronic cigarettes and electric vaporizers falling within CN code 8543 40 00. The excise duty for 2024 is RON 1,094.93/kg.
 - Liquids, whether or not containing nicotine, for inhalation without combustion, falling within CN codes 2404 12 00 and 2404 19 90, including those contained in refills delivered together with electronic cigarettes and electric vaporizers falling within CN code 8543 40 00. The excise duty for the year 2024 is RON 0.81/ml.
 - Products for inhalation without combustion, containing tobacco substitutes, whether or not containing nicotine, falling within CN codes 2404 12 00 and 2404 19 10, including those contained in refills supplied with electronic cigarettes and vaporizers falling within CN code 8543 40 00. The excise duty for 2024 is RON 1,094.93/kg.
 - Non-alcoholic beverages with added sugar for which the total sugar level is between 5g - 8g/100 ml. The excise duty for 2024 is RON 40/hl.
 - Non-alcoholic beverages with added sugar for which the total sugar level is above 8g/100 ml. The excise duty for the year 2024 is RON 60/hl.
- In connection with the above mentioned non-alcoholic beverages, the definition of added sugar is introduced so added sugar means cane sugar, brown sugar, crystalline sucrose, invert sugar, dextrose, molasses, honey sugars, molasses and syrups such as malt syrup, fruit syrup, rice malt syrup, corn syrup, high fructose corn syrup, maple syrup, glucose syrup, glucose-fructose, fructose, sucrose, glucose, lactose, hydrolysed lactose and galactose added as ingredients, sugars in nectars such as coconut flower nectar, date nectar, agave nectar, sugars in unsweetened fruit juices, fruit juice concentrate, sugars in fruit purees and jam. This measure will enter into force starting from 01.01.2024.
- Also in relation to the above-mentioned non-alcoholic beverages containing added sugar, for their production, intra-Community acquisition and/or import, the obligation to notify the territorial customs authority is introduced. The notification will be made in accordance with the provisions to be introduced at

a later date in the Methodological Norms for the application of the Fiscal Code. This measure will enter into force starting from 01.01.2024.

- In relation to the above-mentioned products intended for inhalation without combustion, for their production, intra-Community acquisition and/or import, the obligation to apply to the territorial customs authority for authorisation as a trader with products subject to non-harmonised excise duties is mentioned. This measure will enter into force starting from 01.01.2024. Violation of this obligation is punishable by a fine ranging from RON 20,000 - 100,000, confiscation of the products or the sums resulting from their sale, as well as the suspension of the sale activity of the said products for a period of 1 - 3 months.
- A fine between RON 2,000 - 5,000 is introduced for failure to hold certified consignor/consignee authorisations, if these are required. This measure will enter into force in 15 days after the publication in the Official Gazette.

The possibility of paying half of the minimum fine on the spot or within 48 hours of the conclusion of the minutes of receipt/date of notification of the fine is abolished. The amendment will enter into force in 15 days after the date of publication in the Official Gazette.

MEASURES TO STRENGTHEN FINANCIAL AND FISCAL DISCIPLINE

General implementation of RO e-Invoice system

Beginning 01.01.2024, the modifications related to e-invoice will enter into force. Thus, economic operators taxable persons established in Romania, regardless of whether they are registered for VAT purposes or not, as well as economic operators taxable persons not established in Romania but registered for VAT purposes in Romania, have the obligation to transmit the invoices issued for the supply of goods services in Romania, carried out in the B2B relationship, in the national RO e-Invoice electronic invoice system, regardless of whether or not the recipients are registered in the RO e-Invoice Register.

Also, invoices issued for taxable operations in Romania to a public institution will have to be sent through the RO e-Invoice system.

Invoices issued for VAT-exempt operations within the meaning of art. 294 para. (1) a) and b) and para. (2) of the Fiscal Code (i.e. certain intra-community supplies, exports) are excluded from reporting in the e-invoicing system.

The invoices will have to be sent to the RO e-Invoice system within 5 working days from the date of issue or from the deadline provided in the Fiscal Code for issuing the invoice (i.e. the 15th of the month following the one in which the generating event occurs of VAT).

For non-compliance with this provision, contravention fines will be applied depending on whether the taxpayers fall into the small, medium or large category, as follows:

- From RON 5,000 to RON 10,000 for high taxpayers.
- From RON 2,500 to RON 5,000 for medium taxpayers.
- From RON 1,000 to RON 2,500 for other legal entities and for natural persons.

Between 01.01.2024 - 31.03.2024, no penalties will be applied for failure to comply with the obligations to submit invoices in the RO e-Invoice system.

Starting from 01.07.2024, amendments are made to the Fiscal Code according to which, between taxable persons established in Romania, for the supply of goods and the provision of services in Romania, carried out in the B2B relationship, only invoices sent through the RO system will be considered invoices e-Invoice. The use of the electronic invoice is subject to acceptance by the beneficiary, with the exception of invoices sent through the RO e-Invoice system.

The receipt and registration of invoices by the recipients, taxable persons established in Romania, in a different way than through the RO e-Invoice system, for B2B transactions, will be sanctioned with a fine equal to the amount of VAT entered in the respective received invoice.

Implementation of RO e-Seal system

The provisions specified below will enter into force in 15 days from the date of publication in the Official Gazette of Law no. 296/2023 (i.e. 15 days from 27.10.2023). This system will be implemented in Romania in order to ensure compliance with the traceability of road transport of goods on the territory of Romania.

RO e-Seal is based on the use of electronic devices and a computer application that allows the determination of potential points of diversion of road transport of goods, regardless of whether the goods are in transit or have a final destination on the national territory.

The application of smart seals and the monitoring of road transport of goods will be carried out based on a risk analysis by National Tax Administration Agency and ANV.

In the case of applying smart seals, the driver must ensure their integrity. Failure to fulfil this obligation constitutes a misdemeanour, if it was not committed under such

conditions as to be considered, according to the criminal law, a crime and is sanctioned with a fine from RON 20,000 to RON 50,000.

MEASURES TO ENSURE TAX COMPLIANCE

Measures to prevent and combat illegal economic activities

Performing economic activities is prohibited:

- i. for persons who are not organised in accordance with the legal provisions and for performing economic activities during the period in which they are suspended;
- ii. with goods that are not accompanied by documents of origin, regardless of their location, during transport, storage or marketing.

„Documents of origin” means the invoice, the accompanying document for the goods, the customs documents or any other supporting documents required by law on which the entry in the accounts is based, in physical or electronic form.

Failure to comply with this obligation constitutes an offence, unless it was committed in such a way that it is considered, under criminal law, to be a criminal offence. A fine of between RON 5,000 and RON 35,000 shall be imposed for the act referred to under point i) and a fine of between RON 5,000 and RON 30,000 for the act referred to under point ii), if committed by legal persons. Fines may be increased for repeated offences.

Goods intended, used or resulting from such offences may be temporarily seized and subsequently confiscated.

The measures enter into force in 15 days after the date of publication in the Official Gazette.

Strengthening financial discipline and combating tax evasion

Amendments are brought to Law no. 70/2015 on strengthening financial discipline regarding cash transactions. The amendments enter into force in 15 days after the date of publication in the Official Gazette.

The amendments introduced concern the reduction of limits for cash receipts and payments, as follows:

- Receipts by legal entities/Authorised individuals (i.e., PFAs)/Individual companies (i.e., IIs) from legal entities/Authorised individuals (i.e., PFAs)/Individual companies (i.e., IIs) up to a daily limit of RON 1,000 from one person;

- Receipts made by cash & carry shops up to a limit of RON 2,000 from one person (legal entity/ PFA/II);
- Payments made by legal entities/PFAs/IIIs to legal entities/PFAs/IIIs up to a daily limit of RON 1,000/person, but not more than RON 2,000 /day;
- Payments to cash & carry shops up to a total daily limit of RON 2,000;
- Payments from advances for settlement, up to a limit of RON 1,000 /person;
- Payments between legal entities/PFAs/IIIs and individuals representing the value of supplies of goods or services, dividends, assignment of claims or other rights and receipt or refund of loans are performed up to a daily limit of RON 5,000 to/from one person until 31.12.2024 and RON 2,500 from 01.01.2025;
- The cash amounts in the cash desk of legal entities/PFAs/IIIs may not exceed the limit of RON 50,000 at the end of each day. Cash amounts exceeding the limit shall be deposited in the bank accounts of these persons within two working days. As an exception, this limit may be exceeded for amounts relating to the payment of salaries and other personnel rights, for a period of three working days from the date set for their payment.

Failure to comply with the above-mentioned provisions constitutes an offence and is punishable with a fine of 25% of the amount exceeding the limit, but not less than RON 500.

Elimination of the possibility to pay half of the minimum fine

The possibility of paying, within 15 days from the date of delivery or communication of the official statement, half of the minimum fine is eliminated for the offences covered by:

- Accounting Law (Law no. 82/1991);
- Tax Code (Law no. 227/2015);
- Tax Procedure Code (Law no. 207/2015);
- Law on strengthening financial discipline regarding cash transactions (Law no. 70/2015);
- GEO on the obligation of economic operators to use cash registers (GEO no. 28/1999);
- RO e-Transport System (GEO no. 41/2022);
- RO e-Sigiliu System;
- Amendments to the RO e-Factura System;
- Measures to prevent and combat illegal economic activities.

The payment of fines imposed prior to the entry into force of the normative act is performed according to the legal provisions in force at the time of drawing up the act of ascertainment and sanctioning.

The measure enters into force in 15 days after date of publication in the Official Gazette.

Editors

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