

# PETERKA PARTNERS

THE CEE LAW FIRM

## AMENDMENTS REGARDING FISCAL, LABOUR AND BUDGETARY MEASURES

On 18 December 2021, Government Emergency Ordinance no. 130/2021 on certain fiscal-budgetary measures, the extension of certain deadlines, as well as for the amendment and supplementation of certain normative acts (“**GEO 130/2021**”) was published in Official Gazette no. 1202. GEO 130/2021 introduces various important amendments in regards to fiscal, labour and budgetary matters.

### New criminal sanctions for employers

The non-payment, within 60 days from the legal deadline, of certain taxes and/or contributions indicated in Law no. 241/2005 for the Prevention and Combating of Tax Evasion becomes a crime and can be punished with imprisonment from one to five years or with a fine. This new measure comes into effect as of 1 March 2022.

### Electronic invoice and tracking of goods (e-Invoice and e-Transport)

The e-Invoice system between companies shall become operational on 1 April 2022 and then mandatory as of 1 July 2022. However, the e-Invoice system shall apply only to high-risk products traded between companies.

Similarly, the authorities shall introduce the e-Transport system. The system will be used to track the transport of goods. Further procedural aspects shall be regulated via an order of the Ministry of Finance, separately.

### New threshold regarding fiscal treatment of gifts for employees

The threshold up to which gifts in cash and in kind, including gift tickets, are exempt from income tax, pension and health contributions (gifts given to employees as well as those offered to their minor children on the occasion of Easter, Christmas and similar holidays of other religions, gifts offered to female employees on the occasion of International Women’s Day (March 8), gifts offered to employees for the benefit of their minor children on the occasion of Children’s Day (June 1) shall increase from RON 150 (approximately EUR 30) to RON 300 (approximately EUR 60). The measure shall apply starting with income related to January 2022.

### New obligations for employers

Employees who receive the minimum gross salary in the country will be able to receive this amount for a maximum of 24 months. After this, employers will be required to increase their salary. The regulation shall apply as of 1 January 2022.

### Electronic value tickets

Value tickets for the benefit of employees shall now be issued only on cards. In this respect, the authorities eliminate, as of February 2022, the possibility of issuing printed-out value tickets. Value tickets that have already been issued as printouts (to 31 January 2022) shall remain valid until they are used/expire.

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In addition, gift tickets are now considered value tickets granted to employees for social expenses. Thus, employers are not allowed to grant gift tickets for other categories of beneficiaries than their own employees (contrary to the previous practice, when the value tickets were granted for the purposes of marketing, market studies, etc.). Starting 28 December 2021, an employer may risk a fine of an equivalent of 14 minimum gross salaries in case of non-compliance (RON 35,700 <<EUR 7,221>>).

## **Threshold for health contribution in terms of pension income**

A health contribution for pension income has been introduced for pensions which are higher than RON 4,000, starting with income generated as of 1 January 2022. In addition, those persons who obtain pensions from abroad shall also use this threshold when submitting a tax statement.

## **Amendments of threshold for reduced VAT in terms of acquisition of homes**

Beyond the current threshold value of RON 450,000 (approximately EUR 91,021), for which a reduced VAT rate of 5% is applied to the purchase of homes, this quota shall also be applied, once, to the acquisition of homes with a value over RON 450,000, however not more than RON 700,000 (approximately EUR 141,588). The measure shall apply as of 1 January 2022.

## **Same amount for penalty point (fine) in terms of traffic offences**

The penalty point (fine) for traffic offences, which should normally be 10% of the minimum gross salary in the country (RON 255 <<EUR 51>> in 2022), shall remain at RON 145 (approximately EUR 29) in 2022.

PETERKA & PARTNERS Romania remains at your disposal to provide more information and related legal assistance connected to this topic.