

Tax Monitoring as an imperative area of Tax Management in the Russian Federation

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Abstract

Today the Federal Tax Service of the Russian Federation is one of the most modern and open departments, which successfully copes with a wide range of tasks. It is important to note that the tax authorities of our country are constantly improving the quality of tax administration, digitizing services and services, making them as convenient as possible for various categories of taxpayers. A modern area of tax administration is the tax monitoring procedure aimed at creating more transparent and open procedures for monitoring compliance with tax legislation by certain categories of legal entities.

Keywords: tax control, tax monitoring, holding, foreign company, rules of information interaction

In Russia, as in most countries of the world, an information society is being formed. In all spheres of economic activity, digitalization processes are being implemented, which will ensure the interests of civil society and the development of innovations. The task of domestic and foreign policy is to form a national digital economy.

All these and many other aspects are reflected in the national program "Digital Economy", designed for the period up to 2024, which in turn implies the foreseen allocations from the federal budget, while the trend of funds allocated for these purposes is positive and with each year is gaining momentum.

It is worth noting that modern digital technologies determine big data management systems, both in business and in the state system of document flow and office work. The digitalization of accounting and control systems permeates all industries, including in the field of taxation and tax administration and control. There is a modernization of tax administration sags by means of modern programs and computer technologies, which in turn transforms the very model of exercising the functions of tax control and supervision over the observance of tax legislation in our country. This, in turn, changes the existing patterns of behavior of taxpayers in terms of fulfilling their tax obligations.

This interaction should be based on the principles of openness and transparency, and the guarantee of the protection of taxpayers' data in aggregate will increase the level of trust and loyalty to the authorities. The main focus in this area is becoming big data centers. On the platforms of the central office of the Federal Tax Service of Russia, there is a process of automation of systems for working with documentation, as well as the use of digital technologies in the process of processing tax reports of various categories of taxpayers.

Tax monitoring is one of the modern forms of tax control over compliance by taxpayers with legislation on taxes and fees by tax authorities. This form of control is to a certain extent new - it was introduced and applied only from January 1, 2015. The main principles are as follows: open dialogue with tax authorities; maximum transparency for the tax authority; exemption from tax audits; obtaining a reasoned opinion on the interpretation of tax legislation; no fines.

In the process of tax monitoring, the tax authority connects to the taxpayer's database or data provided by the taxpayer and looks at how taxes are calculated and paid almost in real time. The advantages of tax monitoring become obvious, since there is a reduction in labor costs for accompanying tax audits and a reduction in the number of tax audits.

Tax monitoring is currently carried out on a voluntary basis, based on the relevant application of the organization and the decision of the tax authority to conduct it (paragraphs 1 and 2 of article 105.26 of the TC RF).

To switch to tax monitoring, a company must assess the quality of accounting data and the degree of automation of accounting processes, as well as their compliance with the requirements of the tax authority. In the process of preparation, the company must develop a methodology for disclosing tax indicators and present the architecture of automated solutions that underlie the implementation of this system. In the process of preparing this system, which precedes the submission of an application for the transition to tax monitoring, methods of information interaction with tax authorities are also being developed, as well as the development and documentation of a system of internal communications and controlling. Debugging the tax

monitoring system, through its integration, is directly related to the formation of the so-called data mart, to which the tax authority will have access. In the process of tax monitoring within the organization, as a rule, the existing IT systems are being finalized, which are aimed at forming an effective accounting and reporting system [3].

Organization of tax monitoring for legal entities is important:

- the company gains trust in the system of interaction with government agencies and partners;
- office and field audits are not carried out during the period of tax monitoring.

There are exceptions - inspections can be carried out when VAT or excise tax is refunded, the amount of tax payable is reduced or the loss is increased compared to the previous declaration, monitoring is terminated early, the declaration is submitted later than July 1 of the year following the controlled year.

In 2021, in accordance with Federal Law № 470-FZ of December 29, 2020, the criteria and conditions for the transition to tax monitoring have been significantly reduced [1]:

- the amount of income for the year preceding the year of submission of the application - at least 1 billion rubles (before 1.07.2021 - at least 3 billion rubles);
- the total value of assets as of December 31 of the year preceding the year of filing the application - - at least RUB 1 billion (before 07.01.2021 - at least 3 billion rubles);
- the amount of taxes for the year is at least 100 million rubles, including income tax of 300 million rubles - corporate income tax, mineral extraction tax, value added tax, excise taxes).

At the same time, we note that the disadvantages of tax monitoring include constant tax control by the tax authorities, as well as the risk of leakage of confidential information and high requirements for the internal control system in the organization.

If the decision is positive, monitoring begins on January 1 of the next year. If the organization does not want to continue monitoring during the second year, it is necessary to submit a tax waiver application no later than December 1 of the controlled year. If there is no such application, the monitoring is automatically extended for another two calendar years. That is, if the company was registered in 2020 and during 2021 is a participant in the monitoring, then in order for there to be no monitoring in 2022, it is necessary to submit an application for refusal by December 1, 2021. If there is no statement, monitoring will continue in 2022 and 2023.

The monitoring covers one calendar year: from January 1 to December 31. The tax office must complete it by October 1 of next year.

The tax office conducts it on its territory on the basis of declarations and credentials from the database to which the organization gives access.

The Inspectorate of the Federal Tax Service of Russia, where the taxpayer is registered, has the right to:

- request documents, information on the calculation and payment of taxes, fees, insurance premiums;
- require written or oral explanations on the merits of the request;
- attract specialists and experts.

Documents or information on request is sent to the tax office in the form of certified copies:

- in paper form - through an authorized representative or by mail;
- in electronic form, via telecommunication channels.

The organization has a period of 10 days to prepare documents in the process of tax monitoring. If this time is not enough, a grace period may be granted. The documents are requested by the tax authority only once.

If the tax inspectorate reveals errors during tax monitoring, they form the basis of a reasoned opinion that is sent to the taxpayer. If the taxpayer has no objections to this opinion of the tax authority, then he is obliged to comply with the instructions of the tax authority carrying out tax monitoring. If there are objections, then the material is formed on them within a month, and then sent to the tax authority for a mutual agreement procedure. A motivated opinion of the tax authority may be requested by the taxpayer himself, if clarification is required regarding the current legislation.

If an organization violates the rules of interaction - does not provide documents or gives inaccurate information, monitoring may be terminated ahead of schedule. The Inspectorate of the Federal Tax Service of the Russian Federation will notify the organization in writing within 10 working days after the occurrence of the circumstances, but no later than September 1 of the year following the control year.

From January 1, 2021, tax authorities have been conducting tax monitoring in relation to 209 companies - 114 new and 95 existing members. In 2022, tax monitoring is planned for 3879 companies. By 2024, it is planned to achieve the value of interaction between tax authorities and legal entities in the process of tax monitoring in the amount of 7827 organizations [2].

Currently, 93% of taxpayers provide the Federal Tax Service of Russia with remote access to their credentials or data marts, which are integrated with the information management system of enterprises with built-in control procedures. This allows the tax authority to use the possibility of remote control and reduce the volume of document retrieval.

According to the results of the bid campaign - 2020, all new participants can be divided into two groups: large holdings that transfer their subsidiaries to tax monitoring, and independent companies.

So, since 2021, 10 companies of the Rosneft group have joined tax monitoring, including PJSC "NK Rosneft", 17 subsidiaries of the Gazprom group, five subsidiaries of the Novatek group, four subsidiaries of the Lukoil group, Norilsk Nickel and the Moscow Exchange.

There are many foreign companies among the new participants: Procter & Gamble with two subsidiaries, Leroy Merlin, METRO Cash & Carry, Nestlé, Ferrero, Tikkurila.

In addition to the aforementioned vertically integrated production and commercial structures, seven companies, which are administered by the territorial tax authorities, have recently submitted applications for tax monitoring. These are such structures as Rusnano, St. Petersburg Oil Terminal, Simferopol International Airport, Federation Tower. These taxpayers, in accordance with their will, will be administered in terms of fulfilling their tax obligations at the interregional level.

The goal-setting of the central office of the Federal Tax Service of Russia is based on the desire to be a reliable partner for the taxpayer by reducing tax risks in business. The Federal Tax Service of Russia forms and publishes ready-made forms and formats, which are then used by the financial structures of the largest taxpayers. The task of financial structures is to combine the formats developed by the Federal Tax Service of Russia with their own system of financial and tax accounting and control. The position of the Federal Tax Service of Russia is transparency in the formation and tracking of tax liabilities of legal entities administered in the structure of the central office and in regional structures.

In 2020, structures in the Federal Tax Service of Russia began to develop universal structured machine-readable document formats. These developments fully comply with the processes of digitalization of the economy and are based on open platform-independent languages and standards. Already in the third quarter of 2020, the structures of the Federal Tax Service of Russia will introduce new formats of such documents, which will be submitted along with the statement of taxpayers intending to switch to the process of tax administration as part of tax monitoring.

This direction is due to the fact that a new format of information interaction regulations was also developed and implemented. Within the framework of such regulations, approaches to the organization of the internal control system, accounting policies that must be organized at the taxpayer are systematized, or shortcomings in such an organization must be brought to the attention of taxpayers. This has already yielded results - for example, 32 taxpayers made a

decision and prepared documents on their desire to interact with tax authorities within the framework of tax monitoring in new forms and formats.

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