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Tax Alert
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In this issue:

Emergency Ordinance no. 8/2026 on the establishment of measures for economic recovery, increase of productive investments and competitiveness, as well as for the amendment and completion of some normative acts in the fiscal-budgetary field

The main changes concern:

- Introduction of the tax credit for eligible research and development (R&D) expenditures, constituted in such a way as to align with the requirements to be considered a qualified refundable tax credit from the perspective of the global minimum tax.
- Introduction of the 3% tax bonus for voluntary compliance for 2025.

The Emergency Ordinance no. 8/2026 for the completion of Law no. 207/2015 on the Fiscal Procedure Code, as well as some fiscal-budgetary measures

I. Changes regarding corporate income tax

1. Introduction of a new tax credit and extension of the list of non-taxable income

The amendments introduce an optional tax credit for eligible research and development (R&D) expenses, structured as a qualified refundable tax credit for Pillar Two purposes. The credit applies as an alternative to the additional 50% deduction currently provided under Article 20 of the Fiscal Code. The credit directly reduces the corporate income tax due. Any excess amount is treated as non-taxable income, thereby preventing double taxation. These provisions apply as of 1 January 2026.

The list of non-taxable income is expanded to include the excess resulting from the R&D tax credit, as well as the amounts representing the bonus granted by ANAF for voluntary compliance. These measures increase fiscal flexibility and apply starting with the 2026 fiscal year.

2. Tax exemption of reinvested profit

For 2026, taxpayers benefiting from the reinvested profit exemption may also apply accelerated depreciation (subgroups 2.1 and 2.9.9) to eligible reinvested assets, allowing faster cost recovery. Specific rules are also introduced regarding the creation and use of the legal reserve related to reinvested profit, with the aim of supporting productive investments. These measures apply for the period 1 January – 31 December 2026.

3. Value threshold for depreciable fixed assets

The value threshold for depreciable fixed assets is increased from RON 2,500 to RON 5,000. Assets below this threshold may be treated as immediately deductible expenses.

4. Permanent deadline for filing the annual return

The filing deadline for the annual corporate income tax return is permanently set at 25 June for taxpayers applying the calendar year. For taxpayers applying a modified fiscal year, the return must be filed within six months from the end of the relevant fiscal year.

5. Other changes

a. Additional deduction for listing-related expenses

An additional 50% deduction is introduced for expenses related to the admission and maintenance of shares for trading on a regulated market or within an alternative trading system. The specific categories of eligible expenses will be detailed in a subsequent order of the Minister of Finance. This measure applies as of 2026.

b. 3% bonus for voluntary compliance

A 3% tax bonus is granted for corporate income tax, micro-enterprise income tax and minimum turnover tax due for 2025 (or for the modified fiscal year starting in 2025). The bonus is conditional upon the timely payment of the tax due and the timely submission of all required tax returns.

6. Investment incentives and corporate income tax credits

In order to support economic growth, new state aid and de minimis schemes will be implemented in the form of grants or tax credits. These schemes target areas such as high-technology research and development, tourism development, innovation in entrepreneurship and digital transformation.

Under these schemes, the tax credit represents a fixed amount calculated based on an algorithm established by the relevant state aid provisions. The credit reduces the corporate income tax due for the fiscal years falling within the incentive period and is granted starting with the quarter following the commissioning of the financed investment.

If the beneficiary company records a tax loss within the first two years following the commissioning of the investment, the period for granting the tax credit may be extended by up to two additional years.

II. Changes regarding the micro-enterprise income tax

For micro-enterprises, the EUR 100,000 turnover threshold will no longer include income derived from the transfer of fixed assets and land, thereby facilitating the maintenance of the micro-enterprise regime. Re-entry into the micro-enterprise regime will be possible as of 1 January of a calendar year, provided that the legal conditions are met. The conditions related to the existence of at least one employee are adjusted to allow greater flexibility regarding hiring and maintaining employment.

In addition, the taxable base will exclude the bonus granted by ANAF for voluntary compliance.

All these changes apply as of 2026.

III. Changes to Value Added Tax (VAT)

With respect to VAT, the Emergency Ordinance introduces the following key amendments:

- a phased increase of the turnover threshold for applying the VAT cash accounting system, from RON 4,500,000 to RON 5,000,000 for the period 1 March – 31 December 2026, and further to RON 5,500,000 starting with 1 January 2027;
- transitional rules for taxable persons applying the VAT cash accounting system who exceed the RON 4,500,000 threshold in January or February 2026 but do not exceed RON 5,000,000. In such cases, taxpayers will not be removed from the Register of persons applying the VAT cash accounting system and will not be required to submit a notification for exiting the system;
- clarifications regarding the calculation of turnover, eligibility conditions, rules for remaining in or exiting the system, as well as the procedure for notification and updating the Register of persons applying the VAT cash accounting system, through amendments to Articles 282 and 324 of the Fiscal Code.

IV. Changes regarding income tax

1. Extension of deductible categories for self-employed income and employment income

For the purposes of calculating income tax on self-employed activities and employment income, new deductible categories are introduced, namely:

a) contributions paid by individuals to occupational pension funds and to pan-European personal pension products (PEPPs) authorised by the Financial Supervisory Authority or by entities authorised in a state adhering to the OECD Codes of Liberalisation; and
b) amounts paid by individuals for the acquisition of shares, bonds or ETFs through Romanian intermediaries or non-resident tax residents operating in Romania through a permanent establishment acting as an intermediary.

Each of the above deductions is granted within a ceiling of EUR 400 per year per individual.

2. Extension of non-taxable salary income

Employer contributions to occupational pension funds on behalf of employees are included in the category of non-taxable employment income, under conditions similar to those applicable to voluntary pension contributions.

These benefits are non-taxable within a limit of EUR 400 per year per individual and within the overall ceiling of 33% of the basic salary corresponding to the position held. This overall ceiling also applies to other benefits such as medical subscriptions and voluntary pension contributions.

3. 3% bonus for individual income tax due for 2025

By way of derogation from the Fiscal Code, a 3% bonus is granted on the income tax due by individuals for income earned in 2025 for which the filing of the single tax return is required.

The bonus is granted if, cumulatively, by 15 April 2026:

a) the income tax and mandatory social contributions (CAS and CASS) are fully settled (through payment and/or offset); and
b) the single tax return is duly filed.

The bonus is calculated by the taxpayer and disclosed separately in the single tax return.

For more details, please feel free to contact us.

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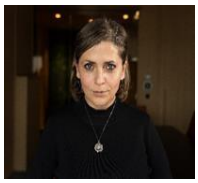

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