

Indirect Taxnewsflash

KPMG IN ROMANIA

Informative annual VAT declarations due 25 February

Services

- General training
- Industry focused training
- Client customized training
- Revision of the implementation of the new rules regarding VAT and customs duties
- Advisory services on specific issues

Taxable persons doing business in Romania, whether or not they are registered for VAT purposes (and either or not established in Romania) are required to submit annual informative VAT declarations by no later than 25 February of the year following the reference year (i.e. by 25 February 2009 for Tax Year 2008). Please find below details of the different reporting requirements which apply to different categories of taxable persons.

According to art. 156³ par. 6), 7), 8) of the Fiscal Code (Law no.571/2003) in conjunction with the provisions of National Agency for Fiscal Administration (ANAF) Order no. 1 of 3 January 2008, for the approval of the templates of certain informative returns, taxable persons which carry out supplies of goods and services, as well as purchases of goods and services, are required to submit annual informative VAT returns 392A, 392B and/or 393, as appropriate, to the fiscal authorities.

Form 392A – „*Informative return concerning the supply of goods and services performed in 2008*”

This form must be submitted by taxable persons which are registered for VAT purposes according to art. 153 of the Fiscal

Code, and whose turnover for 2008 is lower than EURO 10.000.

The following information must be disclosed on the return:

- The total taxable amount of the supplies of goods and services, as well as the total amount of tax, from persons registered for VAT purposes according to art. 153 of the Fiscal Code;
- The total taxable amount of the supplies of goods and services, as well as the total amount of tax, from persons not registered for VAT purposes according to art. 153 of the Fiscal Code.

Form 392B – „*Informative return concerning the supply of goods and rendering of services and purchases performed in 2008*”

The form is to be submitted by taxable persons not registered for VAT purposes according to art. 153 of the Fiscal Code, whose turnover for 2008 is between EURO 10.000 and EURO 35.000, excluding the revenues obtained from the sale of tickets for international passenger road transport.

The following information must be disclosed on the return:

- The total taxable amount of the supplies of goods and services

to persons registered for VAT purposes according to art. 153 of the Fiscal Code;

- The total taxable amount of the supplies of goods and services to persons not registered for VAT purposes, according to art. 153 of the Fiscal Code;
- The total taxable amount of the purchases of goods and services, as well as the total amount of the tax, from persons registered for VAT purposes according to art. 153 of the Fiscal Code;
- The total taxable amount of the purchases of goods and services, as well as the total amount of the tax, from persons not registered for VAT purposes according to art. 153 of the Fiscal Code.

Form 393 – „*Informative return concerning the revenues obtained from the sale of tickets in 2008 for international passenger road transport, with point of departure in Romania*”

The form must be submitted by taxable persons registered for VAT purposes according to art. 153 of the Fiscal Code which supply international passenger road transport services.

The total revenue earned from the sale of tickets for *international passenger road transport, with point of departure in Romania*” needs to be disclosed on the return.

These forms, together with further advice on completing them, may be downloaded from the National Agency for Fiscal Administration (ANAF) website.

About us

Our team consists of more than 100 Romanian and international consultants, with command of local and international legislation, organized to be able to react at short notice to requests for tax assistance covering a wide range of issues.

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