

Helesteului Str. 15-17, District 1
Bucharest - 011986

Phone: +40 (0)31 809 2739

+40 (0)74 520 2739

Fax: +40 (0)31 805 7739

E-mail: office@apex-team.ro

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LAW 170 dated 7 October 2016 on tax specific to certain activities (Official Gazette 812/2016)

Starting the 1st of January 2017, the Law introduces a separate tax regime for certain economic activities, called specific tax. In this way, by exemption from provisions of the Fiscal Code, the specific tax is introduced for Romanian legal entities carrying out the following activities:

- Hotels and similar accommodation – NACE code 5510
- Holiday and other short-stay accommodation – NACE code 5520
- Camping grounds, recreational vehicle parks and trailer parks – NACE code 5530
- Other accommodation – NACE code 5590
- Restaurants and mobile food service activities – NACE code 5610
- Event catering activities – NACE code 5621
- Other food service activities – NACE code 5629
- Beverage serving activities – NACE code 5630

For above-mentioned activities, the specific tax will be due, but not the tax on profit or on microenterprise income.

The specific tax is owed by economic operators which registered as at the 31st of December of the previous year, one of the above-mentioned NACE codes, as its main object of activity or as a secondary activity.

Several characteristics of the new taxation system are presented below:

- system is mandatory;
- fiscal year is the same as calendar year;
- tax is set according to a formula, adapted/adjusted to each activity;
- the tax is paid semi-annually by the 25th of the month following June and December, each payment representing half of the annual tax owed;
- taxpayers carrying out certain activities from those mentioned above, but also other types of activities, will apply specific tax regime to eligible activities only, but the regular taxation regime will apply for remaining activities;
- taxpayers recording fiscal losses by the 31st of December 2016 and only owing specific tax will not deduct the fiscal loss when calculating specific tax. They will deduct fiscal losses when they return to paying tax on profit, during 7 fiscal years when carrying forward of the fiscal loss is possible;
- in the situation where certain changes appear due to the start/dissolution of an activity which corresponds to provided NACE codes or the change of surfaces related to carrying out each activity, starting the half year following the changes, taxpayers appropriately re-calculate the specific tax related to the remaining period of the year/calendar year when the taxpayer existed by dividing the annual specific tax by 365 calendar days, then multiplying the result by the number of days related to the remaining period of the year/calendar year when the taxpayer existed;
- taxpayers owing specific tax have the obligation to change fiscal status (vector fiscal) and to communicate the payment of this type of tax to authorities by the 31st of March of the subsequent year. In this context, taxpayers owing specific tax starting the 1st of January 2017, will submit the change in fiscal status statement by the 31st of March 2017;
- taxpayers paying specific tax have the obligation to highlight tax depreciation according to art. 28 of the Fiscal Code.

- ☑ taxpayers paying specific tax have the obligation to prepare a Tax Evidence Ledger to document calculation of specific tax.

The formula to calculate specific tax is presented by the Law according to the type of activity. In this way, for NACE codes 5610, 5621, 5629 and 5630, the specific tax varies according to locality class, used area for commercial activity or carrying out an activity and seasonal index. Specific tax varies according to number of accommodations for NACE codes 5510, 5520, 5530 and 5590.

LAW 182 dated 17 October 2016 to approve Government Emergency Ordinance 44/2008 on economic activities carried out by licensed individuals and family enterprises (Official Gazette 828/2016)

The Law approves Government Emergency Ordinance 44/2008 on economic activities carried out by licensed individuals, individual or family enterprises and also amends it. The main changes are presented below. The Law will produce effects after 90 days from its publication, meaning the 17th of January 2017.

A first important change is the fact that licensed individuals or individual enterprises will have employment limits. In this way licensed individuals may employ at most three persons; meanwhile, individual enterprises may employ a maximum of eight employees. Licensed individuals/individual enterprises currently having more employees than the number provided by the law, will have to reduce the number when the new regulations will come into force.

Another important change is related to limiting the number of categories of activities for which authorization as licensed individual or individual enterprise may be obtained. If, in the case of a licensed individual, the limit will be 5 categories of activities provided by Classification of national economy activities. In the case of an individual enterprises, the limit will be a maximum of 10 categories of activities.

The Law provides that within two years from the law coming into force (by the 17th of January 2019), licensed individuals and individual enterprises having a higher number of activities than the new limits, will be obliged to change their object of activity. On this occasion, both licensed individuals and individual enterprises may choose to change their organisational form (from licensed individual to an individual enterprise or vice versa), where change in specifications related to object of activity and issuance of new registration certificates will be provided for free. But, if the two-year term is not observed, then licensed individuals or individual enterprises will be deregistered by the Trade Register.

Another provision introduced by the Law is related to the fact that students becoming licensed individuals or setting individual enterprises will be exempted from paying for registration and authorization of those entities.

Changes introduced by Law 182/2016 do not affect liberal professions or economic activities which are organised and regulated through special laws. In this way, limits regarding number of employees and categories of activities for which authorization may be obtained does not affect these entities, as long as the law according to which they are set allows it.

REGULATION 6 dated 26 September 2016 to amend Regulation 4/2014 of the National Bank of Romania (NBR) on reporting data and statistical information to NBR (Official Gazette 814/2016)

Changes are brought to Regulation 4/2014 of NBR on reporting data and statistical information to NBR, many regulations being repealed.

In the chapter **Balance of Payments and International Investment Position**, most of NBR reporting requirements are repealed/abrogated, such as:

- ☑ Reporting through form DPE, Declaration of international payment of payment/collection of more than EUR 50,000 in relation to non-residents. Requirements were also applied in the case of withdrawals/ deposits of cash in foreign currency for payments/collections from/to non-residents, including external travel expenses or payments made by letters of credit;
- ☑ Practically, credit institutions will no longer have the obligation to collect and report this information to NBR;



Limitation on the number of activities that may be carried out by licensed individuals



- ☑ Credit institutions still have the obligation to report total amounts to collect/collected and the amounts to be paid/paid in own name and account, carried out in relation to non-residents, except currency exchange operations for individuals performed at their own counters, as well as balance of financial assets and liabilities in relation to non-residents;
- ☑ Reporting non-monetary operations in relation to non-residents. As a consequence, compensation operations with non-residents, debt conversions/receivables and other similar operations will no longer be reported to NBR.
- ☑ Reporting transactions performed by residents through bank accounts opened abroad.

All above-mentioned requirements no longer apply starting the 14th of October 2016. Reporting requirements which still remain available are those for contracts signed with non-residents for currency capital transactions as external private debt in a medium or long term basis, including contracts concluded for a short term period, but which had their validity extended for more than one year.

ORDER 2994 dated 20 October 2016 on the Procedure to register contracts/documents concluded between Romanian legal entities, resident individuals, as well as foreign legal entities carrying out activities in Romania through a permanent establishment/designated permanent establishment and foreign legal entities or non-resident individuals (Official Gazette 854/2016)

The Order regulates a new procedure to register contracts/documents concluded between residents and non-residents with or without a permanent establishment in Romania. Previously, the procedure was regulated by ANAF Presidential Order 1400/2012, which is repealed by the current order.

Who has the obligation to register the contracts?

The procedure applies to the following:

- ☑ Romanian legal entities;
- ☑ Resident individuals;
- ☑ Foreign legal entities carrying out activities in Romania through a permanent establishment/designated permanent establishment.

When is it mandatory to register contracts?

The obligation appears when some contracts are concluded with non-resident entities (legal entities or individuals) carrying out provision of services such as construction, assembly, surveillance activities, advisory activities, technical assistance and all other services provided on the Romanian territory which lead to taxable income.

The obligation to register the contracts appears regardless of their duration.

When there is no written contract signed, the documents supporting the effective provision of services carried out on Romanian territory are registered. Documents such as: work situations, receipt minutes, work reports, feasibility studies, market studies or other suitable documents.

No registration is mandatory for contracts related to activities performed outside Romanian territory.

Where are the contracts registered?

The registration of contracts/documents is carried out at the tax authority where beneficiary of mentioned services is located.

How is the registration made?

Registration of contracts/documents supporting provision of services on Romanian territory is made by submitting form O17 Statement to register contracts/documents supporting provision of services on Romanian territory, initial/addenda **signed with foreign legal entities or non-resident individuals at the competent tax authority.**

NO other supporting document is attached to the form mentioned above.

The statement is prepared and submitted for each contract or document which supports the provision of services carried out on Romanian territory, within 30 days from the date when the contracts were concluded or from the issuance date of any document provided by the law.



Registration of contracts concluded with non-resident entities may be submitted online



The statement may be also submitted digitally.

In case of changes to data initially declared, those changes should be declared within 15 days from their occurrence date, by submitting a new statement, having selected the "Updating Statement" box.

ORDER 2902 dated 10 October 2016 to approve Procedure to declare income from rental / lease activities and to determine the tax payable by taxpayers qualifying as income from independent activities (Official Gazette 807/2016)

The Order updates the procedure to declare and to set tax on income obtained from transfer of use of goods, income obtained by individuals from carrying out activity based on more than 5 lease/sublease contracts, this income being considered income obtained from independent activities. In order to establish the number of contracts, lease/sublease contracts valid as at the 31st of December of the year prior to taxation year are taken into consideration, with the exception of agricultural rental contracts.

Upgrades brought through the new procedure refer to:

- upgrade of legal basis and certain legislative references;
- clarification of submission date for statement on estimated income/income quota;
- new definition for competent tax authority;
- approval of template and content of the form through which the taxpayer is notified regarding his declarative obligations.

A summary of the updated procedure is made below.

Individuals who fulfil above-mentioned criteria on the 31st of December, determine annual net income in a real system, based on accounting data, according to rules provided for income obtained from independent activities and have the following obligations:

- to conduct single entry bookkeeping according to OMFP 170/2015;
- to update Tax Evidence Ledger;
- to submit form 220, Statement on estimated income/income quota by the 31st of January of the following year;
- to submit form 200, Statement on income obtained in Romania by the 25th of May of the year following the one when the income was obtained. Income and expenses taken into consideration in order to set annual net income are from on-going lease/sublease contracts valid during the reporting year, regardless of their number.

In case an individual fulfils the conditions, but does not submit form 220, then the tax authority will ask the individual to submit the form. If within 15 days from notification, the taxpayer does not submit the form, the tax authority sets pre-payments at the level of the amount owed for the previous year, considering the on-going lease/sublease contracts as at the 31st of December of the prior taxable year, regardless of their number.

In the case when, at the end of a financial year, the condition regarding number of contracts is not met, starting the subsequent year, affected individuals will determine and declare estimated income/income obtained according to rules applied for categories of income obtained from rental/transfer of property activities. The tax authority sets pre-payments and annual tax owed by the individual.

Taxpayers should register lease contracts with tax authorities, regardless of their number and taxation regime applied.

The previous procedure regulated by ANAF Presidential Order 2333/2007 is repealed.

ORDER 2921 dated 12 October 2016 to approve Procedure for fiscal registration made ex officio or upon request of another authority managing receivables of a fiscal subject which did not observe its fiscal registration obligation, according to law (Official Gazette 850/2016)

The Order approves Procedure for fiscal registration made ex officio or upon request of another authority managing receivables from a taxable entity which had not observed its fiscal registration obligation, according to law.

The template and content of the following forms are approved:

- Decision on fiscal registration made ex officio or upon request of another authority managing receivables;
- Notification on fiscal registration made ex officio or upon request of another authority managing receivables.



Did you know that rental income may be classified as income from independent activities?

The Procedure applies to individuals carrying out independent activities or liberal professions, but not to those having their fiscal evidence/record kept based on their personal identification number (CNP) and are subject to taxation of income.

The Order repeals the old regulations set by ANAF Presidential Order 714/2012.

ORDER 2433 dated 11 October 2016 on empowerment of persons within financial economic inspection mechanism, in order to determine contraventions and to apply penalties provided by Government Emergency Ordinance 77/1999 on certain measures to prevent payment default

The Order empowers general directorates of public finance to determine contraventions provided by article 5, para. (1), letters a) and b) of Government Emergency Ordinance 77/1999 on certain measures to prevent payment default, amended by Government Ordinance 22/2016.

The 9th issue of the APEX Team newsletter has information about obligations of legal entities, regardless of their organisational form or property type, on organising evidence of liabilities and receivables on due dates, to any creditor and from any debtor and also to digitally submit this situation at a website address designated for this purpose, in order to include unpaid debts in the compensation procedure.

Unfortunately, there are no published norms to apply the requirements mentioned in Government Ordinance 22/2016 and therefore there are still certain aspects that need clarifications by authorities. In the meantime, the authority responsible for the inspection and sanctions was established. We still ask ourselves how do you control and sanction something that is unclear and cannot be practically applied.

Order 2435 dated 12 October 2016 to complement Annex to Order of the Minister of Public Finance 1376/2016 on categories of fiscal receivables which may be paid by credit card using online banking systems in the National Electronic Payment System (Official Gazette 850/2016)

The Order complements Annex to Order of the MPF 1376/2016 on categories of fiscal receivables which may be paid by credit card using online banking systems in the National Electronic Payment System, where tax on income obtained from real estate transfer/rental activities also being introduced to this list.

DECISION 767 dated 19 October 2016 to amend and complement certain normative acts within the area of insurance system for unemployment and provision of work opportunities and the system for occupational safety and health (Official Gazette 838/2016)

The Decision introduces clarification regarding documents and procedures to obtain various incentives regulated by amendments to the law on insurance system for unemployment and provision of work opportunities and on the system of occupational safety and health.

LAW 186/2016 dated 20 October 2016 on certain measures regarding the field of insurance of certain categories of persons in the public pension system (Official Gazette 842/2016)

The Law introduces a waiver from provisions of Law 263/2010 regarding the unitary system of public pensions, meaning that persons who do not have the quality of retiree may pay social insurance contributions for the periods of time when they did not have the quality of person insured in the public pension system or in a social insurance system which is not integrated with the public pension system.

In this regard, within 6 months from when the law takes effect (by the 26th of April 2016), concerned persons may conclude a social insurance contract.

Payment of social insurance contributions may be done for the period between the date when the social insurance contract was signed and 5 years prior to this date. In this regard, the period for which the social insurance contribution is paid is considered contribution in the public pension system.

Note! Provisions of this Law do not apply to persons for whom exists the obligation of insurance in the public system of pensions, hence those who have already contributed (have been insured) during the specific period.



Possibility to pay retroactively the pension contribution for the last 5 years



The social insurance contribution owed is the social insurance contribution calculated on a monthly basis, set for regular work conditions, regulated by legislation in force for every month for which payment is required in order to consider it a contribution to pension to the public pension system.

Monthly basis of calculation is comprised of:

- the value of national minimum gross salary;
- the level of five average monthly gross salaries.

Payment of contribution may be performed once or in monthly instalments within 6 months from when the law comes into force, by postal order or through any other payment method provided by law, including using cash at pay offices of the pension house located in the area where the concerned person has their domicile.

EMERGENCY ORDINANCE 60 dated 28 September 2016 to amend and complement Law 76/2002 on insurance system for unemployment and provision of work opportunities (Official Gazette 773/2016)

The Ordinance sets a list of incentives for persons who are registered with at the workforce agency as unemployed, as follows:

- persons not benefiting from an unemployment allowance, in the situation when they get employed full time for a period of more than 3 months, subsequent to the date they have registered with workforce agencies, benefit from a bonus of RON 500, the amount being non-taxable;
- persons working, according to law, in a town located at a distance of more than 15 km from the town where they have their domicile or residence, may benefit from a bonus of 0.5 lei/km, but no more than RON 55/day, non-taxable, which is granted for a period of 12 months;
- persons working, according to law, in a town located at a distance of more than 50 km from the town where they have their domicile or residence, and as a consequence they change their domicile or settle their residence in the respective town or in a town nearby, they may benefit from a settlement bonus, non-taxable, which is granted as follows:
 - o RON 12,500 for those working in another town and as a consequence they change their domicile;
 - o RON 15,500 lei for those mentioned above if they make the change of domicile/residence along with family members;
 - o In case both partners (husband and wife) meet the criteria to receive the settlement bonus mentioned above, one of them will receive the respective amount, while the other will receive a settlement bonus amounting to RON 3,500. The bonuses mentioned above, called mobility bonuses, are not cumulative and are paid by workforce agencies. Employees have the obligation to repay settlement bonuses if they return to their previous domicile during the first 12 months from employment date.
- The amount received by employers hiring graduates of certain educational institutions for an undetermined period changes to RON 900 for each graduates employed for at least 12 months.

The same amount is received by employers in case they employ for undetermined periods unemployed persons who are over 45 years old, unemployed persons who are the only parent supporting the family in the case of single parent families, long term unemployed persons or young people NEET (young persons between 16 and 24 years old who are not employed, are not at university and are not taking any training course) for a period of 12 months. The incentive is granted for each employee of these categories, with the obligation to maintain work relations for at least 18 months.

LAW 176 dated 7 of October 2016 to amend para. (1) of art. 139 of Law 53/2003 – Labour Code (Official Gazette 808/2016)

The Law adds to the Labour Code a new non-working day, the 24th of January – the Unification of the Romanian Principalities.

Thus, the list of non-working days is:

- 1st and 2nd of January;
- 24th of January – day of the Unification of the Romanian Principalities.
- First and second day of Easter;



Incentives to employ unemployed persons



- ☑ 1st of May;
- ☑ First and second day of Pentecost;
- ☑ 15th of August – the Assumption ;
- ☑ 30th of November – Saint Andrew;
- ☑ 1st of December;
- ☑ First and second day of Christmas;
- ☑ Two days for each of the 3 annual religious celebrations, declared by legal religions, other than Christian, for persons abiding by these faiths.

EMERGENCY ORDINANCE 68 dated 12 October 2016 to amend and complement Law 211/2011 on waste regime (Official Gazette 823/2016).

The ordinance brings important changes to the waste regime, both for those producing and holding waste and also for those collecting, transporting and valuing waste in Romania.

The main amendments introduced by the Ordinance are presented below:

Pay as you throw

The concept pay as you throw is introduced and addresses both individuals and legal entities producing and throwing out/disposing of garbage waste. Local authorities are in charge of applying of this principle, and the regulations allow optional application – it is applied if possible from a technical, economic and environmental point of view. The quantity of waste produced, type of waste, volume of the container in which it is thrown and the frequency of pollution are taken into consideration.

Waste valuation

To observe obligations on valuing waste and in order to facilitate and improve the valuation process, waste must be collected separately, if possible, from a technical, economic and environmental point of view, and **does not combine with other waste or materials with different properties.**

Also, economic operators collecting and/or transporting waste have the obligation to insure separate collection and transportation of waste. These obligations apply, in particular, to those producing, holding, stocking and transporting dangerous waste material.

Authorisations and registrations

National Agency for Environmental Protection (ANPM) organizes **a register with the following types of economic operators, which are not subject to authorisation:**

- ☑ economic operators transporting non dangerous goods in a professional system;
- ☑ retailers which do not have physical possession of waste or brokers;
- ☑ economic operators which are exempted from authorisation requirements.

Economic operators mentioned above are required to register at ANPM. In this regard the registration procedure will be prepared within 180 days from entering into force date of the Emergency Ordinance.

Cessation of waste status

Certain categories cease to be considered waste if they went through a valuation and if they meet specific criteria set by the European Union, according to certain conditions (reusable materials, ability to sell on an active market, does not affect the environment and others) by respecting the limit values for pollutants and protecting the environment. Types of waste subject to these criteria are: paper, glass, metal, tires and textiles.

Waste management plan

The Emergency Ordinance amends provision on preparing waste management plans at national, district and Bucharest level.

New limits when construction waste should be reused or recycled

Clarifications regarding future holders of certain construction and/or demolition authorisations are introduced. They will have to manage waste resulting from construction/demolition activity in order to properly reuse/recycle 70% of total quantity of waste generated/produced annually by 2020.



**Important changes
in waste
management
legislation**





ORDER 2810 dated 29 September 2016 to approve Procedure to receive VAT refund claims, related to imports and acquisitions of goods/services, carried out in another Member State of the European Union, by taxpayers established in Romania (Official Gazette 844/2016)

The Order updates the Procedure to receive VAT refund claims, related to import and acquisitions of goods/services, carried out in another Member State of the European Union, by taxpayers established in Romania.

Moreover it approves the template, content of and instructions for filing the following forms:

- ☑ 318, Application for VAT refund for taxable entities established in Romania as per article 302 para. (2) of the Fiscal Code;
- ☑ 319, Statement of prorata adjustments as per provisions of article 302 para. (2) of the Fiscal Code and of point 73 para. (8) of methodological norms.

Basically, the Order upgrades references to the Fiscal Code and Fiscal Procedure Code in the old procedure, which came into force on the 1st of January 2016, the old procedure being repealed by ANAF Presidential Order 3/2010.

ORDER 2731 dated 20 September 2016 to approve Procedure to declare and set health insurance contribution owed by individuals who do not obtain income or other categories of persons provided by art. 180 from the Fiscal Code, as well as to approve certain forms (Official Gazette 845/2016)

The Order approves Procedure to declare and set health insurance contribution owed by individuals who do not obtain income or other categories of persons provided by art. 180 from the Fiscal Code. The necessary forms are also approved.

The procedure applies to individuals who do not obtain income as mentioned by article 155 of the Fiscal Code or who exclusively obtain monthly income from investments and/or other sources whose monthly calculation basis is below the value of minimum gross salary and are not included in the category of persons who are exempted from paying social health insurance or in the category of persons for whom the contribution is paid from other sources as provided by art. 180 para. (1) from the Fiscal Code.

Individuals mentioned above owe social health insurance contributions as follows:

- a) monthly, by applying individual rate of contribution, representing the value of minimum gross salary and have the obligation to pay social health insurance contribution for a period of at least 12 consecutive months, starting the month when the statement is submitted;
- b) by the date when the services granted by public social health insurance system are used, according to law, by submitting the statement and applying the individual social health insurance contribution rate, representing 7 times the value of national minimum gross salary.

Social health insurance contribution to be paid by above-mentioned individuals are set by competent tax authorities subsequent to submitting the statement by the taxpayer.

The competent tax authority is:

- a) tax authority in whose jurisdiction the taxpayer has his address/domicile, according to law or the address where he actually lives, in the case in which it differs from the domicile, for individuals who have a fiscal domicile in Romania;
- b) competent tax authority to manage taxpayers who are individuals without fiscal domicile in Romania (according to law).

ORDER 2403 dated 6 October 2016 to amend and complement Methodological Norms on mandatory information written on payment orders for payment to State Treasury through which individual taxpayers carry out payments to component budgets of the general consolidated State budget through a transitory account opened in the name of the Ministry of Public Finance, and information contained in electronic payment message digitally transmitted by initiating credit institutions, approved by Order of the Minister of Public Finance 1801/2011 (Official Gazette 793/2016)

Individuals who do not obtain income owe the health insurance contribution



ORDER 2373 dated 3 October 2016 to amend and complement Methodological Norms to organise and conduct accounting for public institutions, chart of accounts for public institutions and application instructions, approved by Order of the Minister of Public Finance 1917/2005 (Official Gazette 796/2016)

ORDER 7 dated 3 October 2016 to amend and complement Order of the National Bank of Romania 27/2010 to approve Accounting Regulations according to IFRS, which apply to credit institutions and also to amend and complement Order of the National Bank of Romania 6/2015 to approve Accounting Regulations according to European directives (Official Gazette 832/2016)

ORDER 2901 date 10 October 2016 to approve Completion Instructions of administrative document in digital form (e-DA) using EMCS-RO application – Control of movements performed under regime of suspension/exemption for excise taxes on excisable products (Official Gazette 261/2016)

ORDER 2759 dated 23 September 2016 to approve Technical Norms on uniformly applying custom regulations in free zones (Official Gazette 778/2016)

Technical Norms on uniformly applying custom regulations in free zones are approved. Old regulations given through ANAF Order 7394/2007 are repealed.

REMINDER – Valuation of monetary items in foreign currency

The October closing NBR exchange rates to use for valuation of monetary items (cash on hand, receivables, payables) denominated in foreign currency, as well as receivables and payables denominated in RON but pegged to a foreign currency for collection/disbursement are:

1 EUR = 4.5057 RON; 1 CHF = 4.1598 RON; 1 GBP = 5.0069 RON; 1 USD = 4.1131 RON

NOVEMBER 2016 – AGENDA

Every day - do not forget

- To complete the petty cash register (or print electronic version)
- To complete the purchase ledger and sales ledger
- To update electronic employee registers with information regarding labour contract inception/amendment or termination, if any

At month end - do not forget

- To complete the journal ledger
- To register contracts concluded during the month for services rendered by non-residents with tax authorities as per article 8 point 8 of the Fiscal Code
- To revalue monetary assets and liabilities in foreign currency (cash on hand, assets, liabilities) at the NBR exchange rate in force on the last banking day of the month
- To organize a stock count of inventories if the enterprise does not use a perpetual inventory system
- To issue final invoices for the current month.

To comply with requirements regarding VAT

- Mention the registration code under the scope of VAT on documents for EU business partners
- Check validity of registration code under the scope of VAT mentioned on invoices received
- Check amount of VAT disclosed on invoices received
- Check references related to VAT (e.g.: “reverse charge,” “operation not subject to VAT,” etc...)
- On invoices, write VAT amount received in case of reverse charge
- Maintain ledger of goods received
- Maintain ledger of non-transfer of goods



Do not forget the deadline to submit tax returns and to pay taxes!



- Maintain non-current assets ledger
- Mention which exchange rate will prevail (NBR, commercial bank or Central European Bank) in contracts with foreign partners

To consult the calendar of tax liabilities for November 2016, visit the following link on ANAF webpage (in Romanian):

https://static.anaf.ro/static/10/Anaf/AsistentaContribuabili_r/Calendar/Calendar_obligatii_fiscale_2016.htm#nov

KEY HR FIGURES

2016 Contributions	Employer and Beneficiary of activities considered dependent activities (% rate)	Employee and provider of dependent activities (% rate)
Social security contribution (<i>pension</i>)	15.8% for normal working conditions 20.8% for particular working conditions 25.8% for special working conditions (contribution base capped at an amount representing the average amount of insured persons during the month for which the contribution is determined as 5 times the average monthly gross salary) ¹	10.5% (contribution base per employee capped at 5 average monthly gross salaries according to Budget for public social insurance, i.e. 5 x 2,681 = RON 13,405) ¹ (contribution base for a person under civil contract: gross income)
Health insurance fund (based on gross salary)	5.2%	5.5%
Medical leave contribution and health insurance allowance (based on gross salary)	0.85%	
Unemployment fund (based on gross salary)	0.5%	0.5%
Work accident and occupational disease fund (based on gross salary) ²	0.15% - 0.85% depending on CAEN code for main activity	
Contribution to fund to guarantee payment of salary liabilities (based on gross salary) ³	0.25% (only for employees under labour contract included for retired persons)	
Salary tax		16%
Contribution for non-employment of disabled persons (for employers with more than 50 employees)	4 x 50% minimum gross salary for every 100 employees	
Minimum monthly gross salary	RON 1250 (starting 1 May 2016)	
Luncheon voucher - employee subject to salary starting May 2016	RON 9.57	
Per diem (in Romania)		
Employees in the public sector	RON 17.00	
Employees in the private sector (x 2.5)	RON 42.50	

Note 1: Contribution to pension is also due during periods when the insured person benefits from medical leave and health insurance allowances. For these periods, the contribution base is 35% of the average monthly gross salary corresponding to the number of business days of medical leave.

Note 2: Contribution for work accident and occupational disease is also due during periods when the insured person benefits from medical leave and health insurance allowances. For these periods, the contribution base is the minimum gross salary where payment is guaranteed on a national basis corresponding to the number of business days of medical leave.

Note 3: The contribution to Fund to guarantee payment of salary liabilities is also to be calculated for health insurance allowances but only in respect of the first 5 days of temporary incapacity to work supported by the employer as well as for allowances for temporary incapacity to work further to a work accident or occupational disease but only in respect of the first 3 days of temporary incapacity of work supported by the employer.

Be Aware! Income paid to a person who carried out an activity considered dependent activity is disclosed on a separate "Payment statement" and is included on form 112.

Heleştenului Str. 15-17, District 1
Bucharest - 011986

Phone: + 40 (0) 31 309 2739

+ 40 (0) 74 520 2739

Fax: + 40 (0) 31 305 7739

E-mail: office@apex-team.ro

www.apex-team.ro

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Adding Value to Client's Business

APEX Team includes qualified professionals able to provide a full range of accounting and payroll services. Our consultants are ready to share their knowledge and experience gained whilst working in Romania as consultants for one of the Big 4 international companies, having many international companies acting in a wide range of industries as clients.

The team includes chartered accountants (Romanian Chartered Accountants Body and also ACCA) specialised in accounting for business entities, as well as a group specialised in payroll administration on behalf of the client.

APEX Team provides a full range of accounting services, payroll services, local tax compliance and tax advice, as well as services tailored to your company needs:

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- Payroll computation and additional HR services*
- Accounting and tax advice « on line »*
- Consulting and assistance in drafting transfer price files*
- Start up services*
- Organization of the accounting function*
- Assistance in implementation of ERP*
- Training*