

Tax aspects of leasing

Nikiforov Anton
Head of tax practice

27.11.2008

VAT

Changes to the legislation (2009):

Lessee and lessor (general)

- deductions for advance payments (contract);
- payment of input VAT on barter trade, settlements with securities and offsets
(other than goods, works, services, or property rights acquired before 31 December 2008);
- protracted tax disputes.

PROFIT TAX

Changes to the legislation (2009):

Lessee and lessor (general)

- depreciation premium (3 to 20 years; premium recovery terms; use of benefits by the lessee);
- accelerated depreciation of leased property (groups 1-3).

Lessor

- maximum interest cost (01 September 08 – 31 December 09).

Litigation practice, forecast for 2009:

- claims against suppliers (interdependence, etc.) - Resolution of the Presidium of the Supreme Arbitration Court No. 6272/08 dated 28 October 2008;
- insurance premium claims (Order of the Russian Federal Tax Service No. MM-3-2/467 dated 14 October 2008);
- more disputes with state budget organisations (taxpayer – maximum use of benefits, VAT offsets; tax authority – maximum control);
- reimbursement of legal costs;
- disputes over pending bank payments.

- Russian law firm
- More than 200 attorneys
- Offices in Moscow and St. Petersburg
- Full spectrum of legal services



Moscow
12, Krasnoprenenskaya Nab.,
Entrance 7, World Trade Center-II



Saint Petersburg
54, Shpalernaya St.,
Golden Shpalernaya Business Center

12, Krasnopresnenskaya Nab.,
Entrance 7, World Trade Center-
II, MOSCOW, 123610 Tel.: +7
(495) 967 0007
Fax: +7 (495) 967 0008
e-mail info@pgplaw.ru

Golden Shpalernaya Business Center,
54, Shpalernaya St.,
ST.PETERSBURG, 191015
Tel.: +7 (812) 333 0717
Fax: +7 (812) 333 0716
e-mail: spb@pgplaw.ru

www.pgplaw.ru