

Edenred Romania SRL

Ticket Cresa - regimul fiscal de la 1 ianuarie 2016

QUALITY TAX ADVICE, GLOBALLY

17 noiembrie 2015



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Despre Ticket Cresa

- ❖ Ticket Cresa este un produs ce se adreseaza angajatorilor care, ca parte a politicii sociale, doresc sa le ofere salariatilor proprii, care nu beneficiaza de concediul si indemnizatia acordate pentru cresterea copilului in varsta de pana la 2 ani, respectiv 3 ani in cazul copilului cu handicap. Ticket Cresa indeplineste caracteristicile cerute de Legea nr. 193/2006 *privind acordarea tichetelor cadou si a tichetelor de cresa* pentru a se califica drept tichet de cresa.
- ❖ Valoarea nominala lunara a tichetelor de cresa, pentru fiecare copil aflat la cresa, este in prezent de 440 lei.
- ❖ Prezentarea acopera principalele considerente fiscale in legatura cu acordarea acestor tichete in baza prevederilor Legii nr. 227/2015 *privind Codul fiscal* ("CF"), in vigoare incepand cu 1 ianuarie 2016.

Deductibilitate

- Cheltuielile rezultate din acordarea tichetelor de cresa in conditiile legii se incadreaza ca si “cheltuieli sociale” in baza contractului colectiv de munca sau a unui regulament intern al angajatorului.
- Cheltuielile sociale sunt deductibile in limita unei cote de pana la **5% din valoarea cheltuielilor cu salariile personalului** pentru calculul **impozitului pe profit** (art. 25 alin. (3) lit. b) din CF), respectiv la calculul **venitului net anual din activitati independente** determinate in sistem real, de ex. PFA (art. 68 alin. (5) lit. c) din CF).

Contributii sociale obligatorii

- **Angajatorul nu datoreaza contributii sociale obligatorii** pentru tichetele de cresa acordate angajatilor proprii in baza contractului de munca, in conditiile legii (art. 142 lit. r), 158 alin. (1), 188, 195 alin. (2), 204 alin. (2) si 212 alin. (2) din CF).

Impozit pe venit

- Tichetele de cresa acordate angajatilor proprii in conditiile legii **sunt supuse impozitului pe venit in prezent in cota de 16%** (art. 76 alin. (3) lit. h) din CF).

Contributii sociale obligatorii

- Angajatii nu datoreaza **contributii individuale de asigurari sociale** pentru tichetele de cresa acordate de angajator in baza contractului de munca, in conditiile legii (art. 142 lit. r), 157 alin. (2) si 187 alin. (2) din CF).

•• Quality tax advice, globally

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ABOUT TAXHOUSE

TAXHOUSE is a high-end independent tax advisory firm offering a comprehensive and integrated range of tax consultancy and compliance services.

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