

Tax and Customs Committee 2023

#	Issue	Description	Status Quo
1.	Tax Policy 2024	Promoting measures to support business in post-pandemic conditions, priority proposals for tax policy 2024	<p>Partially accomplished: EBA proposals submitted to Ministry of Finance, discussed within EBA Tax Committee meetings (6 meetings) and the meeting with Minister of Finance (03.03.2023, 29.05.2023) and with Economy, Budget and Finance Parliamentary Commission (10.07.2023). Among the 2024 fiscal policy priorities identified by the EBA (74 proposals), the following were accepted:</p> <ol style="list-style-type: none"> 1. Provide clarification of the notion of "subdivision"; 2. Applying a separate tax regime to ferrous and non-ferrous scrap collection activity; 3. Rewording Article 49 to maintain the facilitated regime in the report of the residents of the LSAs; 4. The timing of excise duties set for the next three years with reasonable excise duty rates; 5. Modification of the maximum period for marketing of the above-mentioned products marked with excise stamp - 30 months; <p>Submitted EBA Position Paper No 16/23-SD of 21 March 2023, Position Paper No 42/23-SD of 5 June 2023 to Ministry of Finance Tax Service and Position Paper No. 53/23-SD of 10 July 2023 to Economy, Budget and Finance Parliamentary Commission, about The Law for the modification of some normative acts concerning the budget-fiscal policy was approved by Law no. 212/2023.</p>
2.	Extending tax neutrality	The proposal is to extend tax neutrality principle from the perspective of income tax and VAT in relation to actions taken by the local companies in regard with Ukrainian refugee's support.	<p>In process: Position Paper submitted to Prime-minister, Government, MoF&MoE.</p>
3.	The increase of the deductible limit for transportation of the employees	Amendment of GD 693/2018 ref increase of deductible limit for transportation expenses and meal tickets.	<p>Partially accomplished: EBA proposed the increase of the deductible limit of the expenses related to the transportation of the employees (from 35 lei/per employee to 100 lei/per employee). The limit for</p>

			<p>transportation expenses was increased from 35 lei per employee up to 75 lei. The limit for meal expenses was increased per employee up to 70 lei.</p> <p>EBA Position Paper No 19/23 -SD din 05 April 2023 (EBA proposal was 100 lei for both deduction).</p>
4.	<p>Amendment of the regulations on deductions and delegations</p>	<p>Amendment of the regulations on deductions – GD 693/2018 and delegations – GD 10/2012</p>	<p>Partially accomplished:</p> <p>Following EBA's requests, the Ministry of Finance created the Working Group on the Revision of the provisions of Government Decision no.10/2012 with a view to adjusting the ceilings for employee delegation expenses, including the possibility of adjusting Government Decision no.693/2018, in the part concerning the deduction of those expenses.</p> <p>EBA actively participated in the given working group held on 18 April 2023 and 26 April 2023.</p> <p>EBA Position Paper No 19/23 -SD din 05 April 2023 (21 proposals).</p> <p>Essential amendments were made and approved by Government Decision No 311/2023 on the amendment of some Government Decisions for the implementation of tax and customs policy.</p> <p>The final draft amending Government Decision No 10/2012 approving the Regulation on the delegation of employees to entities in the Republic of Moldova will be presented.</p>
5.	<p>Clarification of the tax regime for economic agents resident in free economic zones</p>	<p>Clarification of the applicability of Article 49 of the Fiscal Code in the light of the amendments made by the new Customs Code no. 95/2021 and the draft law for the amendment of some normative acts (on Free Economic Zones) registered in Parliament under no. 88 of 05.04.2023.</p>	<p>Accomplished:</p> <p>The EBA has set out its position on the urgent need to adjust the rule of Article 49 of the Tax Code, presenting Position Paper No 42/23-SD of 5 June 2023 to Ministry of Finance Tax Service and Position Paper No. 53/23-SD of 10 July 2023 to Economy, Budget and Finance Parliamentary Commission, about clarification of the tax regime for economic agents' resident in free economic zones.</p> <p>EBA participated in several meetings with the Ministry of Finance, the Customs Service and the Committee on Economy, Budget and Finance on this issue, namely on 25 April 2023, 04 May 2023 and 29 May 2023 at the Parliamentary Committee on Economy, Budget and Finance.</p>

			Law no. 212/2023 approved the Tax Policy for 2024, which sets out Article 49 of the Tax Code in a new wording and brings clarity to its application.
6.	Amendment of the Regulation on the performance of control by the State Tax Service	Amendment of the Regulation on the conduct of control by the State Tax Service and exclusion of errors and complicated procedures of tax control.	Accomplished: EBA proposals submitted to STS, discussed within EBA Tax Committee meetings (09.06.2023) and the meeting with STS (13.06.2023). EBA also presented to STS Position paper No 47-23/SD of 10 July 2023 on the submission of proposals for the Regulation on the performance of controls by the SFS. As a result, the procedures were modified, the previous Regulation was repealed, and new procedures were approved by the Order of the State Tax Service No 265 of 25 July 2023 on the approval of the Regulation on the conduct of control by the STS.
7.	Adjusting the meal voucher legislation to the current regulatory framework	Amendment of the legislation on meal vouchers to the current legislation, i.e. amendment of Law No 166/2017 and Government Decision No 227/2018	In process: Following the request of the business community, the EBA has repeatedly mentioned the need to adjust the regulatory framework for meal vouchers. Subsequently EBA presented its proposals in the following position papers: No. 48-23/SD of 12.06.2023, about Law No 166/2017 on meal vouchers and No. 63-23/SD of 16.08.2023, about Draft on meal vouchers granted to employers. The EBA also held meetings of the Taxation Committee on 08 June, 12 June and 05 July 2023.
8.	Approval of a fair schedule for excise stamps/consumer stamps for cigarettes, and other tobacco and related products	It was necessary to amend the Tax Code in the excise section.	Accomplished: EBA submitted proposals for endorsement through the EBA Position Paper Nr. 18/23-SD din 05 aprilie 2023, and the Tax Policy Act approved an excise duty schedule.
9.	Revision of the procedure for issuing new excise stamps	Revision of internal procedures for issuing new excise stamps	Partially accomplished: Nr. 80-23/SD from 9 October 2023
10.	Amendment of the Law on Advertising No 62/2022	<ul style="list-style-type: none"> - Clarification of the notion of "advertising device"; - Clarification of the procedure for calculating the fee for advertising devices; Clarification of discrepancies and ambiguities concerning the issue of the authorization and the calculation of the fee.	In process: EBA presented a Position Paper and participated in several meetings on the subject with representatives of the Congress of Local Authorities of Moldova and MDED.

11.	Modification of state control	<ul style="list-style-type: none"> - - Adjustment of Law No 131/2012 on state control of entrepreneurial activity; - Modification of the applicable control procedures - Amendment of the state control procedure for the construction sector; - Amendment of the State control procedure related to labour protection and safety <p>Modification of the State control procedure in the field of transport: road, maritime, aviation</p>	<p>In process:</p> <p>EBA presented Position Paper No. 54/23-SD of 11 July 2023, and intervened with Proposals to amend Law No. 131/2012 on State Control of Entrepreneurial Activity, and participated in the meeting of the National Council for Settlement of Disputes in the Field of State Control on 4 July 2023.</p> <ul style="list-style-type: none"> - Position Paper No. 71-23/SD of 15 September 2023 Ref: Amendment of the State control procedure related to the construction sector; - Position Paper No. 72-23/SD din 15 septembrie 2023 <p>Position Paper No. Nr. 73-23/SD din 21 septembrie 2023</p>
12.	Amendment of transfer pricing procedure		<p>Partially accomplished:</p> <p>EBA presented several changes to the internal concept proposed by the Ministry of Finance and presented Position Paper No. 83/23-SD of 18 October 2023;</p>