

## VEGAS LEX AND FEDERAL TAX SERVICE OF RUSSIA DISCUSS THE CHANGES IN TAX LEGISLATION IN 2017–2018 AND THE PROSPECTS OF APPLICATION OF NEW RULES

**On 24 January 2018, at the conference held by VEGAS LEX, experts discussed the key trends of tax control and international taxation and the changes relating to unjustified tax benefit, investigations and proof of the facts of deliberate non-payment of taxes and levies.**

On 24 January 2018, the VEGAS LEX law firm held a conference on the topic “**Tax system and tax control 2018**”. **Konstantin Novosylov**, Deputy Head of the Control Department of the Federal Tax Service of Russia, and **Ekaterina Kastanova**, Adviser of the Legal Entities’ Taxation Department of the Federal Tax Service of Russia, spoke as external experts.

The representatives of the Federal Tax Service of Russia told about the basic changes in tax legislation, approaches to tax control in the current year, trends of international taxation and tax information exchange; answered the participants’ questions regarding the application of certain provisions relating to [tax control](#), taxation and tax collection.

**Denis Kozhevnikov**, Associate of VEGAS LEX Tax practice considered and discussed with conference participants the key positions of the Supreme Court of the Russian Federation, which it spoke out in the second half of 2017. Main accent was placed on the existing judicial practice concerning tax disputes and the following issues: the impact of transfer pricing on VAT credit; the possibility of recovery of VAT, which is additionally charged in the course of inspection, by suppliers from buyers; the exercise of the right to VAT credit when making no tax transactions; the nuances of pre-court tax dispute resolution procedure; "golden parachutes". The expert also addressed the latest decisions of the Constitutional Court of the Russian Federation concerning the matters of taxation that it rendered in the second half of 2017.

Denis paid special attention to the prospects and realities of application of the new rules for combatting tax abuse ([article 54.1 of the Tax Code of the Russian Federation](#))\*.

[Yuriy Ivanov](#), Manager of VEGAS LEX Tax practice projects, told about the investigation and proof of the facts of deliberate non-payment of taxes and levies. In particular, he told about the impact of ascertainment of intent, in case of the failure to pay taxes, on the tax and criminal liability and the liability to compensate for damage; analysed in detail the matters of ascertainment and proof of intent, based on the analysis of methodological recommendations of the Federal Tax Service of Russia and Investigative Committee of Russia, arbitration tax practice, judicial practice concerning criminal cases and cases over compensation for damage. Yuriy further told about the most interesting recent legal cases concerning bringing the corporate officers to criminal liability and recovery of damage from them for tax crimes and the statistics of tax crimes and cases of bringing to criminal liability for the period of 2015 to 2017.

In the conclusion of the round table conference, its participants expressed their gratitude to the speakers for the interesting meeting and useful practical information and expressed their hope for further holding similar meetings with public authorities and VEGAS LEX experts who explain to them the complex and disputable issues that arise in their daily work.

\*\*\*

*\* Article 54.1 of the Tax Code of the Russian Federation. – The extent of exercise of the rights relating to calculation of tax base and (or) amount of tax, levy, insurance contributions (introduced by [Federal Law](#) No.163-FZ dated 18 July 2017)*

*For more information on VEGAS LEX’s projects in the area of tax law, please click [here](#).*