

Dear Readers:

The purpose of this **Tax Bulletin # Administrative Council of Tax Appeals** is to inform our clients and those interested in the main issues being discussed and decided in this court.

In this 119th edition of our note, we comment a decision in which the Higher Chamber of Tax Appeals (“CSRF”) considered, unanimously, that, after the publication of Complementary Law 160/2017 – published with the purpose of regulating the deliberation of tax incentives – no further requirements may be made regarding investment subsidy other than those provided for in Article 30 of Law 12,973/2014. The requirements currently provided by the law are: (i) the State’s intention to stimulate the implementation and expansion of enterprises; and (ii) the registration of the subsidy in reserve of the taxpayer’s profits.

We also commented on a decision in which CSRF analyzed the legal nature of tax loss balances and of negative basis of the Social Contribution on Net Profit (“CSLL”), used for tax debits payment in the scope of Provisional Measure (“MP”) n° 470/09, for the levy of Corporate Income Tax (“IRPJ”) and CSLL.

Schneider, Pugliese, Sztokfisz, Figueiredo e Carvalho Advogados is available to its clients should they have any questions on the decisions commented in this newsletter.

Also, if requested, we are fully available to translate our Tax Bulletin to English.