

On the de-registration of tax entities

Persons registered at the Tax Authority can be de-registered in the following cases:

- Natural and legal persons, pursuant to the law “On National Business Centre”;
 - Non-profit organizations, based on a court decision;
 - Tax representatives, upon fulfilling the tax liabilities as such;
 - Persons that, pursuant to the law on bankruptcy, have been declared as bankrupt by a final court decision;
 - Public legal persons, pursuant to the respective legislation defining their activity;
- ❖ The date of de-registration of the taxpayer at the Tax Administration shall be considered the date of de-registration at the NBC or court. The date of de-registration for persons self-employed in trade activities or ambulant service, head of the family that employs individuals as house workers, caretakers, etc., of such nature, of the tax representatives and farmer, shall be the date when the Tax Administration approves their de-registration, but which takes effect on the date of submitting the request for de-registration.
- ❖ Upon receiving the request for de-registration from the taxpayers, the National Business Centre or the court shall immediately inform the competent tax authority to register the opening of procedures for liquidation or the request for de-registration of the natural person or the application for de-registration of the legal person even in the case of an application for de-registration without performing liquidation.
- ❖ The competent tax authority, within 10 working days from the date of submission of the request to de-register, pursuant to paragraph 3 of this Article, shall verify the tax situation of the entities and at the same time inform the NBC or the court and the entity. When, based on the risk analysis, the tax authority deems that it is necessary to conduct an inspection on the business premises where the entity operates, then this deadline cannot be longer than 30 working days, including the inspection.
- ❖ The National Business Centre or the court cannot perform the de-registration if, within the deadline of 30 days, mentioned in paragraph 4 of this Article, the Tax Administration rejects in writing the de-registration. Such rejection to de-register the taxpayer from the Tax Administration shall indicate the amount of outstanding tax liabilities of the taxpayer as well and, in case of a legal person, the fact that he has not submitted financial statements for the closure of activity till the moment of liquidation, or has not submitted the tax declarations.

- ❖ In case the tax authority does not respond to the NBC or court within the deadline, the NBC or court shall automatically de-register the entity and inform on the same day the Tax Authority and taxpayer as well.

When the entities registered at the National Business Centre or court appear to have tax liabilities, they shall be automatically de-registered upon having paid all the tax liabilities, including liabilities that arise in case when the de-registration is carried out with liquidation. When the entity pays the tax liabilities, the tax authority shall immediately after inform the NBC or the court and entity, that the entity does not have any outstanding tax liabilities.

- ❖ When the rejection to de-register from tax authorities comes due to the failure to submit financial statements or tax declarations, then, upon submitting them, the competent tax authority shall immediately after withdraw the rejection for de-registration and the National Business Centre immediately de-registers the taxpayer.
- ❖ If, despite the payment of liabilities, for which de-registration has been rejected, the competent tax authority has not withdrawn the rejection, then the entity shall submit at the National Business Centre the document certifying the payment of these tax liabilities. In such case, the National Business Centre shall immediately de-register the entity and immediately inform the competent tax authority and taxpayer.
- ❖ Tax de-registration shall not eliminate the existing tax liabilities and shall not prevent the Tax Administration from evaluating and collecting the tax liabilities.
- ❖ Pursuant to this Article, from the very first moment when the de-registration procedure begins till the final de-registration, the taxpayers shall be simultaneously informed on any procedure performed by the tax authority and NBC.