

TAX ALERT



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Documents Required to Justify VAT Exemptions

Monitorul Oficial al Romaniei No. 498 / 13 July 2011 has published Order No.2230 / 2011 of the Minister of Public Finance, which **amends and supplements the Instructions for the application of the value added tax** to the operations provided under Art.143 (1) (a) – (i), Art.143 (2) and Art.144¹ of Law No. 571 / 2003, regarding the Tax Code, as amended and supplemented, approved under Order No. 2222 / 2006 of the Minister of Public Finance.

The Order amends, *inter alia*, the documents which are required to justify tax exemptions in the case of the following operations:

- ▶▶ exportation of goods referred to in Art.143 (1) (a) of the Tax Code;
- ▶▶ services rendered in Romania for movable assets which are acquired or imported with a view to being processed in Romania and are later transported outside the Community, specified by Art.143 (1) (e) of the Tax Code;
- ▶▶ intra-Community exports or deliveries performed through intermediaries;
- ▶▶ VAT-exempt operations mentioned under Chapter 2 of Order 2222 / 2006, referring to transitory provisions.

The Order introduces new provisions relating to the correction of invoices by suppliers during controls in the case of intra-Community supplies of goods, when tax inspectors identify that such invoices contain an incorrect VAT number of the beneficiary.

Order 2230 / 2011 also amends some of the examples given under Order 2222 / 2006.

Tax Alert contains a selection of the latest major issues occurred in the Romanian legislative framework, is intended only to provide information and, hence, shall not be deemed to provide professional advice or consultancy. Therefore, we assume no responsibility in this respect.

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