

TAX NEWS NO: 2013/1

January 01, 2013



Subject:

Resource Utilization Support Fund Rates applicable for foreign exchange and gold loans obtained from abroad

Council of Ministers Resolution no. 2012/4116 which has made amendments to various tax rates was promulgated in the Official Gazette dated 01 January 2013.

As per the Article 11 of the above mentioned resolution, Resource Utilization Support Fund ("RUSF") rates for foreign exchange and gold loans obtained from abroad by entities other than banks and financing companies have been rearranged.

As such, the scope of the RUSF exemption on the foreign exchange and gold loans obtained from non-resident entities have been narrowed.

New Legislation (i.e. applicable on the loans to be borrowed after 01.01.2013)

- RUSF at 3% is due on the principal amount paid on foreign exchange and gold loans borrowed from non-resident parties with an average maturity period of less than one year.
- RUSF at 1% is due on the principal amount paid on foreign exchange and gold loans borrowed from non-resident parties with an average maturity period between 1 year and 2 years.
- RUSF at 0.5% is due on the principal amount paid on foreign exchange and gold loans borrowed from non-resident parties with an average maturity period between 2 years and 3 years.
- No RUSF is applicable over foreign exchange and gold loans borrowed from non-resident parties with an average maturity period of more than 3 years.

On the other hand, no amendment has taken place with regard to the TL denominated loans

obtained from non-resident entities. Accordingly, RUSF at 3% is due on interest paid on all TL denominated loans borrowed from non-resident parties (i.e. regardless of the maturity period of the loan).

Yours sincerely,
Deloitte Turkey

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee, and its network of member firms, each of which is a legally separate and independent entity. Please see www.deloitte.com/about for a detailed description of the legal structure of Deloitte Touche Tohmatsu Limited and its member firms.

These materials and the information contained herein are provided by Deloitte Turkey and are intended to provide general information on a particular subject or subjects and are not an exhaustive treatment of such subject(s).

Accordingly, the information in these materials is not intended to constitute accounting, tax, investment, consulting, or other professional advice or services. The information is not intended to be relied upon as the sole basis for any decision which may affect your personal finances or business, you consult a qualified professional adviser.

These materials and the information contained therein are provided as is, and Deloitte Turkey makes no express or implied representations or warranties regarding these materials or the information contained therein. Without limiting the foregoing, Deloitte Turkey does not warrant that the materials or information contained therein will be error-free or will meet any particular criteria of performance or quality.

Deloitte Turkey expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, fitness for a particular purpose, non-infringement, compatibility, security and accuracy.

Your use of these materials and information contained therein is at your own risk, and you assume full responsibility and risk of loss resulting from the use thereof. Deloitte Turkey will not be liable for any special, indirect, incidental, consequential, or punitive damages or any other damages whatsoever, whether in an action of contract, statute, tort (including, without limitation, negligence), or otherwise, relating to the use of these materials or the information contained therein.

© 2012 Deloitte Global Services Limited