



Tax & Legal Newsletter May 2019

1. The tax return for non-salary income can now be submitted in hard copy

Based on the provisions of GEO no. 35/2019, the requirement whereby the tax return for non-salary income had to be submitted electronically has been eliminated. The change came into force on the date the GEO was published in the Official Gazette (i.e. 23 May 2019).

Source: Government Emergency Ordinance no. 35/2019 on the approval of various fiscal measures regarding loans granted from the State Budget and the amendment of various pieces of legislation.

2. Reduction of VAT to 5% on mountain, organic and traditional foods

Based on the provisions of GEO no. 31/2019, the VAT rate for mountain, organic and traditional foods (as authorised by the Ministry of Agriculture and Rural Development) has been lowered from 9% to 5% with the purpose of increasing the consumption of these products. The new rate is applicable as 1 June 2019.

Source: Government Emergency Ordinance no. 31/2019 regarding the granting of tax incentives and the amendment of Law no. 227/2015 regarding the Fiscal Code in order to update Government Emergency Ordinance no. 11/2018 on the adoption of budgetary measures and the implementation of the framework Law no. 153/2017 on the remuneration of staff paid out of public funds.

3. Limitation of NACE codes for freelancers

As of 18 March 2019, freelancers and sole proprietorships with more than 5 or 10 NACE (Romanian: "CAEN") codes, respectively, i.e. the new maximum number provided for by law, will be automatically deregistered by the National Trade Registry Office.

The National Trade Registry Office has published on its website lists of freelancers and sole proprietorships that failed to fulfil the obligation to amend their "object of activity".

Source: Law no. 182 of 17 October 2016 to approve Government Emergency Ordinance no. 44/2008 on the economic activities carried out by freelancers, sole proprietorships and family enterprises.

4. Increased legal protection of trade secrets

Government Emergency Ordinance no. 25/2019 sets out the regulatory framework for the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure and transposes the provisions of Directive no. 943/2016 of the European Parliament and of the Council of the European Union into Romanian law.



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The normative act establishes the mechanisms that ensure access to court, provisional and precautionary measures ordered by the court, as well as the possibility of obtaining compensation and penalties in the case of unlawful acquisitions and the use and disclosure of information representing trade secrets.

In addition, the normative act also establishes the circumstances in which the acquisition, use and disclosure of trade secrets is deemed to have been made by lawful or unlawful means.

Source: Government Emergency Ordinance no. 25 of 18 April 2019 on the protection of undisclosed know-how and business information representing trade secrets against their unlawful acquisition, use and disclosure and supplementing and amending various normative acts.

This newsletter is a service of TPA

Kind regards
Your TPA Team

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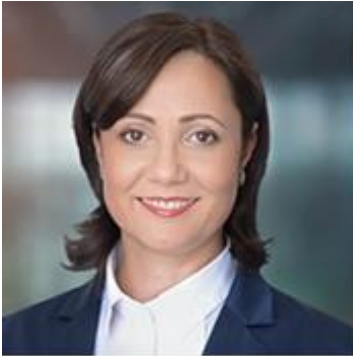
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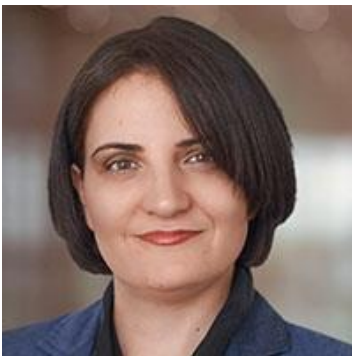
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