



# Cyprus Tax Facts 2010

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# Cyprus Tax Facts 2010





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## Foreword

BDO Ltd is the Cyprus firm of BDO International, the world's fifth largest accountancy network.

We specialise in helping businesses to grow: from start-ups to multinationals and everything in-between. In Cyprus we employ over 80 people in our offices in Nicosia and Limassol.

We have a strong local presence while offering the support and benefits of partnership in the BDO global network. BDO offers a unique combination of international strength and local excellence.

The BDO network comprises over 1.000 offices in 110 countries, with more than 45.000 partners and staff providing professional assurance, accounting, tax and consulting services on every continent. BDO's special skills lie in applying its local expertise and its understanding of the international context to provide an integrated global service. It is a vigorous organisation committed to total client service.

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# BDO Taxation Services

We will work with you to:

- achieve commercial business decisions based on practical tax solutions
- maximise investors' after tax returns, while controlling tax risks in line with business risk strategy
- understand your business to provide tailored tax services to meet your taxation and business needs
- adopt a co-ordinated approach to international tax planning, using our BDO International network with taxation experts in over 110 countries.

Our core taxation areas comprise of:

- Business tax planning
  - establishing optimal business structures
  - acquisition planning
  - tax due diligence
  - vendor due diligence
- Compliance services
  - tax return preparation
  - provisional tax reminders
  - management of IRD audits

- protection of your rights on assessment and investigation
- development of best practice tax compliance systems in your business
- education of businesses on tax compliance
- quality control reviews
- tax health check reviews
- Indirect tax services
  - VAT on asset acquisition and asset disposal
  - time and place of supply for VAT
  - zero rated transactions
  - exempt supplies
  - interactions with Customs
  - VAT on cross-border transactions
  - PAYE and withholding tax issues
- International tax advice for business. As part of the BDO International network of Member Firms, we advise businesses on the tax consequences of their international expansion and cross-border investments.

# 1 Personal Income Tax

## Basis of taxation

All Cyprus tax residents are taxed on all income accrued or derived from all sources in Cyprus and abroad. Individuals who are not tax residents of Cyprus are taxed only on income accrued or derived from sources in Cyprus.

An individual is tax resident in Cyprus if he spends in Cyprus more than 183 days in any one year. Days in and out of Cyprus are calculated as follows:

- (a) the day of departure from Cyprus counts as a day of residence outside Cyprus
- (b) the day of arrival in Cyprus counts as a day of residence in Cyprus
- (c) arrival and departure from Cyprus in the same day counts as one day of residence in Cyprus
- (d) departure and arrival in Cyprus in the same day counts as one day of residence outside Cyprus

## Personal tax rates

The following income tax rates apply to individuals:

Chargeable income	Tax rate	Tax	Accumulated tax
€	%	€	€
0-19.500	Nil	Nil	
19.501-28.000	20	1.700	1.700
28.001-36.300	25	2.075	3.775
Over 36.300	30		

Foreign pension is taxed separately at the rate of 5 percent and an annual exemption of €3.420 is granted. A person may elect in any year to have his/her pension included in his/her chargeable income so as to utilise personal allowances.

### Exemptions

The following income is exempted from tax:

Type of income	Exemption limit
• Interest	whole amount
• Dividends	whole amount
• Remuneration from any office or employment exercised in Cyprus by an individual who was not resident of Cyprus before the commencement of his employment, for a period of 3 years commencing from 1 January following the year of commencement of the employment	20% of income subject to maximum of €8.550 annually

## Exemptions (cont'd)

Type of income	Exemption limit
<ul style="list-style-type: none"><li>• Remuneration from salaried services rendered outside Cyprus for more than 90 days in a tax year to a non Cyprus resident employer or to a foreign permanent establishment of a Cyprus resident employer</li></ul>	whole amount
<ul style="list-style-type: none"><li>• Profits of a permanent establishment abroad under certain conditions</li></ul>	whole amount
<ul style="list-style-type: none"><li>• Capital sums accruing to individuals from any payments to approved funds (eg provident funds)</li></ul>	whole amount
<ul style="list-style-type: none"><li>• Profits from the sale of securities*</li></ul>	whole amount

\* Securities is defined as shares, bonds, debentures, founders' shares and other securities of companies or other legal persons, incorporated in Cyprus or abroad and options thereon. A circular was issued by the Tax Authorities in 2008 further clarifying what is included in the term "securities". According to the circular the term includes, short positions, futures, forwards and swaps where they are in respect of securities and depositary receipts (ADR,GDR). Index participations are considered securities only if they represent titles. Where it is not certain whether a specific financial instrument falls under any of the categories included in the circular, a request for a ruling may be submitted to the Commissioner of Income Tax.

## Exemptions (cont'd)

Type of income	Exemption limit
<ul style="list-style-type: none"><li>• Lump sum received by way of retiring gratuity, commutation of pension or compensation for death or injuries</li></ul>	whole amount

## Tax deductions

The following are deducted from income:

<ul style="list-style-type: none"><li>• Contributions to trade unions or professional bodies</li></ul>	whole amount
<ul style="list-style-type: none"><li>• Loss of current year and previous years</li></ul>	whole amount
<ul style="list-style-type: none"><li>• Rental income</li></ul>	20% of gross rental income
<ul style="list-style-type: none"><li>• Donations to approved charities (with receipts)</li></ul>	whole amount
<ul style="list-style-type: none"><li>• Social Insurance, provident fund, medical fund, pension fund contributions and life insurance premiums (the allowable annual life insurance premium is restricted to 7%)</li></ul>	Up to 1/6 of the chargeable income

## Tax deductions (cont'd)

- Expenditure incurred for the maintenance of a building (under Preservation Order)

Depending on the size of building up to €598 per m<sup>2</sup>

## Social grants

The following social grants are given:

- Grant for every child receiving full time higher education in Cyprus (with certain restrictions) or full time university education outside Cyprus. Families with more than 3 children receive an additional grant
- Grant for blind persons
- Basic child grant and additional child grant for families that have a gross family (applicant, spouse, children) income below the specified threshold

The actual amounts of social grants are revised annually and announced at the beginning of each year. It is not necessary to submit any evidence on application unless it is the first claim.

## 2 Corporation Tax

### Basis of taxation

All companies tax resident of Cyprus are taxed on all their income accrued or derived from all sources in Cyprus and abroad. A non Cyprus tax resident company is taxed on income accrued or derived from a business activity which is carried out through a permanent establishment in Cyprus and on certain income arising from sources in Cyprus.

A company is resident of Cyprus if it is managed and controlled in Cyprus.

### Corporation tax rates

	Tax rate %
Companies	10

### Exemptions

The following sources of income are exempt from corporate taxation:

- Profit from the sale of securities
- Dividends
- Interest not arising from the ordinary activities or closely related to the ordinary activities of the company, mainly bank deposit interest, however, such interest income is subject to Special Defence Contribution
- Profits of a permanent establishment abroad, under certain conditions

## **Tax deductions**

All expenses incurred wholly and exclusively in earning the income of the company including:

- Donations to approved charities (with receipts)
- Employer's contributions to social insurance and approved funds on employees' salaries
- Entertainment expenses subject to a maximum amount of 1% of the gross business income or €17.086, whichever is lower

### ***But excluding:***

- Expenses of private motor vehicles (saloon cars)
- Interest attributed to the cost of acquiring a private motor vehicle, irrespective of its use, and to the cost of acquiring any other asset not used in the business for a period of 7 years since its acquisition.

## **Losses carried forward**

The tax loss incurred during a tax year and which cannot be set off against other income, is carried forward and set off against future profits with no time restriction. This provision is applicable for all losses incurred from 1997 tax year onwards.

The current year loss of one company can be set off against the profit of another provided the companies are both Cyprus tax resident companies of a group.

### ***Group is defined as:***

- one company holding at least 75 percent of the shares of the other company
- at least 75 percent of the voting shares of the companies are held by another company

A partnership or a sole trader transferring business into a company can carry forward tax losses into the company for future utilisation.

Losses from a permanent establishment abroad can be set off with profits of the company in Cyprus. Subsequent profits of the permanent establishment abroad are taxable up to the amount of losses previously allowed.

### **Reorganisations**

Transfers of assets and liabilities between companies can be effected without tax consequences within the framework of a reorganisation.

#### ***Reorganisations include:***

- mergers and demergers
- partial divisions
- transfer of registered office
- transfer of assets
- exchange of shares

## Annual wear and tear allowances on fixed assets

The following allowances are given as a percentage on the cost of acquisition and are deducted from the chargeable income:

Fixed assets	%
<b>Plant and machinery</b>	
• Plant and machinery	10
• furniture and fittings	10
• boreholes	10
• machinery and tools used in an agricultural business	15
• computer hardware and operating systems	20
• application software	33 1/3
• commercial motor vehicles (vans, trucks)	20
• motor cycles	20
• excavators, tractors, bulldozers self-propelled loaders and drums for petrol companies	25
• expenditure on application software less than €1.709, is written off in the year of acquisition	
<b>Buildings</b>	
• commercial buildings	3
• industrial, agricultural and hotel buildings	4
• flats	3
• metallic greenhouse structures	10
• wooden greenhouse structures	33 1/3

Fixed assets		%
<b>Boats</b>		
• sailing vessels		4,5
• steamers, tugs and fishing boats		6
• shipmotor launches		12,5
• new cargo vessels		8
• new passenger vessels		6
• used cargo/passenger vessels	Over their useful life	
<b>Tools</b>		
• tools in general		33 1/3
• video tapes property of video clubs		50

## Special Type of Companies

### Shipping companies

- No income tax is payable on the profits earned or dividends paid by a Cyprus shipping company which owns ships under the Cyprus flag and operates in international waters (including chartering), or on the salaries of officers and crew of such ships
- the exemption also applies to the bare boat charterer of a vessel flying the Cyprus flag under parallel registration
- local or international ship management and crew management businesses have the option to be taxed

either at the rate of 4,25 percent or at rates equal to 25 percent of the rates used to calculate the tonnage tax of vessels under management which are registered outside Cyprus. If no election is made tonnage tax will be imposed. The election is made annually by 30 November of the previous year.

### **Insurance companies**

Profits of insurance companies are liable to corporation tax similar to all other companies except in the case where the corporation tax payable on taxable profit of life insurance business is less than 1,5 percent on gross premium. In this case the difference is paid as additional corporation tax.

### **International Collective Investment Schemes (ICIS)**

The sole object of an ICIS is the collective investment of the funds of its unit-holders.

An ICIS can take the following legal forms:

- international fixed capital company
- international variable capital company
- international unit trust scheme and
- international investment limited partnership

ICIS are liable to corporation tax similar to all other legal entities depending on the legal status of the ICIS.

## **Royalty income**

The gross amount of any royalty, premium, compensation or other income derived from sources within Cyprus by any person not being a tax resident, is subject to withholding tax at the rate of 10 percent. This can be reduced depending upon the provisions of the relevant double tax treaty and where the EU Interest and Royalty Directive applies.

Where a Cyprus company is granted the right to use a patent, trademark or innovation outside Cyprus there is no withholding tax on payments to the licensor and the Cypriot company is taxed at the corporate income tax rate on the profit margin that it realises on the use of the right.

## **EU Interest and Royalty Directive**

The EU interest and royalty directive came into effect on 1 January 2005. It provides that interest and royalty payments in one EU member state are exempt from any withholding taxes imposed on those payments in that state, provided that the beneficial owner of the interest is a company in another EU state.

For the directive to apply the companies must be associated. The interest or royalty must be on an arm's length basis. The directive will not apply to what is considered to be in excess of an arm's length amount.

Greece, Czech Republic, Slovakia, Poland, Portugal, Spain,

Latvia and Lithuania have been granted a transitional period in which to apply the directive. They can charge a maximum withholding tax of 5 percent until 2011.

The overall tax burden on interest and royalties remitted to Cyprus from these countries is not affected by the transitional provisions as Cyprus grants a tax credit for the taxes withheld by these countries.

### **Film rental**

The gross amount of any rental in respect of the showing of cinematograph films in Cyprus derived by any person who is not a tax resident, is subject to a 5 percent withholding tax.

### **Income from profession or vocation**

The gross income derived by an individual not resident in Cyprus, from the exercise in Cyprus of a profession or vocation or of public entertainers including football clubs and other athletic clubs is subject to a 10 percent withholding tax.

### 3 Special Contribution for Defence

Special Contribution for Defence (SDC) is imposed on income earned by Cyprus tax residents. Non tax residents are exempt from SDC. It is charged at the rates shown in the table below:

	Individuals	Legal entities
	%	%
• Dividend income from Cyprus resident companies	15	Nil
• Dividend income from non-Cyprus resident companies	15	Nil (under conditions) (1)
Interest income arising from the ordinary activities or closely related to the ordinary activities of the business	Nil	Nil
• Other interest	10(2)(3)	10(4)
• Rental income (reduced by 25%)	3	3

Notes:

- (1) Dividend income from abroad is exempt from SDC provided either:
  - (a) no more than 50 percent of the paying company's activities result directly or indirectly in investment income and/or
  - (b) the foreign tax burden is not significantly lower than the tax rate payable in Cyprus. The Tax Authorities have clarified through a circular that significantly lower, means a tax burden rate below 5 percent  
When the exemption does not apply, the dividend income is subject to SDC at the rate of 15 percent
- (2) Interest income from Cyprus government savings bonds and development bonds and all interest earned by a provident fund is subject to SDC at 3 percent (instead of 10 percent).
- (3) Where the total income of an individual including interest does not exceed €11.960 in a taxable year, then the rate is reduced from 10 percent to 3 percent.
- (4) Bank deposit interest.

### **Due dates:**

- SDC on rental income and on trading profits of semi-government organizations is payable in 6 monthly intervals on 30 June and 31 December each year
- SDC due on interest and dividends received gross defence due is payable at the end of the month following the month in which they were received.

### **Deemed dividend distribution**

If a Cyprus resident company does not distribute a dividend within two years from the end of the tax year then:

- 70 percent of accounting profits (after specified adjustments for revaluations etc) are deemed to have been distributed
- 15 percent SDC is imposed on deemed dividend distribution applicable to shareholders who are residents of Cyprus, including higher level Cyprus parent companies. The rate is reduced to 3% on deemed dividend distributions of Collective Investment Schemes.
- deemed distribution is reduced with payments of actual dividends which have already been paid during the two years from the profits of the relevant year

When an actual dividend is paid after the deemed dividend distribution, then SDC (if any) is imposed only on the additional dividend paid not previously subject to deemed

dividend distribution.

SDC paid under the deemed dividend distribution provisions can be reclaimed where a dividend is eventually paid to a higher level Cyprus parent company as such dividends are exempt from SDC.

### **Company dissolution**

The cumulative profits of the last five years prior to the company's dissolution, which have not been distributed or deemed to have been distributed, will be considered as distributed on dissolution and will be subject to SDC at the rate of 15 percent.

The rate for Collective Investment Schemes is 3 percent.

This provision does not apply in the case of dissolution under a reorganisation.

### **Reduction of capital**

In the case of reduction of capital of a company, any amounts paid or due to the shareholders up to the amount of the undistributed taxable income of any tax year calculated before the deduction of losses from subsequent years, will be considered as dividends distributed subject to Special Contribution for Defence at 15 percent after deducting any amounts which have been deemed as distributed. These provisions do not apply where the shareholders are non-Cyprus residents.

## 4 Social Insurance

### Contributions

	%
• Employer	6,8
• Employee	6,8

The maximum level of annual income on which social insurance contributions are paid on is as follows:

	€
• Weekly employees	50.592
• Monthly employees	50.592

The contributions of self-employed persons are 12,6 percent of income, according to certain specified limits, depending on their profession and their length of service.

### Other employer's contributions

The employer makes the following other contributions based on employee's emoluments (which, except for the contribution to the social cohesion fund, are restricted to the maximum level of €48.048 as stated above):

	%
• Social Cohesion fund	2
• Redundancy fund	1,2
• Industrial Training fund	0,5
• Holiday fund (if is not exempt)	8

## 5 Estate Duty

Estate Duty was abolished in 2000. The executor/administrator of the estate of the deceased is required by the Deceased Persons Estate Law to submit to the Tax Authorities a statement of assets and liabilities of the deceased within six months from the date of death.

## 6 Capital Gains Tax

### Basis

Capital Gains Tax (CGT) is imposed at the rate of 20 percent on gains from the disposal of immovable property situated in Cyprus including gains from the disposal of shares in companies which own such immovable property in Cyprus and not listed in any recognised Stock Exchange.

### Determination of capital gain

The capital gain is calculated after deducting from the selling price the initial acquisition cost or the market value as at 1 January 1980 whichever is the higher, inflated by the retail price index in Cyprus. Expenses related to acquisition and disposal are deductible.

### Exemptions

The following disposals of immovable property are not subject to CGT:

- transfers arising on death

- gifts made from parent to child or between husband and wife or between up to third degree relatives
- gifts to a company where the company's shareholders are members of the donor's family and the shareholders continue to be members of the family for five years after the day of the transfer
- gifts by a family company to its shareholders, provided such property was originally acquired by the company by way of donation. The property must be kept by the donee for at least three years.
- gifts to charities and the Government
- transfer as a result of reorganisations
- exchange or disposal of immovable property under the Agricultural Land (Consolidation) Laws
- expropriations
- exchange of properties, provided that the whole of the gain made on the exchange has been used to acquire the other property. The gain that is not taxable is deducted from the cost of the new property, i.e. the payment of tax is deferred until the disposal of the new property.

## Deductions

The following deductions exist for individuals:

	€
• sale of own residence (under certain conditions)	85.430
• sale of agricultural land by a farmer	25.629
• other sales	17.086

The above exemptions are granted only once for each taxpayer and not for each sale. An individual claiming a combination of the above is allowed a maximum of €85.430.



## 7 Immovable Property Tax

Immovable Property Tax is imposed on the market value as at 1 January 1980 and applies to the immovable property owned by the taxpayer on 1 January of each year. The immovable property tax is payable on 30 September of each year.

The immovable property tax is imposed on both individuals and legal persons.

Property value	Rate	Accumulated tax
€	‰	€
Up to 170.860	-	-
170.861-427.150	2,5	641
427.151-854.300	3,5	2.136
Over 854.300	4,0	

The following categories are exempt from immovable property tax:

- Schools
- Immovable property owned by the republic
- Public hospitals
- Churches
- Embassies and consulates
- Public cemeteries
- Property occupied by the Turks
- Agricultural land used for farming or breeding
- Buildings under the Preservation order

## 8 Transfer Fees

Transfer fees are levied by the Department of Land and Surveys for transfers of immovable property situated in Cyprus.

Rates applying from 19 March 1999:

Property value	Rate	Accumulated fee
€	%	€
Up to 85.430	3	2.563
85.431-170.860	5	6.835
Over 170.860	8	-

In the case of property transferred to a family company, transfer fees are refundable after five years if the property remains with the company and the shareholders remain the same.

In the case of company reorganisations, transfers of immovable property are not subject to transfer fees or mortgage registration fees.

In case of property transferred from a family company to one of the two spouses or their children or to a relative up to third degree, the transfer fees are calculated on the value of the property on the title deed, as follows:

	€
• transfer to a spouse	8
• transfer to a child	4
• transfer to a relative up to third degree	8

The following rates are applicable in the case of free transfers (based on the value stated in the titled deed which refers to values of the year 1920):

	€
• parents to children	4
• between spouses	8
• between relatives up to third degree	8
• to trustees	€ 8.54

Mortgage registration fees are 1 percent of the current market value.

Mortgage renewals are subject to a levy of €50.

## 9 Stamp Duty

The table below gives the amount of duty payable on certain documents. Any contracts relating to assets situated outside Cyprus or business matters that take place outside Cyprus are exempt from stamp duty. Transactions during the reorganisations are also exempt.

<b>Nature of document</b>	
Receipt - for sums of €3,42 to €34,17	3,42 cents
Receipt - for sums over €34,17	6,84 cents
Cheque	5,13 cents
Letter of credit	€1,71
Letter of guarantee	€3,42
Bill of exchange	85,43 cents
Contract - up to €170.860 - over €170.860 - without fixed sum	€1,5 per thousand €2 per thousand €34,17
As from 14 August 2007 stamp duty on contracts has been capped at a maximum of €17.086	
Customer declaration document	€17,10 - €34,17
Bill of lading	€3,42
Charterparty	€17,09
Power of attorney - general - limited	€5,13 €1,71
Certified copy of contracts and documents	€1,71
<b>Registrar of Companies fees</b>	
Incorporation of a limited liability company - Capital Duty	€102,52 plus 0.6 % on authorised share capital
Increase in the share capital of a private company	0,6 % on the additional amount of the increase
Issued share capital	flat duty of €17,09
Filing of Annual Return	€17,09
No stamp duty is payable on company reorganisations	

## 10 Value Added Tax

VAT is imposed on the provision of goods and services in Cyprus, as well as on the acquisition of goods from the EU and the importation of goods into Cyprus.

Taxable persons charge VAT on their taxable supplies (output tax) and are charged with VAT on goods or services which they receive (input tax).

For intra community acquisitions of goods (except goods subject to excise duty or new means of transport) the trader does not pay VAT on receipt of the goods in Cyprus but instead accounts for VAT using the acquisition accounting method. This involves a simple accounting entry in the books of the business whereby he self charges VAT and at the same time claims it back if it relates to taxable supplies thereby creating no cost to the business.

Where the acquisition relates to an exempt transaction, the trader must pay the VAT that corresponds to the acquisition.

As from 1 January 2010 significant changes come into effect in the EU and Cyprus VAT legislation in the following areas:

- Changes in the country of taxation of services provided between businesses established in two different EU Member States
- Changes in the country of taxation of services, supplied to consumers

- Changes in the time of supply of services for which VAT is due by the recipient
- Procedure for refund of VAT paid in another Member State.

As a result of the above changes, additional compliance obligations arise as from 1 January 2010 for Cyprus resident businesses supplying services to businesses established in other EU Member States for which the recipient is liable to account for VAT under the reverse charge provisions. Such businesses will be required to complete and submit a VIES declaration on a monthly basis, for services which are taxed by the recipient under the reverse charge provisions. In addition as from 1 January 2010 the VIES declaration for intra-Community supplies of goods must also be submitted on a monthly basis (instead of a quarterly basis). VIES return will only be submitted electronically.

### **VAT rates**

The legislation provides for the following tax rates:

- zero rate
- reduced rate -5 percent
- reduced rate -8 percent
- standard rate -15 percent

## **Zero rate**

- Supply of goods and services to other EU member states
- Exports to non EU countries
- Foodstuffs
- Commissions received from abroad for import-export of goods
- Certain medicines and vaccines
- International air and sea transport
- Processing carried out on goods in Cyprus on behalf of a customer abroad provided that the goods will be exported outside the EU when the processing finishes

## **Reduced rate**

- Hotel accommodation fees (8%)
- Restaurants and catering (except alcohol) (5%)
- Rural and private tax transport services (8%)
- Tourist excursion and long distance bus services (8%)
- Supply of fertilisers, animal feeding products and seeds (5%)
- Supply of live animals for human consumption (5%)
- Books, magazines and newspapers (5%)
- Non-bottles water (5%)
- Liquid gas (5%)

- Transfer of persons on a rural or city bus (5%)
- Various goods for the use of handicapped persons (5%)
- Ice cream and similar products (5%)
- Funeral service and supply of coffins (5%)
- Road sweeping, garbage collection and recycling (5%)
- Services of authors, composers and artists (5%)

### **Exemptions**

The following services are exempt from VAT:

- Rents
- Most medical services
- Most insurance, banking and financial services
- Educational services
- Management services provided to mutual funds
- Supplies of real estate, excluding new buildings before their first use but including supplies of land and of second-hand buildings
- Postal services provided by the national postal authority
- Lottery tickets and betting coupons for football and horse racing

## Registration

Registration is compulsory for businesses with turnover in excess of €15.600 in a year or with an expected turnover in excess of €15.600 in a period of thirty days following. Businesses with less than this turnover have the option to register only if they so elect.

An obligation for registration also arises for businesses which make acquisitions of goods from other EU member states in excess of €10.252 during any calendar year.

Exempt goods and services and transactions of capital nature are not taken into consideration when determining the annual turnover for registration purposes.

In addition as from 1 January 2010 an obligation for VAT registration arises for businesses engaged in the supply of intra-Community services for which the recipient must account for VAT under the reverse charge rules. In addition, an obligation for VAT registration arises for businesses carrying out economic activities where they receive any services from abroad for which an obligation to account for Cyprus VAT under the reverse charge provision exists.

No registration threshold exists for either intra-Community supply of services or from receipt of services from abroad.

## Thresholds for VAT Registration – Summary

	€
• Provision of taxable supplies in Cyprus	15.600
• Acquisition of goods in Cyprus from other EU Member states suppliers	10.252
• Supply of intra-community services	Nil
• Receipt of services from abroad – under reverse charge rules	Nil

### Grant for acquisition of first residence

The grant is given to entitled persons for the construction or purchase of a new house or the transfer of ownership of a building which is used as the main permanent residence.

The application for the grant is submitted to the Ministry of Finance, in relation to houses for which an application has been submitted for the issue of planning permission after 1 May 2004. Persons entitled to this grant are individuals who are citizens of the republic of Cyprus or of any other EU member state who resides permanently in the Republic of Cyprus and has reached the age of 18 at the time of application. The grant is given for houses whose total area does not exceed 250 m<sup>2</sup> and the level of the grant is limited to 130 m<sup>2</sup> (extended for families with four and more children) and depends on the type of the property and on whether the house was constructed or purchased. The relevant legislation

provides that the level of the grant will be adjusted annually for the increase in the Retail Price Index.

### **Difference between zero rate and exempt supplies**

The difference between zero rate and exempt supplies is that businesses that make exempt supplies, are not entitled to recover the VAT charged on their purchases, expenses or imports.

### **Irrecoverable input VAT**

As an exception to the general rule, input VAT cannot be recovered in a number of cases which include the following:

- acquisitions used for making exempt supplies
- purchase, import or hire of saloon cars
- entertainment and hospitality expenses (except those relating to employees and directors)
- housing expenses of directors

### **VAT declaration – Payment/return of VAT**

VAT returns must be submitted quarterly and the payment of the VAT must be made within 10 days of the second month that follows the month in which the tax period ends.

VAT registered individuals and companies have the right to request for a different filing period. Approval of the VAT authorities is required. A tax person maybe required by the IRD to file returns for different periods.

Where in a quarter input tax is higher than output tax, and therefore a repayment is due, the difference is refundable or is transferred to the next VAT quarter.

## Penalties

	€
• Late submission of VAT Return	51 each
• Late submission of VIES Return	50 each
• Omission to submit VIES Return for a period over three months*	2.562
• Late submission of corrective VIES Return	15 each
• Late registration with VAT authorities	85 per month of delay
• Omission to keep books and records for 7 years	341

\* *Criminal offence with maximum penalty*

# 11 Double Tax Treaties

## Withholding taxes- paid to Cyprus

	Dividends %	Interest %	Royalties %
Armenia	-	-	-
Austria	10	-	-
Belarus	5/10/15	5	5
Belgium	10/5	10	-
Bulgaria	5/10	-/7	10
Canada	15	-/15	-/10
China	10	10	10
Czech Republic	10	-/10	-/5
Denmark	10/15	-/10	-
Egypt	15	15	10
France	10/15	-/10	-/5
Germany	10/15	-/10	-/5
Greece	25	10	-/5
Hungary	5/15	-/10	-
India	10/15	-/10	10/15
Ireland	-	-	-/5
Italy	15	10	-
Kuwait	10	-/10	-/5
Kyrgyzstan	-	-	-
Lebanon	-/5	-/5	-
Malta	-	-/10	10
Mauritius	-	-	-
Moldova	5	5	5
Montenegro	10	10	10
Norway	-/5	-	-
Poland	10	-/10	5
Romania	10	-/10	-/5
Russia	5/10	-	-
San Marino	-	-	-
Serbia	10	10	10

(cont'd)	Dividends %	Interest %	Royalties %
Seychelles	-	-	-/5
Singapore	-	7/10	10
Slovakia	10	-/10	-/5
Slovenia	10	10	10
South Africa	-	-	-
Sweden	-/15	-/10	-
Syria	-/15	-/10	10/15
Tadzhikistan	-	-	-
Thailand	10	10/15	5/10/15
Ukraine	-	-	-
United Kingdom	15	10	-/5
United States	5/15	-/10	-

*The above table provides a summary of the withholding taxes applicable for payments to Cyprus companies from double tax treaty countries.*

## **Dividends**

No withholding taxes exist for dividend payments which are made to non tax residents of Cyprus.

## **Interest**

No withholding taxes exist for interest payments which are made to non tax residents of Cyprus

## **Royalties**

No withholding taxes are levied on royalties as long as the right is used outside Cyprus. If the right is used in Cyprus, the rates appearing in the table in the previous page apply.

## 12 Tax Due Dates

### End of following month

- Payment of tax deducted from employees salary (PAYE)
- Payment of special contribution for defence on dividends and interest received in the preceding month

### 30 January

- Final deadline for the avoidance of penalty of 5% for the payment of corporation tax based on the tax return of the penultimate year, if not paid on 1 August of previous year
- Submission of declaration of deemed dividend distribution (IR 623) for the year ended 31 December two years ago

### 30 April

- Submission of the previous year personal returns of individuals where their gross income arises exclusively from salaried services- see note (1)
- Payment of premium tax for life insurance companies - first instalment
- Submission by employers of the total payroll/analysis of the previous year ( Form IR7)

### 30 June

- Submission of previous year personal returns of individuals not preparing audited financial statements – see notes (1) and (2) below
- Payment of personal tax under self assessment method
- Payment of special contribution for defence for the first six months of the year

## **1 August**

- Submission of provisional tax declaration and payment of first instalment of provisional tax for the year
- Payment of previous year's final corporation tax under the self-assessment method
- Payment of previous year's income tax under the self assessment method by individuals preparing audited financial statements – see note (2)

## **31 August**

- Payment of premium tax for life insurance companies - second instalment

## **30 September**

- Payment of provisional tax – second instalment
- Payment of immovable property tax for the year

## **31 December**

- Submission of previous year's audited financial statements and tax returns
- Payment of provisional tax – third and last instalment
- Payment of special contribution for defence for the last six months of the year
- Payment of premium tax for life insurance companies- third and last instalment



## Interest and penalties

The official rate, as set by the Finance Minister is 5,35 percent per annum for all amounts outstanding after 1 January 2010. The interest rate for amounts outstanding before 1 January 2010 is 8 percent and for amounts outstanding before 1 January 2007 is 9 percent.

In addition to the interest, a penalty is also charged depending on the circumstances.

### Notes

- (1) Physical persons submit returns only when their gross income exceeds €19.500
- (2) A physical person is obliged to submit audited financial statements if his/her turnover exceeds €68.344 annually

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Please do not hesitate to contact us at any of our offices.

# Contact Details

## Nicosia

75 Prodromou Avenue  
Oneworld Parkview House  
PO Box 25207  
Nicosia 1307  
T +357 22495707  
F +357 22495717  
info@bdo.com.cy

**Members of the Board:** Karlos Zangoulos (in charge of office)  
Panicos Constantinou  
**Service director:** Terry Kiely  
**Senior tax consultant:** Ninos Korellis

## Limassol

146 Arch. Makarios III Avenue  
Alpha House, 4th floor  
PO Box 51681  
Limassol 3507  
T +357 25735450  
F +357 25735455  
limassol@bdo.com.cy

**Members of the Board:** Rois Potamitis (in charge of office)  
Yiannis Kapetanios

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