

TAX ALERT



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Further Clarification Regarding the Submission of Declaration Form 112

An information note has been published on ANAF (National Tax Administration Agency) Website, **sanctioning Order 3154 which approves of the model and content of the Form referring to the option for the monthly submission of the Declaration regarding the payment of social contributions and income tax and the particulars of the insured.**

http://static.anaf.ro/static/10/Anaf/legislatie/OPANAF_3154_2011.pdf

According to the Order and the instructions completing it, the Form shall be filled in by the payers of salary and salary-related income, meeting the conditions required for the quarterly submission of **Declaration Form 112** and choosing to submit it monthly.

The taxpayers having the obligation to quarterly declare and pay salary income tax and social contributions are the following:

- ▶ associations, foundations or other non-lucrative entities, legal entities excepting public institutions that had an average number of three (3) employees, exclusively, in the previous year;
- ▶ legal entities being profit tax payers that recorded in the previous year up to EUR 100,000 worth of total income and had an average number of three (3) employees, exclusively;
- ▶ legal entities paying tax on microenterprises income, which had an average number of three (3) employees, exclusively, in the previous year;
- ▶ authorised physical persons and individual enterprises, as well as freelancers and associations with no legal personality established between natural entities who have, according to law, employees working under employment contracts.

The Form referring to taxpayers' option for the monthly declaration and payment of the social contributions and income tax due in the fourth quarter of 2011 shall be submitted to the relevant tax authority until **25 September 2011 (included)**.

Please find attached hereto the Circular Note issued by the Ministry of Public Finance in view of the unitary application of Art.296¹⁹ of the Tax Code, as supplemented under Government Ordinance No.30/2011.

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.

Should you require any information related to the foregoing, please do not hesitate to contact us.



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