

Tax Agenda Czechia

October 2022



No.	Fact	Action
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1	<p>Registration of beneficial owners with significant changes</p> <p>The amended Act on Registration of Ultimate Beneficial Owners (BO) will introduce significant changes with respect to the identification of BO. Based on the amendment the basic criterion for the status of the BO should be ownership of shares in a specified amount. The amendment further modifies the thresholds for so-called indirect ownership in a registrant, which could result in the expansion of number of BOs in company. The amendment should also narrow the scope of entities that are currently deemed not to have a BO. The obligation to identify the BO should also apply e.g. to political parties, churches, trade unions, or associations of unit owners.</p> <p>The amendment is expected to enter into force approximately in the third quarter of this year.</p>	<p>Review the compliance with the draft amendment of the Act on Registration of Ultimate Beneficial Owners.</p> <p>●</p>
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2	<p>VAT on payments from the group to offset the profitability of Czech companies</p> <p>The Supreme Administrative Court (SAC) in the case3 Afs 54/2020-73 (Eli Lilly) ruled that marketing service invoiced by a Czech distributor of medicines to its parent company in foreign country constituted a separate supply of service taxable in foreign country (and it is not taxable ancillary to the local sale of medicines). Based on the SAC ruling, a foreign supplier may have an interest in promoting its products in the Czech Republic.</p>	<p>Consider the possible implications of the judgment on the company.</p> <p>● ●</p>
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Use text boxes above the timeline to plan your actions for coming months

● Compliance ● Risk management ● Cash-flow / ETR impact

No.	Fact	Action
3	<p>Revaluation of advances paid in foreign currency</p> <p>The Supreme Administrative Court (SAC) in the case4 Afs170/2021-35 ruled that advances paid in foreign currency for the acquisition of fixed assets should not be revalued as at the balance sheet date. The SAC agreed with the interpretation of National Accounting Council (NAC) I-43 stipulating that booking of the exchange rate risk is only applicable if the exchange rate has an impact on the future value of those assets, which is not the case for advances for fixed assets.</p>	<p>Review correctness of the accounting principles used with respect to the new interpretation of National Accounting Council and related Supreme Administrative Court ruling.</p>
4	<p>Broader scope of tax incentive system from 2022</p> <p>Based on the decision of the Minister of Finance from 24 March 2022 there are (i) remission of road tax advances due on 19 April 2022, 15 July 2022, 17 October 2022, and 15 December 2022 to all road taxpayers and (ii) remission of late payment interest related to VAT for the taxable period from February 2022 till August 2022, or Q1 and Q2 2022 for taxpayers with more than half of incomes from the transport business, if the payment of the VAT to which the interest relates is made no later than 31 October 2022.</p> <p>Please note, that the (i) remission of the advance payment of road tax does not result in the remission of the tax itself, and (ii) VAT returns must still be filed within the statutory deadline.</p>	<p>Consider the option of non-payment of road tax advance.</p>
5	<p>New VAT treatment of leaseback</p> <p>The Financial Administration published its view (No. 592/23.03.22) that for sale and leaseback contracts concluded after the publication of the view, for VAT purposes, the contract will be treated as a financial service. If the lessee applies VAT on the sale the leasing company will not be able to claim a deduction. Similarly, if the leasing company applied VAT on the finance lease, the lessee would also not be able to claim a deduction.</p>	<p>Review the sale and leaseback contracts considering the new view of the Financial Administration.</p>
6	<p>New tax law in connection with the events in Ukraine</p> <p>The bill on tax measures in connection with the conflict in Ukraine was approved by the Senate. This new law contains especially the income taxes' implications of related gifts or donations. The Ministry of Finance has also published a Q&A on this law.</p>	<p>Review these documents if you deal with gifts or donations or assist employees or their family members from Ukraine.</p>
7	<p>Authorization of global deferment of customs duty payment</p> <p>The importer of goods is obliged to pay the customs duty debt within 10 days from obtaining notification of the amount of the customs duty debt. However, the new version of e-Import will allow importers or their customs agents to use the authorization of global deferment of customs duty payments associated with all imports for up to 31 days.</p>	<p>Consider submitting the application and postponing the payments of customs duty.</p>

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8	<p>The lower excise duty on mineral oils</p> <p>With effect from 1 June 2022, mineral oil tax rates are temporarily reduced (until 1 October 2022). The reduction concerns mainly fuels. The tax rate will decrease by the same amount for petrol and diesel by CZK 1,500/1000 l.</p>	<p>The fuel suppliers should ensure that they issue sales or transport documents with the correct amount of excise duty and that their records comply with the law.</p>
9	<p>Changes to the taxation of low-emission vehicles for employees</p> <p>Due to an amendment to the Income Tax Act, there is a different method of taxation for low-emission vehicles provided to employees by their employer for business and private purposes since 1 July 2022. Instead of 1% of the purchase price of these vehicles (including VAT), only 0.5% of their purchase price will be subject to the personal income tax of the employee for each month of use.</p>	<p>Take this amendment into account when processing payroll for July 2022 and following months and / or consider adjustments in the company car fleet.</p>
10	<p>Amendment to the Road Tax Act</p> <p>Act No. 142/2022 Coll. that came into force on 1 July 2022, brings changes regarding the taxation of vehicles. According to the transitional provisions, it applies for the entire 2022 tax period, i.e., it has a retroactive effect from 1 January 2022.</p> <p>Important changes:</p> <ul style="list-style-type: none"> ▶ Advance payments of the road tax are abolished and the tax is significantly reduced ▶ Road tax will only be payable on selected vehicles and trailers with a permissible weight of 12 tones or more ▶ A taxpayer of road tax can only be a user (typically an owner) of a qualifying vehicle or of a qualifying trailer. Prior to the amendment, employers became taxpayers if their employees used their private cars for business trips. This specific provision was abolished, i.e. employers whose employees use private cars for business trips should not become taxpayers of road tax. 	<p>Review the tax obligations based on the amended Road Tax Act.</p>
11	<p>New meal allowance and average fuel prices</p> <p>Based on Decree No 237/2022 Coll. which came into force as of 20 August 2022 the new limits on meal allowances and the average price of fuel are set.</p>	<p>Review the increased limits and rates, and set up these into your IT system.</p>
12	<p>Employer social security discount for selected groups of employees</p> <p>For selected categories of employees, (e.g., parents caring for young children, students, people under 21, people over 55 or 60, people with disabilities or retrained employees) a 5% discount on employers' insurance premiums will be introduced. The employer's contributions would thus be only 19.8% instead of 24.8% for the employees concerned.</p> <p>An amendment to Act No. 589/1992 Coll. will come into force in February 2023.</p>	<p>Review the impact of this amendment on the company given your employee structure. If relevant for your business needs, consider hiring of employees from the selected categories.</p>

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