

11 June 2020

COVID-19 Legal Alert



In this issue:

1. **Business stimulus measures taken by Romania in the context of the COVID-19 crisis**

Business stimulus measures taken by Romania in the context of the COVID-19 crisis

In the context of the global health crisis, the Romanian State took several measures dealing with the economic, financial and social consequences of the spread of COVID-19, including a series of stimulus measures, mostly temporary, to protect the business environment.

Of particular interest is Decree No. 195/2020 of the President of Romania (the “**Decree**”), which declared the state of emergency and announced that the Government is empowered to take measures of support for all economic operators affected by the COVID-19 crisis. After expiry of the state of emergency (i.e., on 15 May 2020), the Government declared the state of alert until 15 June 2020, subject to extension.

Following the Decree, the Government adopted a number of regulations in the commercial, banking, social security and taxation fields. We note, for instance, that a “technical unemployment” indemnity for the employees whose employment contracts were temporarily suspended against the background of the COVID-19 crisis will be paid from the State budget; that payment of instalments for bank loans, including financial leasing contracts, may be suspended upon request; that no interest and penalties will accrue or be charged for the late payment of certain tax obligations. The Government also enacted several measures applicable to the SMEs badly hit by the crisis.

This material is meant to offer you a synthetic view on the most important regulations establishing stimulus measures relevant for the business environment, issued during the state of emergency and the state of alert in Romania.

Many of these regulations have already been amended and may be further amended or supplemented. This material is an update of the prior versions, published on 9 and 24 April 2020. We will keep updating it with any significant amendments.

anca.puscasu@tuca.ro

angelica.pintilie@tuca.ro

Commercial & Corporate

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
State of emergency certificates (SEC) issued for the renegotiation of contractual relationships/ applying for certain stimulus measures	Order 791/2020 of the Ministry of Economy, as amended by Order 1730/2020 of the same	Economic operators affected by the COVID-19 epidemic	Until 15 June 2020	<ul style="list-style-type: none"> SEC1 (blue) - economic operators affected by the measures taken by the competent authorities in the context of the state of emergency, which suspended their operations in full or in part as a result of such measures. SEC2 (yellow) - economic operators whose revenues or receipts dropped in March 2020 by at least 25% compared to the average of the months January and February 2020. <p>The “economic operators” which may apply for a SEC also include:</p> <ul style="list-style-type: none"> Applicants that are not registered with the Trade Registry; NGOs performing economic activities which are subject to taxation. 	See Țuca Zbârcea & Asociații’s newsletter of 26 March 2020 - here
Payment of the rent by the competent territorial tax authorities	Law 62/2020	<ul style="list-style-type: none"> Economic operators; Free lancers; Private legal entities. 	During the state of emergency and until 15 June 2020	<p>This stimulus measure is granted upon request to the lessees whose activity was interrupted or whose revenues or proceeds dropped by at least 15% in March 2020 compared to the average value for the last calendar year, and which enter with the lessors into an addendum to the lease agreement for the postponement of rent payment.</p> <p>Cumulative requirements:</p> <ul style="list-style-type: none"> The monthly rent specified in the addendum between the lessor and the lessee is lower than or at least equal to the rent for February 2020; The value of the monthly rent in the addendum does not exceed RON 10,000 for the economic operators for each location and does not exceed RON 2,000 for natural persons for one location. <p>Lessees benefiting from this measure shall pay the monthly rents which were deferred under an addendum between the lessor and the lessee, to the competent territorial tax authority which paid such rents. Payment shall be made in equal instalments until 31 December 2020.</p>	
Holding of the GMS by correspondence or by electronic means of direct remote communication	GEO 62/2020	Companies falling within the scope of Company Law No. 31/1990	<p>The first two months after the cessation of the state of emergency (until 15 July 2020)</p> <p>(30 days as of the cessation of the state of emergency for the</p>	<p>The GMS can also be held by correspondence or by electronic means of direct remote communication, even if the articles of association does not provide for or prohibits this method for holding the GMS.</p> <p>The enactment is applicable to:</p> <ul style="list-style-type: none"> The general meetings convened and held during the state of emergency; The general meetings convened before the coming into force of GEO 62/2020, but which are held after the state of emergency was declared; 	

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
			meetings of the management bodies)	<ul style="list-style-type: none"> The general meetings convened during the state of emergency, but held after the cessation of such state, and The general meetings convened and held during the first two months after the cessation of the state of emergency. <p>The enactment contains similar provisions for the meetings of the boards of directors, supervisory boards and managing boards.</p>	
Extension of the term for the approval of annual financial statements and for the approval of the income and expenses budget	GEO 62/2020	Companies falling within the scope of Company Law No. 31/1990	31 July 2020 (instead of 30 May 2020)		
Extension of the term for the submission of applications for the reauthorization of the activity if the license expires	GEO 48/2020	The gambling operators provided by GEO 77/2009	90 days after cessation of the state of emergency		
Extension of the term for the submission of reauthorization applications if the gambling exploitation authorization expires	GEO 48/2020	The gambling operators provided by GEO 77/2009	90 days after cessation of the state of emergency		

Banking

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
Guarantee of investment loans and working capital loans by the State, through the Ministry of Public Finance	GEO 110/2017, as amended by GEO 29/2020 and GEO 89/2020 (GD 282/2020 - Methodological Rules)	SMEs	<ul style="list-style-type: none"> By 31 March 2021 It may be extended by 2 years if the forecasted economic growth is lower than in 2020 	<p>The eligible SMEs are those meeting the criteria on the IMM INVEST ROMÂNIA Program for the support of small and medium enterprises, provided by GEO 110/2017 as modified by GEO 29/2020.</p> <p>Limits of the guarantee:</p> <ul style="list-style-type: none"> Guarantees of 80% or 90% of the funding; The aggregate maximum value of the funding cannot exceed RON 10,000,000; The maximum duration of the funding is 72 months for investment loans and 36 months for working capital loans (an extension by no more than 36 months is available); For these guarantees, risk fees are owed to the Ministry of Public Finance. <p>Requirements for being granted the guarantees:</p> <ul style="list-style-type: none"> No decisions have been issued against the SMEs for the recovery of a state aid or no enforcement proceedings have already been applied against the SMEs; The SMEs has not applied for other types of state aid for the same eligible costs; The SMEs were not in distress on 31 December 2019; The SMEs commit not to lay off their existing staff until 31 December 2020. 	See Țuca Zbârcea & Asociații's newsletter of 25 March 2020 - here
Suspension of instalment payment for loans granted by credit institutions and non-bank financial institutions	GEO 37/2020, as amended by GEO 70/2020 (GD 270/2020 - Rules of Implementation)	<ul style="list-style-type: none"> Debtors - natural persons; Debtors - legal persons, authorized natural persons, individual businesses and family businesses, except for credit institutions. 	At least 1 month and no more than 9 months (but no later than 31 December 2020)	<p>General requirements:</p> <ul style="list-style-type: none"> Debtor's revenues have been directly or indirectly affected by the serious situation generated by the COVID-19 pandemic; The loan was granted before GEO 37/2020 came into force, it did not reach maturity and the creditor has not initiated the acceleration of the loan; The debtor owes no overdue payments for these loans until 16 March 2020 (<i>i.e.</i>, the date when the state of emergency was declared in Romania) or, if it does, it pays such overdue amounts before applying for suspension; The debtor should apply for suspension until 15 June 2020. <p>Specific requirements for corporate debtors:</p> <ul style="list-style-type: none"> They have the state of emergency certificate certifying that (1) they suspended their operations in full or in part as an effect of the decisions issued by the competent public authorities (SEC1), or (2) their revenue dropped by at least 25% in March, April and May 2020 compared to their average revenue in January and February 2020 (SEC2), and They are not in insolvency when applying for the suspension of the loan repayment. 	<p>See Țuca Zbârcea & Asociații's newsletter of 31 March 2020 - here</p> <p>See Țuca Zbârcea & Asociații newsletter of 8 April 2020 - here</p>

Social Protection

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
Payment of “technical unemployment” indemnity from the unemployment insurance budget/state budget	GEO 30/2020, as amended by GEO 32/2020, GEO 53/2020, GEO 70/2020 and GEO 92/2020	<ul style="list-style-type: none"> Employers (/employees); Other professionals (as defined at Article 3(2) of the Civil Code); Lawyers; Individuals earning income only from copyrights and related rights; Persons who entered into individual employment conventions under Law 1/2005; Sportspersons, trainers, physicians, medical assistants, masseurs, physical therapists and researchers in the sports sector. 	<p>31 May 2020</p> <p>Until the end of the restrictions (for employers active in the sectors for which the restrictions are maintained) but not later than 31 December 2020</p>	<p>For employers - if employment contracts are suspended due to temporary business interruption/slowdown (i.e., technical unemployment).</p> <p>Requirements:</p> <ul style="list-style-type: none"> Full or partial business interruption during the state of emergency; Business slowdown (i.e., reduction of activity) due to the COVID-19 epidemic. <p>For the other categories of beneficiaries - the requirement is that the business would be interrupted / suspended as an effect of the COVID-19 epidemic (except for lawyers, for whom the following requirements are applicable: (i) business slowdown due to the COVID-19 epidemic, and (ii) the receipts for the month for which they request the indemnity are at least 25% lower than the monthly average for year 2019) and do not exceed the gross average salary provided by Law No. 6/2020).</p> <p>Indemnities are not subject to enforcement by garnishment during the time period when they are granted.</p>	See Țuca Zbârcea & Asociații's newsletter of 1 April 2020 - here
Payment of days-off allowance for child supervision from the Fund guaranteeing the payment of salary claims	Law 19/2020, as amended by GEO 41/2020 and Law 59/2020	Employers (/employees)	Until the end of the school year	<p>In the event courses are suspended or educational institutions are temporarily closed as a result of extreme situations declared by the competent authorities.</p> <p>Cumulative requirements - the incentive is granted for employees:</p> <ul style="list-style-type: none"> Having children up to 12 years old or, as to disabled children, up to the age of 26, enrolled in an educational institution; Parent's workplace is not compatible with work from home or telework. <p>The law also provides for certain exclusions.</p>	See Țuca Zbârcea & Asociații's newsletter of 24 March 2020 - here
Granting of meal tickets to the employees whose employment contracts have been suspended	Law 59/2020	Employees	During the period when the contract is suspended, but not later than 31 December 2020	Employers may also grant meal tickets to the employees whose employment contracts have been suspended, by derogation from the relevant legal provisions.	

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
Relief from the payment of social security contributions and income tax for the advantages in kind granted to certain categories of persons	Law 227/2015 on the Tax Code, as amended by GEO 48/2020	Employers (/employees)	For a term established by the employer/employee, if the state of siege or emergency is declared, under the law	<p>The relief is granted to individuals earning income from salaries and income considered similar to salaries, who:</p> <ul style="list-style-type: none"> • Are deemed by the employer/payer to be key employees for the performance of the operations; and • Are in preventive isolation at the workplace or in designated areas to which no outsiders have access, for a period determined by the employer/payer. 	
Reimbursement of a part of the gross base salary from the unemployment insurance budget	GEO 92/2020	Employers (/employees)	June to August 2020	<p>The stimulus measure is granted to the employers whose employees benefited from the provisions of Article XI(1) of GEO 30/2020, and to the employers whose employees had their individual employment contracts suspended under Article 52(1)(c) of Law 53/2003 - the Labour Code, and did not benefit of Article XI of GEO 30/2020.</p> <p>Requirements:</p> <ul style="list-style-type: none"> • Employment contracts were suspended at least 15 days during the state of emergency or the state of alert, and the employees benefited from the technical unemployment indemnity either under Article XI of GEO 30/2020 or under Article 53 of the Labour Code; • Employers keep the relevant staff employed until 31 December 2020, except for the contracts of seasonal workers and the employment contracts terminated for reasons which are not attributable to the employer. <p>Employers with several objects of activity, of which at least one falls within the scope of the restrictions imposed by acts of the competent authorities, shall opt either for reimbursement of part of the employees' salary or for the unemployment indemnity set out in Article XI of GEO 30/2020, the application of which is extended beyond 31 May 2020, until such restrictions are lifted (see above).</p>	See Țuca Zbârcea & Asociații's newsletter of 4 June 2020 - here
Granting of an indemnity representing 50% of the salary, but not more than RON 2,500 for hiring staff	GEO 92/2020	Employers	12 months	<p>This stimulus measure is granted to employers that, from 1 June to 31 December 2020, hire full-time and for an indefinite period:</p> <ul style="list-style-type: none"> • Persons aged over 50 whose employment was terminated for reasons that were not attributable to them, during the state of emergency or the state of alert, and who are registered as unemployed; • Persons aged 16 to 29 registered as unemployed; and/or • Romanian citizens whose employment with their foreign employers on the territory of other States was terminated by dismissal due to reasons not attributable to such employees. <p>Employers shall maintain employment relationships for at least 12 months from the expiry of the 12-month period for which the indemnity is granted.</p>	See Țuca Zbârcea & Asociații's newsletter of 4 June 2020 - here

Tax

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
Postponement of deadline for the payment of local taxes while the 10% bonuses are maintained	GEO 29/2020	Natural and legal persons	30 June 2020 (initially, 31 March 2020)		See Țuca Zbârcea & Asociații's newsletter of 21 March 2020 - here
Stimulus measures for taxpayers applying the advance payments system for corporate income tax	GEO 29/2020	Legal persons	Year 2020	Taxpayers which are subject to corporate income tax and which apply the annual declaration and payment system, with quarterly advance payments, may pay the corporate income tax for the first quarter of 2020 at the level resulting from the calculation of the current quarterly income tax. The same calculation method will be applicable for all quarters of year 2020.	See Țuca Zbârcea & Asociații's newsletter of 21 March 2020 - here
No interest and penalties to accrue or be charged for the late payment of certain tax obligations	GEO 29/2020, as amended by GEO 90/2020	Natural and legal persons	25 June 2020	Tax obligations due and unpaid as of 21 March 2020.	See Țuca Zbârcea & Asociații's newsletter of 21 March 2020 - here
Extension of deadline for submitting the request for the restructuring of tax obligations	GEO 29/2020	Legal persons	30 October 2020 (formerly, 31 July 2020)		See Țuca Zbârcea & Asociații's newsletter of 21 March 2020 - here
Extension of period for the notification of the fiscal body regarding the debtor's intention to restructure budgetary obligations	GEO 29/2020	Legal persons	31 July 2020 (formerly, 31 March 2020)		See Țuca Zbârcea & Asociații's newsletter of 21 March 2020 - here
5% and 10% bonuses for taxpayers paying on time the tax due on 25 April 2020	GEO 33/2020	<ul style="list-style-type: none"> • Taxpayers subject to corporate income tax; • Companies falling within the scope of Law 170/2016; • Taxpayers subject to micro-enterprise income tax. 		The provisions shall apply accordingly to the taxpayers that opted for a fiscal year different from the calendar year, if they pay the tax due quarterly until the deadline falling due within the period 25 April - 25 June 2020.	See Țuca Zbârcea & Asociații's newsletter of 31 March 2020 - here

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
10% bonuses for taxpayers paying on time the tax due for the 2 nd and 3 rd quarters	Law 54/2020	<ul style="list-style-type: none"> Taxpayers subject to corporate income tax; Companies falling within the scope of Law 170/2016; Taxpayers subject to micro-enterprise income tax. 		This stimulus measure is granted to taxpayers paying the tax owed by the due dates, i.e. 25 July 2020 inclusively, for the 2 nd quarter, and 25 October 2020 inclusively, for the 3 rd quarter.	See Țuca Zbârcea & Asociații's newsletter of 18 May 2020 - here
Extension of the term for submitting the Single Tax Return and granting of bonuses up to 10% of the tax and contributions related to the revenues/earnings for 2019	GEO 69/2020	Taxpayers subject to income tax	30 June 2020	Taxpayers that already submitted the Single Tax Return and/or that already paid the related tax obligations may benefit from a bonus if they submit the rectifying tax return until 30 June 2020 inclusively.	See Țuca Zbârcea & Asociații's newsletter of 18 May 2020 - here
Cancellation of ancillary obligations for certain categories of main budgetary obligations	GEO 69/2020	Natural and legal persons		<p>Taxpayers (i.e., natural persons, legal persons, natural persons performing economic activities or liberal professions, entities without legal personality, public institutions, etc.) having outstanding debts as at 31 March 2020, including tax obligations, may benefit from the cancellation of interest, penalties and all ancillary obligations related to the main budgetary obligations, if they meet the following requirements:</p> <ul style="list-style-type: none"> They pay the outstanding main budgetary obligations as at 31 March 2020; They pay in full their current obligations (born after 31 March 2020); They submit all tax returns and the application for cancellation of ancillary obligations until 15 December 2020; <p>Taxpayers will benefit from the cancellation of related ancillary obligations and the following categories of main budgetary obligations: (i) the main budgetary obligations declared by the debtor under a rectifying tax return, falling due prior to 31 March 2020 inclusively; (ii) the main budgetary obligations falling due before 31 March 2020 inclusively, if on such date the taxpayer owes only ancillary obligations, and the main budgetary obligations have been discharged; (iii) the obligations additionally established by the tax authorities during ongoing tax inspections, if taxpayers settle such obligations by the payment deadline provided in the tax decision and if they submit the request for the cancellation of ancillary obligations within 90 days from the date of the decision.</p>	See Țuca Zbârcea & Asociații's newsletter of 18 May 2020 - here
Granting of tax facilities for paying amounts representing incentives/bonuses	GEO 69/2020	Employers	30 June 2020	For the amounts paid until 30 June 2020, representing incentives/bonuses granted by the employer to the employees during the period of the declared state of emergency, as a result of carrying out activities that involve direct contact with citizens and exposure to the risk of	See Țuca Zbârcea & Asociații's newsletter of 18 May 2020 - here

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
				infection with SARS-CoV-2, no social insurance contribution, health insurance contribution or work insurance contribution are due. Employers shall issue a decision to establish the beneficiaries of the incentives/bonuses and the rewarded activities. Such decision shall be as a supporting document.	
Granting of facilities to the payment of the building tax	GEO 69/2020	Natural and legal persons	14 August 2020	For the duration of the state of emergency, local councils may adopt decisions until 14 August 2020 for diminishing the annual building tax by a rate of up to 50%, for non-residential buildings owned by natural or legal persons, used for their own economic activity or rented to other natural or legal persons in order to carry out economic activities. This stimulus measure is subject to the following requirements: <ul style="list-style-type: none"> • During the period of the state of emergency, the lessors or lessees of the buildings had the obligation, under the law, to interrupt their economic activity in full or they hold a SEC attesting the partial interruption of their activity; • They apply for the stimulus measure until 15 September 2020. 	See Țuca Zbârcea & Asociații's newsletter of 18 May 2020 - here
Granting of facilities to the payment of the tax and the rent owed for occupying the public property	GEO 69/2020	Natural and legal persons	14 August 2020	From 15 May 2020 to 31 August 2020, the computation and payment of the tax and the rent due for the occupation of the public property with advertising panels will only be performed for the period when the panels were actually decorated with commercial advertising. For the duration of the state of emergency declared in 2020, local councils may adopt decisions until 14 August 2020 on the relief from the payment of the tax for the temporary use of public areas by the users of the areas which had the obligation, under the law, to interrupt their activity in full or which hold a SEC attesting the partial interruption of their activity.	See Țuca Zbârcea & Asociații's newsletter of 18 May 2020 - here
Extension of applicability for reverse taxation (VAT) for imports for the prevention and fight against COVID-19	GEO 33/2020, as amended by GEO 48/2020	Importers	During the state of emergency and for the next 30 days after cessation of the state of emergency	The stimulus measure is available for imports of medicines, protection equipment, machines for manufacturing protection masks, other devices or medical equipment and sanitary materials which can be used for the prevention, limitation, treatment and fight against COVID-19.	See Țuca Zbârcea & Asociații's newsletter of 31 March 2020 - here
Extension of applicability for reverse taxation (VAT) for imports of completely denatured ethyl alcohol which is used for producing sanitizers	GEO 33/2020, as amended by GEO 48/2020	Importers, titleholders of an end user authorisation (under GD 1/20016 for the approval of the Methodological Rules for the application of the Tax Code)	During the state of emergency and for the next 30 days after cessation of the state of emergency		See Țuca Zbârcea & Asociații's newsletter of 23 April 2020 - here

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
Possibility of deducting, from the income tax, the sponsorships granted to institutions and public authorities, including the specialized bodies of the public administration	Law 227/2015 on the Tax Code, as amended by GEO 48/2020	Micro-enterprises		<p>The deduction is applicable for up to 20% of the micro-enterprise income tax owed for the quarter when such expenses were registered.</p> <p>The deduction is applied on the basis of the sponsorship agreement, and there is no obligation to enter the beneficiaries in the Register of entities/places of worship for which tax deductions are granted.</p>	See Țuca Zbârcea & Asociații's newsletter of 23 April 2020 - here
Suspension of enforcement measures of budgetary claims, by summons and capitalization of the goods by auction	GEO 48/2020, as amended by GEO 90/2020	Natural and legal persons	25 June 2020	Enforcements for the recovery of budgetary claims established by final judgments rendered on criminal matters, arising from the perpetration of criminal offenses, shall not be suspended.	
Suspension of requirements for maintaining the validity of payment schedules granted under the law	GEO 48/2020, as amended by GEO 90/2020	Natural and legal persons	25 June 2020		
Relief from the payment of interest and penalties for the late payment of instalments under the unpaid payment schedules	GEO 48/2020, as amended by GEO 90/2020	Natural and legal persons	25 June 2020	Until the first payment term after expiry of the period for the granting of the stimulus, the competent fiscal body, <i>ex officio</i> , modifies the payment schedule in line with the approved payment schedule period. The new payment schedule is communicated to the debtor under a decision of the fiscal body.	
Suspension of enforcement by garnishment of the budgetary, fiscal, financial and commercial claims which are applied to the monthly entitlements paid through the territorial or sectorial pension houses	GEO 32/2020, as amended by GEO 53/2020	Legal persons	During the state of emergency and for the next 60 days after cessation of the state of emergency		
Suspension of enforcement by garnishment for the indemnities provided at Articles XI and XV of GEO 30/2020	GEO 53/2020	Natural and legal persons	During the state of emergency and for the next 60 days after cessation of the state of emergency		

STIMULUS MEASURES	ENACTMENT	BENEFICIARIES	PERIOD/TERM	REQUIREMENTS (INCLUDING RELEVANT DETAILS)	ȚUCA ZBÂRCEA & ASOCIAȚII NEWS AND REVIEWS (LINK)
Possibility of restructuring the budgetary obligations and of extending the term for the submission of the notification until 30 September 2020	GEO 90/2020	Legal persons	31 March 2020	The stimulus measure is granted for the main budgetary obligations which are outstanding as at 31 March 2020, and for: <ul style="list-style-type: none"> The main budgetary obligations established by decision after 1 April 2020, for the tax periods until 31 March 2020; The main budgetary obligations outstanding from the coming into force of GEO 29/2020 on certain economic and fiscal-budgetary measures (21 March 2020) until 31 March 2020 inclusively. 	
Taxation in a percentage of only 80% of income earned from assigning the use of immovable assets under lease / sub-lease or usufruct agreements	Law 62/2020	<ul style="list-style-type: none"> Taxpayers subject to corporate income tax; Taxpayers subject to micro-enterprise income tax. 	Period for which the decrease in the consideration for the use of the immovable asset was negotiated, but not later than 31 December 2020	The stimulus measure is granted to the persons that decrease, for year 2020, the consideration for the use of the immovable asset, established in cash and/or in kind, according to the parties' contract, by at least 20% compared to the consideration for the use of the immovable asset for February 2020.	
Relief from the payment of the tax for the income earned from assigning the use of immovable assets under lease/sub-lease or usufruct agreements	Law 62/2020	Natural and legal persons subject to income tax	Period for which the decrease in the consideration for the use of the immovable asset was negotiated, but not later than 31 December 2020	The stimulus measure is granted to the persons that decrease, for year 2020, the consideration for the use of the immovable asset, established in cash and/or in kind, according to the parties' contract, by at least 30% compared to the consideration for the use of the immovable asset for February 2020.	
Relief from import duties and VAT exemption under Decision (EU) 2020/491 of 3 April 2020 on relief from import duties and VAT exemption on importation granted for goods needed to combat the effects of the COVID-19 outbreak during 2020	Order 1926/2020 of the Ministry of Public Finance	Importers	Year 2020	It is applicable for all imports made from 30 January 2020 to 31 July 2020, provided that the importer cumulatively meets the following requirements: <ul style="list-style-type: none"> It is a charitable or philanthropic organization; It does not have, on the date of the application, outstanding tax obligations under the Tax Procedure Code, and other budgetary claims individualized in writs of enforcement issued in accordance with the law and existing in the records of the central tax authority for recovery purposes; It represents that it meets the requirements provided in Decision (EU) 2020/491 for the application of the relief. <p>Eligible persons that made imports without benefiting of relief from import duties and VAT exemption before the coming into force of Order 1926/2020 of the Ministry of Public Finance may apply for the reimbursement of import duties and VAT before the competent customs authorities.</p>	

Editors

COVID-19 - Legal Insights is our response to the COVID-19 outbreak. We shall keep you informed on the various legal challenges posed by the coronavirus, thanks to a dedicated practice group comprising lawyers with different backgrounds, such as compliance/regulatory, corporate and commercial, insurance, labour and employment, litigation and arbitration, insolvency, public procurement, data privacy, tax and customs. In addition, our taskforce offers strategic advice on crisis-specific matters: corporate restructuring, review and (re)negotiation of agreements (including collective bargaining agreements and individual employment contracts), performance of the contracts which are affected by force majeure and hardship, unblocking pre-litigation relationships, etc. To be up to date with the news in these matters, you may access the resources available at the following link: <http://www.tuca.ro/covid-19/>



Anca Pușcașu
Partner
+4 0374 136 307
anca.puscasu@tuca.ro

TUCA ZBARCEA ASOCIATII

Șos. Nicolae Titulescu nr. 4-8
America House, Aripa de Vest, et. 8
Sector 1, 011141, București, România
T + 4 021 204 88 90
F + 4 021 204 88 99
E office@tuca.ro
www.tuca.ro

This material is for reference only. It does not seek to provide legal advice, which may be requested according to each specific legal issue and may not be relied upon for any purposes whatsoever. For details and clarifications on any of the topics dealt in these Legal Insights, please do not hesitate to contact the attorneys indicated hereinabove.