

27. March 2019

## HOPEFUL START OF LOSS DEDUCTION FOR CORPORATIONS

BY RESOLUTION OF 29 MARCH 2017 THE FEDERAL CONSTITUTIONAL COURT [*BUNDESVERFASSUNGSGERICHT - BVERFG*] DECIDED THAT THE PROPORTIONATE FORFEITURE OF TAX LOSSES PURSUANT TO SECTION 8C PARA. 1 SENTENCE 1 GERMAN CORPORATION TAX ACT [*KÖRPERSCHAFTSTEUERGESETZ - KSTG*] OLD VERSION IS UNCONSTITUTIONAL AND CALLED ON THE LEGISLATOR TO PASS NEW REGULATIONS BY 31 DECEMBER 2018 WHICH SHOULD ELIMINATE THE INFRINGEMENT OF THE CONSTITUTION RETROACTIVELY AS OF 1 JANUARY 2008. THE LEGISLATOR IMPLEMENTED THIS BY REMOVING WITHOUT REPLACEMENT THE REGULATIONS ON PROPORTIONATE FORFEITURE OF TAX LOSSES RETROACTIVELY AS OF 1 JANUARY 2008 BY PASSING THE “LAW FOR THE AVOIDANCE OF SALES TAX LOSSES WHEN TRADING GOODS ON THE INTERNET AND FOR THE AMENDMENT OF FURTHER LAW REGULATIONS” ([*GESETZ ZUR VERMEIDUNG VON UMSATZSTEUERAUSFÄLLEN BEIM HANDEL MIT WAREN IM INTERNET UND ZUR ÄNDERUNG WEITERER STEUERLICHER VORSCHRIFTEN - USTAVERMG*], ALSO KNOWN UNDER ITS ORIGINAL NAME “ANNUAL TAX ACT 2018”). [\(more...\)](#)