



Tax Alert

Romanian and English

Modificări aduse decontului de TVA (Declaratia 300)

În data de 04.05.2021, în Monitorul Oficial nr. 464 a fost publicat Ordinul președintelui ANAF nr. 632/2021 pentruprobarea modelului și conținutului noului formular (300) "Decont de taxa pe valoarea adăugată".

Modificările aduse decontului TVA și Instructiunilor de completare aferente vizează urmatoarele:

1. Corelarea cu schimbarile legislative introduse prin Legea nr. 296/2020 referitoare la regularizările pe care persoane impozabile trebuie să le efectueze prin declaratia 300 (la randul nr. 40), după cum urmează:
 - Se vor cuprinde în "taxa de plată cumulată" diferențele de TVA de plată stabilite de organele fiscale, nu doar de organele de inspecție fiscală, prin decizii comunicate până la data depunerii decontului, dacă aceste diferențe nu sunt achitate până la data depunerii declaratiei (de exemplu sumele stabilite din oficiu de organele fiscale, ca urmare a nedepunerii declaratiilor fiscale);
 - Nu se vor prelua în decontul de taxă sumele reprezentând TVA care nu sunt considerate restante conform Codului de procedură fiscală sau potrivit altor legi (de exemplu obligați

fiscale aferente actelor administrative-fiscale a caror executare este suspedata sau care au fost contestate si pentru care au fost constituite garantii).

2. Decontul consolidat depus de reprezentantul grupului fiscal unic

A fost inserată o căsuță, în partea introductivă a formularului, care să fie bifată de către reprezentantul grupului fiscal unic când completează decontul consolidat de taxă. În acest context, s-a reglementat posibilitatea depunerii prin mijloace electronice a decontorilor proprii ale membrilor grupului fiscal unic (anterior acestea se puteau depune doar în format fizic cu scop informativ).

Noul format al decontului TVA se va utiliza începând cu declararea obligațiilor fiscale aferente iunie 2021 (decontul ce urmează a fi depus până la data de 25 iulie 2021).

Amendments to the VAT return (form 300)

NAFA President Order no. 632/2021 for the approval of the model and content of form 300 “Value added tax return“ has been published in the Official Gazette no. 464 on 04.05.2021.

The amendments brought to the VAT return and to the related Guidelines cover the following topics:

1. Alignment with the amendments introduced by Law no. 296/2020 with respect to the adjustments which must be done by the taxable persons via form 300 (at row no. 40), as follows:
 - VAT payable amount will also include the additional VAT amounts assessed by the fiscal bodies (not only by the tax inspection bodies), via decisions communicated until the date of submission of the VAT return, if these amounts are not settled by the submission date of the return (for example, amounts assessed ex-officio by the tax authorities for failure to submit the tax returns).
 - VAT amounts which are not considered outstanding according to Tax Procedure Code or to the laws will not be included in the VAT return (for example the amounts related to tax administrative decisions which were suspended or those that were challenged and for which guarantees were granted).
2. Consolidated VAT return submit by the VAT group leader

A new box has been introduced which should be ticked by the leader of the VAT group when the consolidated VAT return is filled in. Moreover, the members of the VAT group may submit electronically their own returns (previously, these could have been submitted only in hard copy, for informative purposes).

The new template of the VAT return will be used starting with the reporting of the fiscal obligations related to June 2021 (the VAT return to be submitted no later than 25 July 2021).

Mazars Alert contains a selection of the latest major issues which occurred in the Romanian legislative framework; it 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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