



How Will Your Company be Affected by Changes to Online Cash registers?

As of July 1, 2019, changes in legislation concerning the use of online cash registers will come into effect. We would like to point out that the draft law approving the amendments has already passed the 3rd stage of consideration, and we believe that it will come into effect before July 1.

The use of online cash registers has already become mandatory for a number of transactions with individuals (see <https://schneider-group.com/en/news/online-cash-register-russia/>). Thus, companies may not specialize in trading operations, but still fall within the scope of the law 54-FZ.

These companies are already obliged to apply the cash registers under the law:

- Retail trade companies
- Companies that accept payment:
 - by electronic means of payment (bank cards, WebMoney, Paypal, Yandex.money or similar services, transfers from mobile phone accounts)
 - from individuals for goods, services, or when repaying earmarked credits, if individuals make transfers through the bank's personal account or from their current accounts

WHAT WILL CHANGE AFTER JULY 1, 2019?

In short, the obligation to provide a receipt will appear for all types of cashless payments to individuals.

- The obligation to issue a receipt will also appear in the following transactions:
 - Issuance of loans to individuals to pay for goods, works, and services
 - Withholding sums from the employee's salary to pay for goods, works, and services, including uniforms/li>
 - Offsetting and refunding advance payments and the advance payments made/received from the individual
 - Receipt of cashless transfers from the individual through the bank's operator for goods, works, and services

The Law 54-FZ emphasizes the need to make payments using online cash registers, if such payments are for goods, works and services. If the settlement does not involve such payments, for example, the organization provides a non-earmarked loan to an employee, there is no need to issue a receipt.

If your company provides services or transfers goods outside of the office, it is permitted to use an online cash register located outside the settlement location. In these cases, instead of issuing a receipt from the cashier, it will be possible to show a QR code at the display of a mobile device so that the buyer can scan it.

More organizations and individual entrepreneurs will be obliged to issue receipts. When confirming the amounts, accounting departments will need to check the set of documents provided by employees more attentively. If employees receive a QR code instead of a receipt from the cashier, they will need to install an appropriate application and print the checks to confirm the expenses on advance reports.

WHAT SHOULD NON-TRADING COMPANIES DO?

Considering the forthcoming changes, a company will need to issue a check even if it is a one-time operation on sale of goods or used property to an employee or an outside individual. According to comments from Federal Tax Service representatives, there will be no exceptions for one-off transactions.

Companies may enter into a contract with a payment agent (a company that provides electronic payment services). The payment agent takes over the transfer of data to the Federal Tax Service and the online cash desk is registered with the payment agent.

Companies may also rent a cash register, in which case the cash register will be registered to the organization, and the provider-lessor will provide services for its maintenance.

WHAT IS THE PENALTY FOR NON-PERFORMANCE?

Failure to use the online cash register in cases established by the legislation of the Russian Federation shall result in the imposition of a fine:

- for officials – from 1/4 to 1/2 of the amount of the transaction without the use of the online cash register, but not less than RUB 10,000
- for the organization – in the amount from 3/4 to the full amount of the transaction without the use of the online cash register, but not less than RUB 30,000

Failure to provide the buyer (client) with a cash voucher or a strict reporting form, or failure to submit these documents in electronic form to the buyer (client) at his request:

- on officials – warning or administrative penalty of RUB 2,000
- on organizations – warning or administrative penalty of RUB 10,000