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A FINAL DEFAULT OF A SHAREHOLDER LOAN MUST BE TAKEN INTO ACCOUNT AS A LOSS ON INCOME FROM CAPITAL ASSETS - THIS IS WHAT SHAREHOLDERS SHOULD CONSIDER IN THE FUTURE

THE FEDERAL COURT OF FINANCE [*BUNDESFINANZHOF - BFH*] PASSED AN INTERESTING DECISION (FILE NO. VIII R 13/15), REGARDING THE DECISION OF THE BFH (FILE NO. IX R 36/15) IN Q4: ACCORDINGLY, THE FINAL DEFAULT OF A LOAN LEADS TO A LOSS RECOGNIZED FOR TAX PURPOSES WHICH MUST BE TAKEN INTO ACCOUNT ON INCOME FROM CAPITAL ASSETS. IT CAN BE ASSUMED THAT THIS ALSO APPLIES TO SHAREHOLDER LOANS AND A SHAREHOLDER MAY EVEN BENEFIT FROM A HIGHER TAX RECOGNITION THAN WITH A CONSIDERATION AS SUBSEQUENT ACQUISITION COSTS. ([more...](#))