Coronavirus (COVID-19)

Status update | Nordic-Baltic region 25.6.2020



Content

1.	Denmark	4	
1.1	Direct business support	4	
1.2	Contracts, debts and civil law	7	
1.3	Regulatory response	8	
1.4	Working	9	
1.5	Contact in Denmark	10	
2.	Estonia	11	
2.1	Direct business support	11	
2.2	Contracts, debts and civil law	13	
2.3	Regulatory response	15	
2.4	Working	19	
2.5	Contact in Estonia	20	
3.	Finland	21	
3.	Finland Direct business support	21	
3.1	Direct business support	21	
3.1	Direct business support Contracts, debts and civil law	21 23	
3.1 3.2 3.3	Direct business support Contracts, debts and civil law Regulatory response	21 23 23	
3.1 3.2 3.3 3.4	Direct business support Contracts, debts and civil law Regulatory response Working	21 23 23 25	
3.1 3.2 3.3 3.4 3.5	Direct business support Contracts, debts and civil law Regulatory response Working Contact in Finland	21 23 23 25 26	
3.1 3.2 3.3 3.4 3.5 4.	Direct business support Contracts, debts and civil law Regulatory response Working Contact in Finland Latvia	21 23 23 25 26 27	
3.1 3.2 3.3 3.4 3.5 4.1	Direct business support Contracts, debts and civil law Regulatory response Working Contact in Finland Latvia Direct business support	21 23 23 25 26 27 27	
3.1 3.2 3.3 3.4 3.5 4.1 4.2	Direct business support Contracts, debts and civil law Regulatory response Working Contact in Finland Latvia Direct business support Contracts, debts and civil law	21 23 23 25 26 27 27 31	

Content

5.	Lithuania	35	
5.1	Direct business support	35	
5.2	Regulatory response	40	
5.3	Working	44	
5.4	Contact in Lithuania	45	
6.	Sweden	46	
6.1	Direct business support	46	
6.2	Contracts, debts and civil law	47	
6.3	Regulatory response	48	
6.4	Working	49	
6.5	Contact in Sweden	50	
7.	Rödl & Partner in the Nordic-Baltic Region 51		

1. DENMARK

Latest news:

- After opening the borders for European citizens, several test cars where citizens of Denmark can get tested for Covid-19 have been installed in central Jutland.
- Travelers to Bornholm are offered to be tested for Covid-19 when entering the island.

Country overview: 1.1 Direct business support

- Sick leave due to COVID-19
- Salary-compensation
- Compensation for self employed
- Compensation for fixed costs
- Oher government measures

The Danish government has decided on several measures to provide financial support to Danish employers to counter impending layoffs. Some measures have already entered into force, others are currently still in the legislative process:

PAYMENT OF WAGES FOR SICK LEAVE DUE TO COVID-19 INFECTION OR ORDERED QUARANTINE

If employees are sick due to an infection with the Sars-CoV-2 virus the employer is entitled to reimbursement of daily sickness benefits from the first day of sickness.

The reimbursement of wages is applicable to the state daily sickness benefit rate. This is currently approximately 14.300 DKK a month. Salary that exceed this amount are borne by the employer.

This right to reimbursement applies to employees who are on sick leave due to an infection with the virus, as well as to employees who have been quarantined by the doctor.

The law applies retrospectively from 27 February 2020 and until 1 January 2021. Refunds are made through the online portal www.virk.dk.

On 20 May 2020, a supplementary provision was adopted, which means that persons in the special risk group for COVID-19 and their relatives are guaranteed the right to sickness benefit if, after agreement with their employer, they will stay home from work during the reopening of Denmark if it is considered too risky to attend work. These persons will in other words receive pay or sickness benefit until 31 August 2020. Employers will receive sickness benefit reimbursement throughout the period. The new rules include persons in the special risk group or relatives of persons in the special risk group, for whom it is <u>not</u> possible to organize the workplace so that work is not considered a risk to the person and where working from home is not possible.

POSTPONE HOLIDAY

The government has introduced a new Act, which gives companies the ability to postpone holidays for the current holiday year as well as the shortened holiday year based on individual agreements or its own decision, to be taken in the following holiday year. The temporary changes to the Holiday Act will provide better flexibility for companies currently experiencing critical demand for staff.

According to these temporary rules, the right to postpone holidays is as follows:

- Holidays to be held in the 2019/2020 may be postponed to the shortened holiday year from 1 May 2020 to 31 August 2020.
- Holidays to be held in the shortened holiday year may be postponed to the subsequent period from 1 September 2020 to 31 December 2021.

The right to postpone holidays requires the existence of unpredictable circumstances beyond the control of the company, e.g. where the company is affected by several cases of sickness or quarantine among its employees because of COVID-19.

SALARY-COMPENSATION FOR COMPANIES THAT ARE FACING DISMISSAL OF EMPLOYEES

The Danish government together with the Danish labour market parties (unions and employer associations) agreed on a fixed-term compensation scheme to companies that suffer from lack of work to counter impending layoffs in the private sector.

Employers who would have to lay off more than 30 percent of their workforce or more than 50 employees due to lack of work or other corona-related consequences can receive a state salary compensation for a maximum of four months if, in return, they <u>commit to not terminating any employees</u> and instead send the employees home during the period while continuing to pay full salary.

The following state salary compensation can be applied for:

- For full-time employees up to 75 percent of the salary, max. however, 30.000 DKK a month.
- For hourly-paid employees up to 90 percent of the salary, max. however, 30.000 DKK a month.

Employees are not allowed to work during the period for which compensation is requested. In addition, 5 days of vacation or time of in lieu for overtime work or 5 days without salary are deducted for each employee who compensation is applied for.

On 5 June 2020, the government decided to extend the salary compensation scheme until 29 August 2020. It is however, currently only possible to apply until and including 8 July 2020. The application for salary compensation from 9 March 2020 to 8 July 2020 is open for applications only until 30 July 2020.

The regulation applies for the period from 9 March 2020 to 29 August 2020. Compensation is applied for via the online portal www.virk.dk.

COMPENSATION FOR SELF-EMPLOYED

Self-employed who started their business no later than 9 March 2020 and have had a turnover of min. 10.000 DKK a month in a preceding period of minimum 3 months and expect a revenue loss of minimum 30 percent, can receive financial compensation corresponding to 90 percent of the expected revenue loss.

However, the compensation amounts to a maximum of 23.000 DKK per month. In order to receive compensation, it is a requirement that:

- The self-employed has minimum 25 percent ownership of the company,
- There is a maximum of 25 employees employed in the Company,
- The company is registered in the Danish Business Register (CVR-register)
- The company must have been established by 9 March 2020.

A compensation scheme has also been introduced for self-employed without a CVR-number who, as a result of COVID-19, expects a loss of income of at least 30 percent and who have had a turnover of min. 10.000 DKK a month in a preceding period of minimum 3 months. The self-employed can receive 75 percent of the expected B-income loss, however a maximum of 20.000 DKK per month.

It should be noted that the self-employed person's personal income must not exceed 800.000 DKK in 2020.

The regulation applies for the period from 9 March 2020 to 8 July 2020. Compensation is applied for no later than 31 August 2020 via the online portal www.virk.dk.

By 8 December 2020, you must submit a statement of your actual revenue or B income loss.

COMPENSATION FOR FIXED COSTS

The Danish government introduced a fixed cost compensation scheme where companies expecting a revenue decline of minimum 35 percent during the period from 9 March 2020 – 8 July 2020 can be reimbursed for documentable fixed expenses, including, for example, rent, contract-related expenses (leasing), etc.

The following fixed costs compensation is planned:

- 80 percent if the revenue decline has been between 80-100 percent
- 50 percent if the revenue decline has been between 60-80 percent
- 25 percent if the revenue decline has been between 35-60 percent

Companies who are required to be fully closed due to a ban will be compensated during this period, corresponding to 100 percent of the fixed costs.

Maximum compensation with regard to the fixed cost compensation scheme is 110 million DKK per company. It should be noted, however, that with the payment of compensation of more than 60 million DKK, no dividends may be paid or share purchases concluded in the financial years 2020 and 2021.

However, no compensation can be applied for if the fixed expenses are less than 12.500 DKK during the period from 9 March 2020 - 8 June 2020. The regulation applies for the period from 9 March 2020 to 8 July 2020. The application for compensation for fixed expenses will be made through a separate application for the period 9 June 2020 - 8 July 2020. Compensation is applied for no later than 31 August 2020 via the online portal www.virk.dk.

COMPENSATION FOR ORGANIZERS

Organizers who have suffered loss of income due to the state ban on events can receive compensation that covers the loss of income from various sources, e.g. ticket sales, fees for artists, sales of food and beverages and merchandise.

The regulation applies to events that should have taken place between 6 March 2020 and 31 August 2020 and either:

- should have more than 350 participants or

However, the compensation must not lead to a profit.

Compensation is applied for via the online portal www.virk.dk.

The Danish Parliament has passed a law that allows small and medium-sized businesses to obtain interest-free VAT loan and payroll tax loans for certain professions. Compensation is applied for no later than 31 December 2020 via the online portal www.virk.dk.

1.2 Contracts, debts and civil law

GOVERNMENT MEASURES TO SUPPORT THE ECONOMY

- Temporary suspension of the wage tax period by 4 months
- Temporary suspension of the VAT payment deadline
- State guarantees for existing or new entrepreneur loans from Danish banks
- Compensation for organizers with events of over 1.000 people that are cancelled
- Extended access to export credits
- Public purchases that support companies
- State guarantee for the travel guarantee fund
- Extended loan options for students

Documentation requirements for the above-mentioned aid packages are extensive and some require, among other things, an independent declaration by an auditor. Various documents and information can be found on the online portal for Danish companies, however, in Danish only.

VAT PAYMENTS

For companies with an annual turnover of over 50 million DKK / 6.71 million EUR and who report and pay VAT monthly, the payment deadline is postponed by one month.

The following applies to companies with an annual turnover of less than 50 million DKK / 6.71 million EUR:

	Reporting period	Normal payment deadline	New payment deadline
Monthly reports Annual turnover of over DKK 50 Mio.	Monthly	Monthly	Deadline is postponed by one month
Quarterly reports Annual turnover of over DKK 5 Mio.	First quarter of 2020	2 June 2020	1 September 2020
Half-yearly reports Annual turnover of less than DKK 5 Mio.	First half of 2020	1 September 2020	1 March 2021 (together with the deadline for the second half of 2020)

The registration deadlines for VAT is unchanged.

Negative sales tax can be reported after the end of the reporting period and payment is normally made three weeks later.

INCOME TAX AND LABOR MARKET CONTRIBUTION

The payment period for income tax and labour market contribution was postponed by four months each for April, May and June. The reporting deadlines for the electronic income tax system are unchanged.

For employees who report their income tax themselves or are self-employed (so-called B tax), payment deadlines have been postponed as follows:

The rate of 20 April 2020 has been moved to 22 June 2020. The rate of 20 May 2020 has been postponed to 21 December 2020.

If it is already clear that the income will change significantly, the expected income in the electronic advance tax return can be reduced accordingly, so that the future tax rates will be lower.

POSTPONEMENT OF THE DEADLINE FOR TAX RETURN

The deadline for submitting all tax returns for the 2019 income year has been postponed to 1 September 2020.

The postponement applies to all those who are obliged to declare, i.e. for

- Salaried workers who receive an annual tax return with the normal deadline being 1 May 2020,
- Self-employed and people with foreign income who normally have to submit a declaration by 1 July 2020, and
- Companies and other legal entities that normally have to submit their declaration for the 2019 financial year on 31 March 2020 or later.

The postponement of the deadline is therefore of importance for companies and other legal entities whose financial year ends in the period from late September 2019 to February 2020.

<u>POSTPONEMENT OF THE DEADLINE FOR ANNUAL REPORTS AND ORDINARY GENERAL</u> MEETING

According to the previous legal situation, annual reports must be submitted no later than the end of the fifth month after the end of the financial year. Failure to meet the deadline can result in administrative fines and ultimately the forced liquidation of the company.

The submission of the annual report has now been postponed by 3 months for all companies whose financial year ends in the period from 31 October 2019 to 30 April 2020.

For the majority of companies, this means that the annual report must be reported to the Danish Business Authority no later than 8 months after the end of the financial year.

The companies are also given the opportunity to derogate from the statutory requirements for holding an ordinary general meeting at a specific time, as well as the possibility of holding a full electronic general meeting, even if the company does not have a specific provision in the articles of association allowing this.

LEAD I Rödl & Partner will be happy to support you - we will advise you to find the right measures for you, prepare the necessary documents and declarations and help you apply for the relevant state compensation.

1.3 Regulatory response

- Traveling
- Business closure

TRAVELING

Since 15 June 2020 tourists from Norway, Germany and Iceland are able to visit Denmark again if they meet a number of requirements from the authorities.

With effect from 27 June 2020, the Government will introduce a new model for opening borders and facilitating travel guides for countries in the EU and Schengen areas as well as the UK. The new model will enter into force on Saturday, June 27 2020, and a list of open and quarantine countries will be established on June 25 2020. However, based on the selected criteria, it can already be stated that the vast majority of countries in the EU, Schengen area and the UK will be allowed to travel to Denmark.

There will still be a requirement for 6-day accommodations for tourists in Denmark, unless you are an resident in Schleswig-Holstein or Skåne, Halland or Blekinge. If one of these regions is quarantined, it will still be possible to enter if negative tests can be shown at least 72 hours before entry.

In addition, a model is being developed in the subsequent phase for an model for tourists from certain third countries, which has a sufficiently developed test regime, reliable reporting and, moreover, a pandemic that is comparable to that of European countries.

However, already on 27 June 2020, the Government will extend certain recognizable purposes, which currently only apply to the EU and Schengen countries as well as the UK, to third countries. The expansion will include boyfriends, grandparents and grandchildren. However, there will be a requirement to show negative tests made at least 72 hours before entry.

After opening the borders for European citizens, several test cars where citizens of Denmark can get tested for Covid-19 have been installed in central Jutland.

Travelers to Bornholm are offered to be tested for Covid-19 when entering the island.

BUSINESS CLOSURE

Meetings of more than 30-50 people are prohibited.

The said measures will continue to apply until 31 August 2020. Furthermore, larger events, e.g. festivals are prohibited until 31 August 2020.

1.4 Working

- Home office
- Flexible working hours
- Short-time work

REMOTE WORK FOR PUBLIC SECTOR

The government has ordered that public employees can return to work.

REMOTE WORK FOR PRIVATE SECTOR

Private employers were advised to enable working from home to the extent possible, however, most employees are working from the office again.

SHORT-TIME WORK (KURZARBEIT)

Short time work is most often used for employees bound by a collective agreement and can only be established with the consent from both unions and employer organization. Employees not bound by a collective agreement may enter into an agreement with the employer in order to establish short-time work. However, please note that employees not bound by a collective

agreement must agree to short-time work. Should only 1 employee not agree hereto, short-time work cannot be established for any employees of the company.

Following short-time work is possible:

- Working hours can be reduced by at least 2 full days per week
- Working hours can be 1 week of full-time work followed by 1 week of unemployment
- Working hours can be 2 weeks of full-time work followed by 1 week of unemployment
- Working hours can be 2 weeks of full-time work followed by 2 weeks of unemployment

In general, short-time workers partially receive unemployment benefits from their unions (A-kasse) on those days they are unemployed.

1.5 Contact in Denmark



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2. ESTONIA

Latest news:

- The emergency situation came to an end on 17 May 2020, but restrictions on border crossing still apply for foreign nationals and in some cases a 14-day restriction on freedom of movement applies to those entering Estonia. Entry into Estonia is allowed without a quarantine requirement to the following persons who have no symptoms of COVID-19;
- The requirement for restriction of freedom of movement does not extend to persons who have Estonian citizenship, an Estonian residence permit or right of residence or whose permanent residence according to the population register is Estonia and who have arrived directly;
- In shopping centres all shops and services, including catering facilities, may be open if they guarantee the availability of disinfectants for both employees and clients and follow the dispersion requirement (effective from 19 June 2020 instead of the 2+2 rule).
- From 19 June 2020, the 2+2 rule was be replaced by a dispersion requirement: a safe distance from others must be maintained, both indoors and outdoors. However, it is recommended to follow the 2+2 rule which means that it is advisable to continue to move in groups of 2 people or in families in public places and to keep a distance of two meters with other people where this can be done reasonably.

Country overview: 2.1 Direct business support

TAX-SUPPORT

Sole proprietor shall be exempt from the obligation to pay social tax for his or her spouse who is engaged in the sole proprietor's business. Therefore, the social security contributions of the spouse have to be declared and paid on tax filing form ESD on 10 July 2020.

Thus, on the tax filing form TSD for March, April and May, there is an obligation to declare and pay social tax on the remuneration actually paid to the employee. From the special cases provided for in § 6 of the Social Tax Act, the state, a legal person in public law and a local government shall retain the obligation to pay social tax on monthly rate.

TEMPORARY SUBSIDY PROGRAM OF THE UNEMPLOYMENT INSURANCE FUND

Temporary subsidies will be paid by the Estonian Unemployment Insurance Fund to those employees whose employers are significantly impacted by the current extraordinary circumstances. The purpose of the subsidy is granting an income to the employees and helping employers in surpassing temporary difficulties without having to lay off their staff or declare bankruptcy.

The subsidy measure was applied in April and May, Estonian Unemployment Insurance Fund made a proposition to the Government of the Republic to continue with the subsidy measure in June.

On 21 May 2020, the government decided to continue with the subsidies until the end of June, however, with more strict conditions:

- Turnover or revenue of the company must have decreased by at least 50 percent compared to June of the previous year;
- Additionally, an employer must meet one out of two following conditions:
 - 1) the company is in a situation where it does not have work to give in the agreed amount to at least 50 percent of employees.
 - 2) the wages of at least 50 percent of the company's workers have been lowered at least 30 percent or to the minimum wage.

Principles of paying the subsidies in June:

- In June, the Unemployment Insurance Fund will compensate to the employee 50 percent of their previous average wage, but no more than 800 EUR a month gross, and no less than the minimum wage.
- The employer is obliged to pay the employees receiving the compensation a gross pay of at least 150 EUR a month, which must be paid out before the application is filed.
- The employer will not make an employee redundant for at least the next two months (earlier: 1 month). Otherwise, the employer must return the full amount of the subsidy to the Unemployment Insurance Fund.

Who can apply:

- Companies that do not have tax arrears or that have deferred their tax arrears.
- Companies for people working under an employment contract whose employment contract has been concluded before 1 March 2020.
- Companies which have received subsidies from April to June.

The Estonian Accounting Standards Board has published clarifications with regard to the recognition of the temporary subsidy paid by the Unemployment Insurance Fund in the accounting of a company. The subsidy (gross salary and employer's tax contributions paid by the Unemployment Insurance Fund) shall be treated as a government grant and reported in accordance with clauses 9-11 of the guideline ASBG 12 "Government grants".

OTHER GOVERNMENT MEASURES

The government measures established to support the Estonian working people and economy in the emergency situation, in total of two (2) billion EUR which accounts for almost 7 percent of GDP, include, in addition to the subsidy of the Unemployment Insurance Fund, the following:

From the supplementary budget of 2020, the Rural Development Foundation offers loan guarantees and loans to the agricultural and food sector and rural entrepreneurs, which will help alleviate the economic difficulties caused by the spread of the coronavirus. The total amount of measures is 200 million EUR.

- The maximum amount of a COVID-loan issued by the Rural Development Foundation without a co-borrower is 1 billion EUR. When applying for a loan that exceeds 1 billion EUR, the loan applicant must find a credit or financial institution that, together with the Rural Development Foundation, will lend the amount in excess of 1 billion EUR. Together with the credit or financial institution, the maximum amount of the loan issued by the Rural Development Foundation is 2 billion EUR.
- Contributions to the mandatory pension fund of the 2nd pension pillar by the state (4 percent) will be suspended from 1 July 2020 to 31 August 2021. The payment of contributions by the obligated persons/employees (2 percent) shall continue. As an exception, the payment of the pension scheme 2 percent + 4 percent will continue in case of persons born between 1942 and 1960. In October 2020, the obligated persons can submit an application to waive also the payment of their share of funded pension payments (2 percent) for the period from 1 December 2020 to 31 August 2021.

The size of the crisis package in the field of culture and sport is 25 million EUR. Applications are being accepted from 8 May 2020 through online application system of Estonian Ministry of Culture. The areas that are being supported are: museums, theatres, music, sports and physical activity events, film, visual art and design.

SUPPORT MEASURES PROVIDED BY STATE-OWNED FINANCIAL INSTITUTION KREDEX

Exceptional loan guarantee to relax the repayment schedules of existing bank loans and to issue new loans: If the bank relaxes the repayment schedule for an existing bank loan not backed by KredEx or is willing to issue a new loan to the undertaking, KredEx will give its guarantee to that loan.

Extraordinary loan: If banks are no longer financing undertakings, KredEx will, if necessary, provide the undertaking with an extraordinary working capital loan to overcome the liquidity problems caused by the coronavirus outbreak or an investment loan to take advantage of the new business opportunities created by the coronavirus outbreak as well as other new business opportunities.

Additional guarantee fund for the provision of loan guarantees: While the maximum guarantee amount for KredEx thus far was 2-5 million EUR, depending on the nature of the project, the maximum guarantee amount for all projects will now be raised to 5 million EUR.

PRODUCT DEVELOPMENT SUPPORT

Enterprise Estonia also provides companies product development support to encourage entrepreneurs invest more in their development activities in developing new competitive products and services. The maximum share of support provided under the support measure is 75 percent of the cost of a project in case of companies affected negatively by COVID-19.

2.2 Contracts, debts and civil law

SPECIAL MEASURES TO SUPPORT ENTREPRENEURS IN TALLINN

The government of Tallinn has approved aid measures for the city's business sector to manage the negative effects of COVID-19. The aid measures are primarily targeted at businesses that have a contractual relationship with the city of Tallinn or have a big impact on the city's activities:

- The bills of services provided, and goods received will be paid within 10 calendar days, instead of the current 21 or 30 calendar days, in order to improve the cash flows of the companies. The city shall also waive contractual sanctions in the event of difficulties that occur due to the ongoing situation when fulfilling the order or delivery, the

deadlines shall be extended by a reasonable time. If possible and necessary, payments in long-term contracts can be spread on a wider period of time;

- The government of Tallinn has also decided to reduce advertising tax by 50 percent, as the market of outdoor advertising has come to a standstill. Advertisements on the contracts for the use of the building spaces put out for the purpose of advertising and information display are exempted from paying rent;
- The city reduces the rental and usage fees of the contractual partners depending on the field of activity of the contractual partner and the extent to which the emergency situation affects the activity of the contractual partner. All tenants of the city, including catering, commercial, service, educational, sports, hobby, arts and cultural institutions and outdoor media companies, are exempted from paying rent 100 percent;
- Tenants belonging under the Tallinn Market's administration are exempted from paying rent. Tenants who use the city space as office space, will have their rental price reduced by 20 percent. The benefits do not extend to the payment of utility costs;
- Tallinn will continue to pay subsidies meant for supporting sports activities and will not collect rent from the various sports venues belonging to the city;
- The costs of cancelled conferences, cultural and sporting events will be reimbursed to the extent that the company has already paid for them. The decision affects companies that have applied to the city for partial support for the event, have received the support, but have been forced to either cancel or postpone the event due to an emergency situation.

The measures are planned to last for three months or until the end of the year depending on the specific measure. The impact of the business support package on the city budget can reach up to 4 million EUR.

GOVERNMENTAL MEASURES WITH REGARD TO THE SUPPLEMENTARY BUDGET FOR 2020

On 15 April 2020, the Riigikogu approved the draft supplementary budget for 2020. This is the largest aid package to the Estonian economy ever, providing support to the people and businesses most affected by the crisis. The measures are aimed at mitigating damage, stimulating the economy and accelerating the way out of the crisis. The aid package includes among other measures the following:

- Support for rural entrepreneurship through the Rural Development Foundation 200 million FUR:
- Capital support for micro and small enterprises through Enterprise Estonia 10 million FUR:
- Support for companies in the tourism sector through Enterprise Estonia 25 million EUR;
- 25 million EUR has been allocated to support culture and sport;
- Support for intervention buying of shares in strategic companies or for increasing the capital of state-owned companies – 300 million EUR.

The Riigikogu also approved the amendment of the Income Tax Act and establishing an exception whereby the gifts and donations made by legal persons for charitable purposes to an Estonian state or local government agency or welfare institution or an operator of a hospital located in Estonia during the period from 12 March 2020 to 1 July 2020 will not be subject to income tax.

On 27 April 2020, the Government approved the regulations necessary for the implementation of the COVID-19 supplementary budget. State support will only be granted if the applicant has no national tax arrears before 12 March 2020 or they have been deferred. Also, the applicant

may not have un-submitted tax returns or annual reports which have not been submitted by the due date.

AMENDMENT OF BANKRUPTCY ACT

The law passed on 20 April 2020 also includes a previously planned amendment to the Bankruptcy Act. According to the amendment, the obligation to submit bankruptcy applications for members of the Management Board is suspended during the state of emergency and the following two-month period. Under previous legislation, the management board of a legal person was required to submit a bankruptcy petition to the court within 20 days of the occurrence of the insolvency.

This amendment gives companies that are facing difficulties due to the crisis an opportunity to adapt their economic activity to the situation and to benefit from state aid measures. The amendment will apply to all legal entities, but companies that do not have any prospect of resuming their economic activities after the end of the state of emergency should still file for bankruptcy immediately.

DATE OF SUBMISSION OF ANNUAL REPORT

On 18 May 2020 the Parliament of Estonia passed a law extending the submission of annual report 2019 of all legal persons to 31 October 2020. The law also extends the possibilities to organize electronic meetings for legal persons and thereby simplifies the decision-making process for companies.

2.3 Regulatory response

- Travelling and movement
- Conducting of business
- Export

RESTRICTIONS ON BORDER CROSSING

The emergency situation came to an end on May 17 2020, but restrictions on border crossing still apply for foreign nationals and in some cases a 14-day restriction on freedom of movement applies to those entering Estonia. Entry into Estonia is allowed without a quarantine requirement to the following persons who have no symptoms of COVID-19:

- People with Estonian citizenship or Estonian residence permit or right of residence or people whose permanent place of residence according to the population register is in Estonia;
- Foreigners with diplomatic immunity and privileges, persons serving in military units of NATO countries, service personnel and their family members;
- Foreigners who are directly involved in the transport of goods and raw materials, including the loading of goods or raw materials;
- People who provide health care services or other services necessary for resolving an emergency situation;
- Foreigners directly involved in the international carriage of goods or passengers, including crew members, and persons engaged in repair, warranty or maintenance work;
- Foreigners who serve travel groups and are directly involved in the provision of passenger transport services;
- Foreigners whose purpose of arrival in Estonia is related to ensuring the continuity of a vital service;
- Foreigners whose arrival in Estonia is related to the maintenance, repair, warranty work or information and communication technology work of a company operating in Estonia, if this is necessary for the operation of the entity;

- Persons who have a special permit to enter the country.

Foreigners from third countries are allowed to transit through Estonia on their way home to their country of residence if they do not show symptoms of COVID-19.

From 1 June 2020, persons arriving from a member state of the European Union or the Schengen Area or the United Kingdom of Great Britain and Northern Ireland may enter Estonia, provided that they have no signs of illness and have stayed in those countries during the previous 14 days. A 14-day restriction on freedom of movement (and not a quarantine as stipulated before June 11) is required upon arrival in Estonia, if a person arrives from a country where the number of COVID-19 cases per 100.000 inhabitants in the last 14 days is more than 15. This restriction is not necessary when arriving from a country with a lower number of cases. The restriction of freedom of movement is applied during the latent period of infection, or 14 days. This means a prohibition on leaving the place of residence or permanent residence, except on the instructions of a healthcare professional or a police officer or in the event of an emergency endangering a person's life or health. People can also leave home to receive healthcare services or if it is not possible to obtain food, basic necessities, or medicine in any other way.

Information about countries and quarantine requirements is updated every Friday on websites https://kriis.ee and https://wm.ee.

No cruises or leisure travel will take place on Tallinn-Stockholm ferry lines.

The requirement for restriction of freedom of movement does not extend to persons who have Estonian citizenship, Estonian residence permit or right of residence or whose permanent residence according to the population register is Estonia and who have arrived directly:

- from Latvia or Lithuania;
- from Finland, if a person stayed there due to work or other contractual obligation, study or unavoidable family reasons;
- from Finland, if a person stayed there immediately prior to arriving in Estonia for at least 14 consecutive days.

MEASURES TO BE APPLIED IF DIAGNOSED WITH COVID-19

A person infected with coronavirus must remain at home from the moment he or she is diagnosed until recovery. The infected person may leave home or place of stay only on the order of a health care professional or the police or in an emergency that endangers the life or health of the person.

A family member of a person diagnosed with COVID-19 who does not have any symptoms of coronavirus may leave his or her place of residence or stay, carrying an identification document, only in the following cases:

- For performance of their duties, in the case of health professionals or other person providing public services or other emergency services;
- For the purchase of essential supplies for daily living, provided that they are procured in the vicinity of the place of residence or stay, and if not otherwise possible;
- Leaving the place of residence or place of stay is permitted for a person who has no contact whatsoever with the person infected with COVID-19;
- For staying outdoors.

In the event of non-compliance with the movement restrictions, the police shall issue a precept and if that measure proves to be unsuccessful, a penalty of up to 2.000 EUR shall be applied.

EASE OF RESTRICTIONS IN BUSINESS AND ENTERTAINMENT

In shopping centres all shops and services, including catering facilities, may be open if they guarantee the availability of disinfectants for both employees and clients and follow the dispersion requirement (effective from 19 June instead of the 2+2 rule).

- As of 1 June 2020, the service provider has to ensure that the following rules are observed:
 - dispersion of people,
 - the requirement for 50 percent capacity, and
 - the requirement for disinfection

This applies to public events (cinemas, theatres, concerts, conferences, fairs, festivals), entertainment establishments (bowling, billiards, playrooms for children) saunas, spas, swimming pools and water centers as well as to meetings, casinos, and arcades. With regard to indoors and outdoors public events, as well as casinos and arcades, no more than 100 people are allowed.

From 1 July 2020, in case of public events such as cinemas, theatres, concerts, conferences, fairs and festivals, the organiser of an event must ensure the compliance with the following requirements:

- dispersion of people;
- disinfectants;
- indoors: a capacity rate of 50 percent, but not more than 500 people;
- outdoors: not more than 1000 people.

From 1 June 2020, the retail sale of alcohol is allowed as before the emergency situation.

From 1 July 2020, nightclubs, hookah cafes and adult clubs may be reopened provided that the operator ensures

- the dispersion of those present,
- a capacity rate of 50 percent,
- the attendance of a maximum of 100 people, and
- compliance with disinfection requirements.

PEOPLE-TO-PEOPLE DISTANCE

From 19 June 2020, the 2+2 rule was be replaced by a dispersion requirement: a safe distance from others must be maintained, both indoors and outdoors. However, it is recommended to follow the 2+2 rule which means that it is advisable to continue to move in groups of 2 people or in families in public places and to keep a distance of two meters with other people where this can be done reasonably.

EASE OF RESTRICTIONS IN THE FIELDS OF CULTURE, EDUCATION AND SPORTS

All cases of easing the restrictions may only be implemented if the risk of infection is managed with special conditions.

- <u>Culture</u>: From 11 May 2020, museums and exhibition halls may reopen their such as dispersion of people, use of disinfectants and rules regarding hygiene
- <u>Education</u>: Similar to public events, certain requirements also apply to basic schools, upper secondary schools, vocational schools and colleges, advanced training institutions, open youth centres, with the exception of the organization of research and development activities of universities and research institutes. The organizer has to ensure that the following requirements are observed:
 - 1. the dispersion requirement;
 - 2. indoors 50 percent capacity requirement, but not more than 100 persons;
 - 3. outdoors not more than 100 persons.

In case of hobby activities and hobby education:

- 1. the dispersion requirement;
- 2. indoors 50 percent capacity requirement;
- 3. outdoors not more than 100 persons.

As of 1 July 2020, the following requirements apply for activities in the above named educational and hobby education institutions:

- the dispersion requirement must be observed;
- indoors 50 percent capacity requirement, but no more than 500 people;
- Sport. Outdoors: It is allowed to engage in sports, train, organize sporting and training events under special conditions, if
 - 1. the **dispersion requirement** is followed;
 - 2. no more than up to 100 participants;
 - 3. disinfectants are available.

The restrictions do not apply to trainings of championship leagues and Estonian national teams. All sports teams can also train outdoors.

Until 30 June 2020 sports competitions with spectators are allowed, if the organizer ensures that

- 1. the dispersion requirement is observed by spectators;
- 2. disinfectants are provided;
- 3. no more than 100 participants (competitors and spectators altogether).

As of 1 July 2020, the same applies, except the number of participants is 1000 (competitors and spectators altogether).

<u>Sport. Indoors</u>: It is allowed to reopen sports clubs, incl. gyms and swimming pools, and organize training sessions indoors under special conditions. There is no group size limit. The organizer has to ensure that:

- the dispersion requirement is observed;
- 2. disinfectants are provided;
- 3. indoors 50 percent capacity requirement is followed (with a few exemptions).

Until 30 June 2020 sports competitions are allowed if they have no spectators and if the organizer ensures that:

- 1. disinfectants are provided;
- 2. there are no more than 100 participants.

As of 1 July 2020, it is allowed to hold indoor sports competitions with spectators, if the organizer ensures that:

- the dispersion requirement is observed;
- 2. disinfectants are provided;
- 3. indoors 50 percent capacity requirement, but no more than 500 people (competitors and spectators altogether), even if the room capacity is greater.

BROADER RIGHTS FOR HEALTH BOARD AND GOVERNMENT IN EMERGENCY SITUATIONS

Legislation was adopted on 28 May 2020 which gives the Health Board and the Government more extensive rights in the future to take special measures such as set restrictions on businesses and movement of citizens quickly in an emergency situation, without having to previous declare a state of emergency.

The changes are adopted considering the possibility that the lifting of the restrictions could cause the virus to spread again, and therefore the establishment of the rights to impose some restrictions quickly is necessary. The legislation amends the Emergency Act, the

Communicable Diseases Control and Prevention Act, the Health Services Organization Act and the Health Insurance Act Amendment Act.

2.4 Working

- Home office
- Flexible working hours
- Short-time work

Workplaces must use disinfectants, employees arriving from abroad are required to stay home for two weeks and monitor their health. The suggested solution is to enable the employee to work remotely from home. If this is not possible, both sides must reach an alternative agreement.

Employment law does not permit compulsory leave, but the employer and employee can agree that the employee will stay at home for two weeks. If the employee is unable to work because the employer does not arrange work, the employer is required to pay the employees average salary.

Both parties must reach a mutual agreement in regard to unpaid leave. If the employee does not agree to unpaid leave, while the employer does not permit the employee to enter the premises, the employer is required to pay the employees average salary. In addition, it is possible to agree to use mandated annual leave.

Employer and employee can agree on a change of the conditions of the work contract. For example, they can agree that while the employee is at home and doesn't work, he will be paid a lower salary than agreed in the original work contract. However, the employer can't do it unilaterally, but only in agreement with the employee.

The spread of Coronavirus is one of the circumstances that allow the employer to reduce the workload and salary costs of the employee for three months unilaterally according to § 37 of the Employment Act, if paying the agreed salary is an unreasonably heavy burden for the employer. As determined by the Government of Estonia it is permitted to reduce the salary to the minimum wage (584 EUR per month or 3.48 EUR per hour).

RESTRICTIONS ON FOREIGN WORKERS

On 4 May 2020, the President of Estonia promulgated the law amending 33 laws which was passed by the Riigikogu on 20 April 2020.

As a part of the law, the Aliens Act was amended. According to the amendment, foreigners' visas may now be revoked and their stay in the country terminated prematurely if the employment contract or activity for which proprietary benefits can be expected is terminated or has expired.

As an exception, foreign workers who have been legally staying in Estonia as of 17 March 2020 and whose short-term work permit has expired or is about to expire will be able to continue working in agriculture until 31 July 2020. After July 31 2020, foreign workers will have until August 31 2020 to organize their departure from Estonia.

The amendment does not apply to those foreigners who have a long-term resident's residence permit or permanent right of residence.

Pursuant to the Government's decision the restrictions concerning foreign workers will remain in force also after the end of the emergency situation on 17 May 2020. Third country nationals who are currently staying abroad cannot enter Estonia yet. The aim of keeping the restrictions in force is to reduce the possibilities of the virus spreading.

2.5 Contact in Estonia



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3. FINLAND

Latest news:

- Annual general meetings of companies and cooperatives, meetings of associations, and other similar meetings specified in the law can be postponed and held by the end of September. However, the boards of directors of these corporations should prepare the financial statements by the end of June at the latest.
- The Government is scheduled to issue an update in this regard on 10 July 2020.
- The countries that fulfil the government's travel criteria include Greece, Italy, Austria, Hungary, Liechtenstein, Croatia and Ireland.
- Government's recommendations regarding remote working will end on 1 August 2020.

Country overview: 3.1 Direct business support

TAX-SUPPORT

New financial support for business costs is proposed, amounting to 300 million EUR, to be introduced in the business sector. Decline in the turnover of the sector of industry and of the individual company are preconditions for eligibility to receive support. Business Finland's authorisation to provide grants will be increased by 180 million EUR. Further capital funding of 250 million EUR is proposed for Tesi (Finnish Industry Investment Ltd), to increase equity financing for companies.

Companies can request the VAT they have paid at the beginning of 2020 to be returned to them. In practice, the company requests a payment arrangement and will pay the returned VAT back to the Tax Administration later as part of the payment arrangement. If the VAT tax period is one year, 25 percent of the 2019 VAT can be claimed for a refund.

The Parliament has approved a support package for the food and beverage service sector. The approved law includes support for re-employment and compensation for restrictions on activities. The compensation is to be paid in such a way that, as a general rule, the application procedure would not be necessary. The aid package may not be put into effect until it has been approved by the European Commission.

The maximum amount of support is based on the number of full-time workers who worked for the company before the start of the crisis. The support may be granted to an enterprise with a staff of a maximum of 800 persons. Under the State aid rules, no enterprise may receive more than 0.8 million EUR in support for employment.

An appropriation of 123 million EUR is proposed for supporting food and beverage service businesses, to be used for compensating these businesses for the restrictions imposed on their activities, and to support the re-employment of their staff.

The Parliament of Finland has enacted a temporary law under which companies can, under certain conditions, postpone the meeting where the financial statements are approved until the end of September 2020.

The Tax Administration is granting corporate taxpayers one month of extra time for filing tax returns. This extra month does not need to be separately requested, and no late-filing penalties are imposed for tax returns filed during the month.

This decision applies to corporate entities and benefits under joint administration whose accounting period ended between December 2019 and February 2020. These corporate taxpayers are now allowed to file their tax return within five months from the end of their accounting period, as opposed to the normal time limit of four months. The new filing deadline will be displayed in MyTax in April.

In the current situation, the Trade Register gives an additional time of one month to submit financial statements. For example, a company may submit its financial statements from 1 January to 31 December 2019 to the Trade Register until 30 September 2020 without sanction.

If the company has difficulties paying taxes due to the coronavirus situation, it can request a payment arrangement with eased terms in MyTax starting 25 March 2020. As of 25 March 2020, taxes that are included in a payment arrangement request are not recovered by enforcement authorities and the company's tax debt is not published in the tax debt register or the protest list. The eased terms for payment arrangements also apply to the extensions for payment granted for car tax and excise duties.

The changes in the grounds and terms for payment arrangements will enter into force along with the legislative amendment. These changes will apply to payment arrangements that have been requested between 25 March 2020 and 31 August 2020.

- According to the new terms, the first instalment of the payment arrangement will fall due in three months after the arrangement has become active, as opposed to just one month.
- The Tax Administration will automatically include in the arrangement any new tax debts that form after the payment arrangement has been taken into use until 31 May 2020.
- According to the legislative amendment, the rate of late-payment interest on taxes included in a payment arrangement would be lowered from 7 percent to 4 percent. The lowered interest rate would only apply to taxes that are included in a payment arrangement and that fall due after 1 March 2020.

The employer's earnings-related pension contributions will be temporarily reduced by 2,6 percent in 2020. The contribution reduction is valid from 1 May 2020 to 31 December 2020.

The government supports businesses by introducing and expanding various forms of support for businesses in response to the coronavirus situation.

OTHER GOVERNMENTAL MEASURES

The measures include:

- The guarantee mandate of the state-owned special financing company Finnvera will be increased by 10 billion EUR to a total of 12 billion EUR. The increase in the mandate will allow additional financing of 10 billion EUR for businesses;
- An increase of 150 million EUR in Business Finland's assistance mandate to be used for rapid business support activities. An increase of 50 million EUR is proposed to support business development projects;

 An amount of 200 million EUR is proposed for non-specific expenditure relating to exceptional circumstances.

3.2 Contracts, debts and civil law

Annual general meetings of companies and cooperatives, meetings of associations, and other similar meetings specified in the law can be postponed and held by the end of September. However, the boards of directors of these corporations should prepare the financial statements by the end of June at the latest.

The Ministry of Justice has begun to prepare a government proposal to limit the creditor's right to file for bankruptcy. This will help companies overcome the financial difficulties caused by the coronavirus situation. Bankruptcy requires insolvency. Bankruptcy law assumes a company is insolvent if it has not paid its debt within one week of receiving the call for payment. The law will temporarily remove this assumption. The insolvency must be of longer duration in order for the creditor to file for bankruptcy.

3.3 Regulatory response

- Travelling and movement
- Conducting of business
- Export

TRAVELING AND MOVEMENT

The Finnish government decided on the gradual dismantling of the following restrictive measures:

- As of 15 June 2020, internal border control will be terminated for traffic between Finland and Norway, Denmark, Iceland, Estonia, Latvia and Lithuania as well as for recreational boats between Schengen countries. The aforementioned traffic is unrestricted at all airports and in all ports, provided that the point of transport is open.
- The Government is scheduled to issue an update in this regard on 10 July 2020.
- The countries that fulfil the government's travel criteria include Greece, Italy, Austria, Hungary, Liechtenstein, Croatia and Ireland.
- All airports will be opened for passenger traffic, taking into account travel restrictions for internal and external border traffic.
- On the land border between Finland and Norway, the border can be crossed everywhere without border checks on persons.
- The Finnish border authorities allow the following on internal borders where internal border control has been reinstated, i.e. traffic between Finland and another Schengen state:
 - Return to Finland;
 - Return traffic to other EU and Schengen countries or via them;
 - Travel for work and other essential traffic
 - Commuting based on employment or assignment;
 - Diplomats, staff of international organisations, military personnel and humanitarian aid workers in the exercise of their duties;
 - Persons studying in Finland;
 - Persons with a Finnish residence permit and EU/Schengen citizens who have registered their right of residence;
 - Persons travelling for family matters (e.g. meeting a close relative, relationship, funerals, weddings, illness);

- Persons in need of international protection or who are travelling for other humanitarian reasons;
- Other essential and justified traffic (e.g. pressing personal reasons, representatives of foreign media, property, residence or secondary residence in Finland).
- Restrictions on border traffic will continue at external borders until 14 July 2020.
- The following are permitted at external borders:
 - Return to Finland;
 - Return traffic to other EU and Schengen countries or via them;
 - Removal of a third-country national from the country;
 - Other essential traffic.
- In the case of Sweden, however, the restrictions will remain in place because of the pandemic situation there.
- The Government recommends that as of 1 August 2020, if the development of the epidemic continues in the current direction without any significant setbacks, events with more than 500 persons may be organised in both indoor and outdoor spaces.
- As a final dismantling measure, if the development of the epidemic continues without any significant setbacks, the restrictions on gatherings may be lifted altogether as of 1 October 2020, in which case all indoor and outdoor events would be permitted without restrictions on the number of attendees.
- Entry into Finland as foreign seasonal workers is permitted to citizens of the Schengen area, other EU countries and the United Kingdom under the same conditions as travel for contractual or assignment-based employment.
- Seasonal workers who are citizens of third countries (e.g. Ukraine, Belarus, Thailand)
 are allowed to enter the country if they have the necessary permits for entry into the
 country and for working, and their employer has filled in the form proving the necessity
 of their entry into the country.
- Ticket sales for maritime passenger traffic will be reopened. Tickets may be sold to anyone who has the right of entry. The conditions for entry will be verified at the port.
- The Government also decided on easing the temporary restrictions on the operations of food and beverage service businesses. The Government will issue a decree on the matter on 18 June 2020. The restrictions are based on the Communicable Diseases Act.
- As of 22 June 2020, the decree will be amended so that food and beverage service businesses can open as of 4.00 and must close by 2.00 at the latest.
- Alcohol sales can start at 9.00 at the earliest and must stop at 1.00 at the latest.
- Buffets will be permitted again.
- Three quarters of the number of persons permitted in the serving license or building plan may be present in the indoor premises of a food and beverage service business at one time.
- Outdoor recreational facilities will be opened as of 14 May 2020, subject to the restrictions on gatherings.
- Sports competitions and series can be resumed with special arrangements on 1 June.
- The borrowing of books and other material from libraries will be immediately permitted.

WORKER MOBILITY

- At the moment, Finnish missions do not accept visa and residence permit applications.
- Passports related to visa applications currently under consideration will be returned and the applications will not be processed.

- Applications for residence permits that have already been submitted will be forwarded to the Finnish Immigration Service for processing. Interviews related to residence permit applications have been suspended for the time being.
- Priority in permit processing conducted by the Finnish Immigration Service, TE Offices and ELY Centres will be given to work considered necessary for the security of supply, health care and the functioning of the labour market.

3.4 Working

- Home office
- Flexible working hours
- Short-time work

REMOTE WORK

The Government's recommendations regarding remote working will end on 1 August.

On 15 June 2020, the Government issued a decree repealing the decree on the continued use and application of the powers provided for in sections 86, 88, 93 and 94 of the Emergency Powers Act and repealed the decree on the continuation of the use of powers under section 87 of the Act. The decrees were set to remain in force until 30 June 2020, but now they will be repealed on 16 June 2020.

A foreign employee can apply for a tax number without visiting the tax office in person. Tax number can be applied by calling the tax administration's telephone service. In this case, the person receives an artificial identity number, which is only valid for obtaining a tax number, not for any other transaction with the Finnish authorities.

In its negotiations on 29 April 2020, the Government decided to lift the restrictions on early childhood education and care and those on primary and lower secondary education on the basis of an assessment by the health authorities. Contact teaching in early childhood education and care as well as primary and lower secondary education will resume on 14 May.

The government has proposed changes in labour law and unemployment protection. The amendments entered into force on 1 April and remain in force until 30 June 2020. The changes are as follows:

- In case of lay-offs, the minimum negotiation periods under the Act on Cooperation within Undertakings are shortened from the present 14 days and six weeks to five days.
- The notification period concerning lay-offs will be shortened to five days from the present 14 days.
- The right to lay off employees is extended to apply not only to indefinite-term employment contracts but also to fixed-term contracts.
- Probation periods may also be cancelled because of production and financial reasons.
- The personal liability period in unemployment security will be abolished. The duration
 of lay-offs will not be included in the maximum unemployment security period.
 Unemployment security legislation will be amended by a provision that the employee
 is entitled to unemployment allowance even when the lay-off is based on an
 agreement.
- Persons engaged in a secondary business activity are entitled to unemployment benefits. Entrepreneurs with full-time employment are not required to wind down their business activities in order to be eligible for unemployment benefits.

Workers'union PAM has negotiated temporary changes to collective agreements together with the employers'federations. The changes have come into force on 19 and 20 March 2020.

The changes affect these agreement sectors:

- Commercial sector,
- Hotel, restaurant and leisure services,
- Facility services sector,
- Amusement, theme and adventure parks collective agreement,
- Avecra train service staff collective agreement,
- Ski resorts and adventure services sector collective agreements.

The agreed changes vary a little between the sectors, but include the following:

- Shortening of layoff notice period,
- Extension of self-notification for sick leave,
- Right to absence by self-notification if a child under the age of 10 falls ill,
- Shortening of deadlines for co-operation negotiations.

The government has proposed a temporary amendment to the Aliens Act and the Seasonal Workers Act that would allow all third-country nationals residing legally in Finland to work in sectors and tasks that are essential for the security of supply and the functioning of the labour market (e.g. horticultural, agricultural, natural products industries, construction, shipbuilding, energy, technology, logistics and transport sectors).

3.5 Contact in Finland



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4.

Latest news:

- On 20 June 2020, Cabinet of Ministers regulations No. 400 "Regulations on special support mechanisms (grants) for covering of the repatriation costs of tour operators" have entered force.
- The maximum grant amount for one flight operator is 200.000 EUR and covers 100% of repatriation expenses. Application deadline is 1 October 2020.
- In addition to the above, the Cabinet of Ministers also introduced Regulations No. 383 "Regulations for guarantees for the performers of the economic activity in order to improve their competitiveness". These regulations offer various support measures to existing enterprises and start-ups and the funds themselves are being distributed by ALTUM. This support cannot be granted to those, who already receive COVID-19 related support from ALTUM.

Country overview:

4.1 Direct business support

On 20 June 2020, Cabinet of Ministers regulations No. 400 "Regulations on special support mechanisms (grants) for covering of the repatriation costs of tour operators" have entered force. These regulations allow tour operators to apply for compensation with regard to repatriation flights where:

- 1) The flight was organized and covered by a licensed travel operator;
- 2) The repatriation flights were organized as a result of the State of Emergency issued in Latvia and in order to allow the passengers to return to Latvia prior to 17 March 2020;
- 3) No additional costs for the repatriation flight were requested form the passengers;
- 4) The repatriation took place after 12 March 2020;
- 5) The repatriation costs include a flight ticket.

The maximum grant amount for one flight operator is 200.000 EURand covers 100% of repatriation expenses. Application deadline is 1 October 2020.

In addition to the above, the Cabinet of Ministers also introduced Regulations No. 383 "Regulations for guarantees for the performers of the economic activity in order to improve their competitiveness". These regulations offer various support measures to existing enterprises and start-ups and the funds themselves are being distributed by ALTUM. This support cannot be granted to those, who already receive COVID-19 related support from ALTUM.

On 16 June 2020, the Cabinet of Ministers adopted amendments to Cabinet of Ministers regulations No. 75 "Regulations Regarding the Procedures for Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for Selection of Implementers of Measures", which will allow employers to receive financial support for hiring an unemployed person in an amount of 50 percent of the employee's month's salary, which in any case shall not exceeding 430 EUR per employee. Said support will be available for 3 months. In order to ensure the long-term effect of such support,

the employer will have to employ the said person for additional 3 months after the initial 3-month term (during which the subsidy is paid) will expire. The employer will be able to apply for this support until 31 December 2021.

Due to the effects of Covid-19, as a result of which several amendments were introduced to the Regulations of the European Commission, it has been decided that until the end of 2020 guarantees for working capital loans will be issued without having to prove the growth, development or expansion of the business activities of the company applying for the guarantee.

On 5 June 2020, the Latvian parliament adopted the "Law on Overcoming the Consequences due to the Spread of COVID-19 Infection", hereinafter – the Law, which became effective on 10 June 2020 after the end of State of Emergency.

The Law preserves many of the support measures initially introduced with the law "On measures for the Prevention and Suppression of Threat to the State and its Consequences Due to the Spread of COVID-19", which has expired as of 10 June 2020 due to the entry into force of the Law.

The Law preserves the right to submit an application to the State Revenue Service for division of tax payments in instalments or extension of tax payment deadlines up until 30 December 2020, the right of State and municipal institutions as well as derived public persons and state owned enterprises to release tenants severely affected by COVID-19 from lease payments, as well as the right of State Revenue Service not to take an unfavourable decision with regard to the participants of SRS In-depth Cooperation Program for years 2020 to 2023. The criteria applicable to receive the above-mentioned support measures will be set out by the Cabinet of Ministers, which have also been authorized by the Law to introduce additional measures and/or criteria if necessary.

The Law also preserves the duty of SRS to continue making timely VAT refund payments to enterprises up until the end of the year 2020, as well as the rights of municipalities to extend deadlines for payment of Immovable Property Tax, by transferring them to a later date during 2020 and several other rights and measures that were first introduced with the law "On measures for the Prevention and Suppression of Threat to the State and its Consequences Due to the Spread of COVID-19". However, the eligibility for several of the support measures still remains unclear as the Cabinet of Ministers has yet to implement criteria applicable after the end of State of Emergency.

According to the regulations of the Cabinet of Ministers, employer affected by the COVID-19 crisis to apply for downtime compensation and the division of due tax payments in several instalments (or postponement for a maximum term of 3 years). Following criteria shall be met in order for a company to qualify for said support:

- Due to spread of COVID-19, company's income in March, April, May or June of 2020 has decreased by at least 30 percent in comparison to average monthly income in 2019:
- Due to spread of COVID-19, company's income in March, April, May or June of 2020 has decreased by 20 percent in comparison to average monthly income in 2019, and the company meets at least one of the following additional criteria:
 - 1) Company's export in 2019 made up 10 percent of the company's total turnover in 2019 or is not less than 500.000 EUR;
 - 2) Company's average paid out monthly gross salary in 2019 was not less than 800,00 EUR;
 - 3) On 31 December 2019, company's long-term investments in company's fixed assets were at least 500.000 EUR.

DOWNTIME COMPENSATIONS

- June is the last month for which downtime compensations will be available, therefore all employers should evaluate eligibility for downtime compensation prior to making any decisions with regard to its personnel;
- If an employer company severely affected by the COVID-19 crisis sends its employees on downtime due to not being able to provide work, the affected employees will be entitled to receive a monthly downtime compensation in an amount of 75 percent, with a maximum limit of 700 EUR per one employee. Downtime compensation will not be liable to personal income tax (PIT) and mandatory state social insurance contributions. In addition, if a company will increase the number of employees while receiving downtime compensations, the payments will be terminated. Upon applying for downtime compensation, the Employer shall certify that he will not release the employee at least a month after submitting the application;
- If a company, who applies for downtime compensation has a tax debt exceeding 1000 EUR, and hasn't received an official payment deadline extension, or hasn't reached a special agreement with the State Revenue Service, such company does not qualify for downtime compensation, but may still apply in order to ensure that employees receive downtime compensation from State Social Insurance Agency;
- In order to apply for the downtime compensation, the employer must submit an application to the State Revenue Service. Downtime compensation will be transferred directly to the employee's bank account, indicated in the application;
- Employer is allowed to partially compensate to his employees the difference between the downtime compensation and the average salary amount;
- Downtime is limited to a time period from 14 March 2020 until 30 June 2020.

As of 16 May 2020:

- Applications for downtime compensation for previous month/-s will be refused. From now on, applications for downtime compensation can only be submitted for the current month (for May – no later than until 31 May 2020, for June – from 1 June 2020 to 31 June 2020);
- Employees of companies that are not eligible for downtime compensation will be evaluated by State Social Insurance Agency and will be able to receive downtime compensation. Consequently, all employers are advised to and can apply for downtime compensation.

As of 9 May 2020:

- an employer can apply for a downtime compensation only for the current month;
- employees returning from parental leave are also entitled to receive downtime compensation;
- employees who are simultaneously carrying out other commercial activities are also entitled to receive downtime compensations if monthly income from said commercial activity does not exceed 430 EUR.
- the employer is required to inform the State Revenue Service in case the employee no longer qualifies for downtime compensation or downtime has stopped;
- penalty for submitting false information to the State Revenue Service regarding reception of downtime compensation can be imposed.

Self-employed persons and micro-enterprises can apply for downtime compensation if they have not received any income from their activity during the period from 14 March 2020 until 30 June 2020.

On 23 April 2020, the Cabinet of Ministers adopted regulations for support to persons who do not qualify for downtime compensation. Such persons shall receive downtime support payments in a maximum amount of 180 EUR per month.

OTHER BUSINESS SUPPORT

Other main aspects included in the law "On measures for the Prevention and Suppression of Threat to the State and Its Consequences Due to the Spread of COVID-19" are as follows:

- Deadline for tax payments: Taxpayers affected by the COVID-19 crisis are entitled to submit a motivated request to the SRS asking to either postpone the deadline for tax payments (for up to three years), or to split (divide) tax payments due in several instalments:
- <u>VAT refund</u>: Effective as of 1 April 2020 enterprises may not wait until end of the year for VAT refund. The SRS shall refund the approved overpaid amount indicated in the VAT return within 30 days from deadline for submitting of the VAT return, or the date of submission of the VAT return (if it was submitted after the deadline) or date of submission of amended VAT return. Before refunding the overpaid VAT, the SRS will cover the unpaid taxes.
- Immovable Property Tax: In 2020, municipalities have the right to extend deadlines for payment of Immovable Property Tax, by transferring them to a later date during 2020. Riga municipality decided to push the deadline for first Immovable Property Tax payment from 31 March 2020 to 15 May 2020, but on 8 May 2020 decided to extend the deadline to 1 July 2020, while the payment with initial deadline of 15 May 2020 to 17 August 2020;
- Project of DD Corporation Program: During 2020-2023 members of project of State Revenue Service In-depth Cooperation Program may submit to the SRS evidence proving how COVID-19 crisis has affected their tax discipline, financials, solvency and compliance discipline in order to maintain the member status. The SRS is authorized not to exclude members from the program, and also not to issue other unfavourable decisions;
- As of 9 May 2020, and until 31 December 2020, all members of SRS In-depth Cooperation Program, affected by the Covid-19 crisis, will be able to:
 - Cut the amount of downtime compensation for their employees from current 100 percent of the salary amount to 70 percent. In any case, the employee shall retain the minimum mandatory salary (430 EUR) and minimum benefits for each child under his/her care;
 - 2) To order employees to exercise unused annual paid leave (disregarding the employee's wishes).
- <u>Credit guarantee:</u> The applicable conditions for credit guarantee to be provided by ALTUM: guarantee will not exceed 5 million EUR, maximum term – 2 years (previously planned – 10), may cover no more than 50 percent of obligations;
- Loans provided by ALTUM: ALTUM loan conditions are as follows: maximum amount
 EUR 1 million, maximum term up to 3 years, possibility to postpone payment of principal amount for up to 12 (twelve) months. Loans will be issued with reduced collateral requirements and with a reduced interest rate;
- <u>Credit guarantees and loans:</u> Credit guarantees, and loans will be available to companies that did not have financial difficulties prior to the crisis. Additionally, companies will have to prove that their financial difficulties result from COVID-19, that they are economically viable, and that credit guarantee/loan will help them to recover and successfully continue commercial activities;

- Lease: State and municipal institutions as well as derived public persons and state-owned enterprises will be able to release their tenants companies (as of 30 April 2020, also including: businesses, societies and foundations acknowledged by the local municipality) most severely affected by COVID-19 from lease payments entirely, or alternatively to decide on reduction of lease payments (this does not refer to companies that have concluded lease agreements for extracting valuable resources). General requirements to qualify for this support are:
 - due to spread of COVID-19, company's income in March, April, May and June 2020 diminished for at least 30 percent in comparison to average monthly income during 2019);
 - 2) the company's total tax debts do not exceed 1.000 EUR;
 - the company's total tax debt exceeds 1.000 EUR, but the company has reached an agreement with SRS;
 - 4) the company is not insolvent;
 - 5) during the previous year the company did not have 3 (three) or more unpaid lease payments or other cases of not fulfilling obligations. If the afore-mentioned cases of non-fulfilment were present, they must have been settled until 29 February 2020.
- <u>Electronic shareholder/member meeting:</u> **Until 31 December 2020** associations and cooperative societies will be able to convene a shareholder/member meeting remotely through electronic means.
- <u>Annual reports deadline:</u> The deadline for submitting 2019 annual reports is prolonged for three months.

New regulation regarding issue of state guarantees for small and medium sized enterprises now also applies for working assets and credit lines until 31 December 2020.

Producers and remanufacturers of agricultural products, who are affected by the COVID-19 crisis, are entitled for of State support from 100.000 EUR up to 800.000 EUR, depending of the entrepreneur's activity.

On 25 April 2020 the Cabinet of Ministers adopted regulations for establishment of an alternative investment fund, managed by ALTUM, in order to attract funding from private sources and to support persons affected by the COVID-19 crisis.

4.2 Contracts, debts and civil law

Many of the measures with regard to delayed fulfilment of civil law obligations initially implemented with the law "On measures for the Prevention and Suppression of Threat to the State and Its Consequences Due to the Spread of COVID-19" have been transposed to the Law.

The Law preserves, among others, the prohibition for creditors to submit applications for the insolvency of a legal entity on the basis of criteria set out in Article 57, Points 1 to 4 of Insolvency Law up until 1 September 2020, the extension of term for exercising commercial pledge rights from 30 to 60 days and the duty to observe a 60 day term from the date the debtor's payment obligation is due prior to turning to a sworn notary for the purpose of obtaining a notarial deed for debt recovery. Hence, the recently-imposed changes with regard to the order of civil law matters due to COVID-19 remain effective.

Starting from 1 April 2020 until 1 September 2020, the default interest for the delay of performance of civil law obligations shall not exceed the statutory interest as prescribed by law

From 12 March 2020 until 1 July 2020, the running of the statute of limitations for statutory obligations has been suspended. The specific period shall be deducted from the calculation of the limitation period.

During the entirety of the emergency period and for 6 (six) months after its expiration, the court may – within the framework of the procedure for extinguishing obligations and upon receiving a motivated request from the debtor – to decide on deferring the payments to creditors as stipulated in the procedure for extinguishing obligations, at the same time also extending the total term of the procedure;

It is currently possible to extend the duration of the legal protection proceedings for a period of one year if, due to the spread and consequences of Covid-19, the debtor has been prevented from fulfilling the plan of legal protection proceedings.

4.3 Regulatory response

- Travelling and movement
- Conducting of business
- Export

While borders are being gradually opened and restrictions - eased, national and EU-level authorities are constantly reminding that before going on any travels outside the territory of the Baltics (where there are currently no restrictions imposed with regard to travelling), the necessity of the travel must be carefully evaluated and reconsidered. Moreover, considering that various countries have implemented different restrictions and safety measures, it is important to review and assess the restrictions imposed not only in the destination country, but also in the transit countries. In order to help with decision-making when deciding on travels, the Ministry of Foreign Affairs has published and regularly updates information with regard to travel restrictions and limitations imposed by various countries.

As of 10 June 2020, the State of Emergency in Latvia has been lifted. Due to the above, several COVID-19 related restrictions have also been eased.

RESTRICTIONS ON TRAVELING/MOVEMENT

- As of 10 June 2020, a permit issue by the Ministry of Transportation will no longer be required for international passenger travels as international passenger travelling from 10 June 2020 is regulated by the Regulations of Cabinet of Ministers No.360 "Epidemiological measures to limit the spread of COVID-19 infection";
- Persons returning from certain foreign countries where 14-day cumulative count of COVID-19 cases (per 100.000 residents) does not exceed 15 are no longer subject to 14-day self-isolation requirement. The list of countries is published by the Centre for Disease Prevention and Control (CDPC) once a week every Friday. Persons returning from other countries are still subject to 14-day self-isolation;
- As of 10 June 2020, the 14-day self-isolation requirement when returning to Latvia still applies to people returning from Sweden, The United Kingdom, Portugal, Belgium and Ireland, as well as to people arriving from countries that are not members of the EU, the EEA or Switzerland. The list of high-risk countries is kept and will be updated once a week by the Centre for Disease Prevention and Control (CDPC);
- Starting from 15 May 2020, Latvian nationals and permanent residents are allowed to travel freely to Lithuania and Estonia;
- Travel through the EU's external borders to the countries indicated on CDPC webpage that are showing signs of Covid-19 spread is forbidden;

- There is no restriction on the movement of goods (import and export);
- Foreign diplomats accredited to work in Latvia, foreign consulate representatives, members of international organizations, foreign officials and their delegations arriving in Latvia according to invitation from certain state officials, Latvian and foreign state diplomatic couriers are no longer subject to any traveling restrictions and selfisolation requirements.

All nationals and residents of the European Union are allowed to enter and leave the territory of Latvia.

Military personnel and civil contractors from NATO and EU countries, residing in Latvia according to international cooperation programs, may enter and leave Latvian territory through specially designated crossing points. Epidemiological restrictions regarding such foreign personnel shall be determined by the Minister of Defense and the Minister of Health.

In order to limit the COVID-19 spread several additional measures have been adopted:

- Ministry of Transport shall adopt measures in order to ensure 2m social distancing in public transport while simultaneously ensuring proper function of public transport;
- As of 10 June 2020, public events with participants of up to 100 people (indoors) and 300 people (outdoors) are permitted with the condition that the 2-meter distance is observed. These restrictions apply to public events and to provision of services, but do not apply to places where an active flow of people is to be expected (e.g., shopping malls, exhibitions and nature trails, among others), except for when an organized event is being held;
- As of 12 May 2020, Ministry of Transport is required to ensure the usage of face covers while using public transport;
- Cultural institutions may organize their opening hours from 06:30 till 24:00;
- Social distancing of 2 meters is mandatory inside public facilities and outside (except for juveniles and their parents, people living in one household as well as cases when there are only two people in the premises);

In order to ensure that people observe the self-isolation requirement (when applicable) as well as all other limitations and restrictions on gathering restrictions, several amendments effective as of 10 June 2020 have been introduced to the Latvian Administrative Violations Code. As a result of the amendments, persons breaching the COVID-19 related restrictions will still be subject to administrative fines even after the end of State of Emergency.

As of 9 April 2020, during public procurement procedures, it will be possible to acquire protective gear and medical equipment, through public procurement, without the gear and equipment having mandatory verification and CE marking.

4.4 Working

- Home office
- Flexible working hours
- Short-time work

After the State of Emergency has been lifted, some State agencies and institutions are beginning to service their clients in-person, while at the same time advising to carefully evaluate the necessity of in-person consultations. Other institutions provide in-person

consultations only based on a prior reservation. State police still does not accept any visitors, except for situations when an in-person visit was ordered.

While as of 10 June 2020, the State of Emergency has officially ended, the government has declared that - to a reasonable extent - the safety measures will be kept in place for the foreseeable future. At the same time, it has also been announced that if the epidemiological situation will permit it, the restrictions and limitations will be gradually lifted/eased each month.

PUBLIC SECTOR

State and municipal institutions, e.g. State Revenue Service, The Register of Enterprises and Land register. are working remotely. As of 12 May 2020, and after a period during which courts either postponed court hearings or held them through electronic means, the courts of the Republic of Latvia are gradually resuming to hear court cases in person, while of course ensuring that the applicable restrictions and safety measures are observed.

PRIVATE SECTOR

Although there are no special requirements to organize work from home, but companies that are able to do so, are recommended to organize work remotely from home to the extent is possible.

Starting from 19 March 2020 the majority of Latvian largest banks (SEB bank, Swedbank, Citadele, Rietumu Bank) have begun servicing their clients in-person only based on the prior booking. Other banks, such as Luminor bank continue to operate as usual, although they do encourage their clients to use bank services remotely.

SICK-LEAVE CERTIFICATE

In case an employee has been infected with the virus or must stay in quarantine due to being in close contact with another family member with the Covid-19 or a contact person, the doctor will issue a sick-leave certificate B, which will be paid for by the state in accordance with the applicable regulations.

Persons who must comply with 14 days of self-isolation but are not eligible for sick-leave certificate B_{τ} shall negotiate with their employer possibility of working remotely or taking a vacation.

Based on employer's request employees will have to provide information about their personal health in case their health is essential in fulfilling their duties.

As of 2 April 2020, the Investment and Development Agency of Latvia is tasked with supporting following categories of entrepreneurs:

- whose employees are required to return to Latvia;
- who are required to send their employees abroad in order to fulfil active contracts;
- who require foreign employees to travel to Latvia.

4.5 Contact in Latvia



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5. LITHUANIA

Latest news:

- Lithuania and Poland have agreed to reopen their shared border on 12 June 2020.
- On 16 June 2020, Lithuania has published a list of 45 affected countries (with a coronavirus infection (COVID-19) incidence rate of more than 25 cases per 100.000 population over the last 14 days). The list includes countries mostly outside the European Union and the European Economic Area (EEA). The entry of foreigners into the Republic of Lithuania from those countries shall be limited to exceptional cases and those entering Lithuania will be subject to recommended isolation. The list of the affected countries will be updated and made public every week.
- From 22 June 2020 to 28 June 2020, due to high incidence of the coronavirus infection Lithuania will prevent arrivals from Portugal, the UK and Sweden. Foreigners arriving from Belgium will be required to stay in isolation for 14 days (if they entered Lithuania before 17 June 2020). Lithuanian citizens arriving from the above-mentioned countries will fall subject to a recommended 14-day isolation.
- Self-isolation requirement for foreign arrivals depends on the original point of travelling. This means that if people have proof that they are travelling from a country from which isolation on return or arrival is not required, they do not need to self-isolate even if they have travelled through other countries. Failing to have such proof, travellers will fall subject to requirements applicable for the last visited country, from which they have come to Lithuania.
- After 17 June 2020, wearing facemasks in public is only recommended.

Country overview: 5.1 Direct business support

MICRO-COMPANIES UP TO 9 EMPLOYEES ENTITLED TO A STATE SUBSIDY

On 11 May 2020 the Lithuanian Government has agreed to introduce the measure "<u>Subsidies to micro-companies</u>" in order to help small businesses to reduce the negative impact of COVID-19 economic crisis. According to this measure, micro-companies having 9 employees or less will be eligible to get the state subsidies that may be used for its activities.

34.000 micro-companies should soon receive an invitation to apply for the state subsidy on Mano VMI gateway, provided that the following requirements established by the Lithuanian Government are met:

- 1 May 2020 the company had 9 employees or less;
- the company is included in the list of taxpayers that are expected to have a negative impact in relation to the COVID-19 restrictions;
- the company has duly paid personal income tax (PIT) to the state and municipality budgets;

the company is not subject to insolvency, reorganization or liquidation.

Provided that the company is not in the list of taxpayers that are expected to have a negative impact in relation to the COVID-19 restrictions, but experienced a negative impact, it can apply to the tax authorities in order to be included in such list and thus be entitled to the state subsidy.

Calculation of the subsidy

The amount of the subsidy is calculated individually by the tax authorities according to the amount of PIT paid by the Company in 2019:

- if PIT paid in 2019 is up to 1.000 EUR, the minimal subsidy of 500 EUR may be granted;
- if PIT paid in 2019 is from 1.000 EUR to 2.000 EUR, the subsidy of 1.000 EUR may be granted;
- if PIT paid in 2019 is above 2.000 EUR, the subsidy of half of the pit paid in 2019 may be granted.

According to the information provided by the State Tax Authorities, the number of subsidies (including all the state subsidies that are available) in the last 3 years (from 2018) should not exceed:

- 100.000 EUR for transportation companies;
- 20.000 EUR for agriculture companies;
- 30.000 EUR for fishing industry companies;
- 200.000 EUR for the rest of the companies.

When to apply?

We recommend applying for the subsidy once the invitation is received on Mano VMI account of the Company.

TAX NEWS FOR BUSINESSES - TAX DEFERMENTS

Although quarantine regime will be revoked on the 17 June 2020, the tax deferment measures below are still applicable. The application of tax deferment will be valid until the state of emergency is cancelled.

The State Tax Inspectorate (STI) and State Social Insurance Fund Board (Sodra) have announced several measures to ease the tax burden for businesses in light of COVID-19 crisis:

- The STI announced the list of taxpayers that are expected to suffer from the COVID-19 restrictions. Such companies will be by default entitled to the following tax reliefs:
 - STI, Sodra and Lithuanian Customs will not initiate the execution of declared taxes / social insurance contributions (except customs duties) in case on nonpayment of tax;
 - 2. Unpaid tax or social insurance contributions amounts will not be subject to late payment interest.
- Moreover, all affected businesses will be eligible to defer the tax payments by concluding an interest free simplified tax loan agreement with the STI / Sodra and make the tax payments according to the agreed schedule. The application form for the tax loan agreement is available here. One application form is applicable both for STI and Sodra related payments and will be submitted through STI online system.
- Entities that have outstanding tax liabilities may apply for tax loan agreement and can expect the same conditions: no late payment interest calculated from 16 March 2020 and the tax deferment will be available.

IMPORTANT: the above listed rules will be applicable two months after the state of emergency is cancelled.

TAX NEWS FOR ENTREPRENEURS

The State Tax Inspectorate (STI) has announced a list of activities of entrepreneurs, that will be by default entitled to the following tax deferral reliefs:

- STI and Sodra will not initiate the execution of declared taxes / social insurance contributions in case on non-payment of tax;
- Unpaid tax or social insurance contributions amounts will not be subject to late payment interest.

IMPORTANT: the taxes that are not paid be the individual will have to be paid two months after the state of emergency is cancelled.

Entrepreneurs that have a valid business permit and are not allowed to work will be entitled to refund the money spent on such business permit.

FORMS TO APPLY FOR STATE SUPPORT VIA TAX DEFERMENTS ARE AVAILABLE FROM 20 MARCH 2020

THE FORM CONSISTS OF 3 PARTS:

- ✓ Request to conclude tax loan agreement for taxes payable to STI and contributions payable to SODRA
- ✓ Request not to calculate late payment interest
- ✓ Request not to charge the outstanding tax amounts.

RÖDL & PARTNER WILL GLADLY SUPPORT YOU IN THE FOLLOWING WAY:

- Assistance in the application for the tax deferment:
 - Preparation of application form;
 - Review or preparation of the free form explanatory letter to the tax authorities;
 - Representation of the client.
- Input VAT deduction assistance in light of force majeure.

TAX NEWS FOR INDIVIDUALS

The State Tax Inspectorate (STI) has announced that individual the Personal Income Tax (PIT) reporting and payment deadline is postponed to 1 July 2020 (instead of 1 May 2020).

Also, individuals have time until 1 July 2020 to decide on donating a part of the taxes (1,2 percent of total payable PIT amount) to organizations (including HOSPITALS).

SIMPLIFIED REQUIREMENTS FOR DONATIONS

As a general rule, a contract for donations of more than 14.500 EUR, must be approved by notary (note that the notary's activities have been limited since 20 March 2020) in order to recognize it as deductible expenses twice.

However, given the current situation, the tax authorities refer to the principle of substance over the form when considering the donation relationship between the parties. Therefore, the donation will be twice deductible even if it has not been properly notarized due to the existing restrictions.

DONATIONS ARE FREE FROM VAT

In general, supply of goods or services free of charge is considered as supply for private use and shall be subject to VAT. However, when the goods or services are supplied as donations, they are now not subject to VAT irrespective of the value of the goods or services. Therefore, companies are encouraged to donate acquired goods or provide services and deduct the input VAT incurred. Previously there were thresholds for the value of goods / services that are now not applicable in light of national emergency.

These provisions are valid from 26 March 2020, so if your company has donated goods / services back in February, you may be entitled to get some VAT back.

REDUCED 5 PERCENT VAT RATE FOR ONLINE NEWS MEDIA

In light of coronavirus crisis, the draft Law on VAT was submitted to the Lithuanian Parliament aiming to reduce the VAT rate applied to the supply of online media publications (includes online newspapers and publications) to 5 percent. It is not yet clear if 5 percent VAT rate (if approved) may apply to online media subscription services.

VAT DEDUCTION OF UNUSED ITEMS

State Tax Authorities issued the guidance that the VAT deduction of goods lost / expired because of the quarantine shall not be limited. In order to have the right to VAT deduction entities are not required to apply for approval from the tax authorities, however they should keep substantiate prove of the amount and why it was utilized.

EUROPEAN COMMISSION GRANTS EXEMPTION OF IMPORT DUTIES AND VAT ON THE IMPORT OF GOODS

On 3 April 2020 the European Union published Decision (EU) 2020/491, granting relief from import duties and VAT exemption on importation granted for goods needed to combat the effects of COVID-19. This Decision resulted from the requests sent by the member states since on January 30 the outbreak was declared a public health emergency.

A NEW MODEL FOR STATE AID DURING DOWNTIME APPROVED BY THE LITHUANIAN PARLIAMENT

On 7 April 2020, the Lithuanian parliament decided to approve a slightly different mechanism to compensate wage costs of companies that announced downtime due to the nationwide quarantine.

WHO CAN APPLY?

EMPLOYERS, WHICH:

- Announced downtime during a declared state of emergency and nationwide quarantine, and cannot provide their employees with work, in cases where
- work cannot be carried out remotely, or
- the employee does not agree to carry out other work functions.
- Are not budgetary institutions;
- Are not in liquidation or insolvency proceedings;
- Have a clean offence record.

WHERE TO APPLY?

Applications may be submitted either by e-mail or by post to the responsible Employment Services Office, in the territory of which the company's office is registered.

WHAT DOCUMENTS TO SUBMIT?

FOR THE FIRST APPLICATION:

- Proposal to implement employment measures;
- Request for payment of subsidies;
- Documents proving that downtime was announced.

FOR SUBSEQUENT MONTHLY APPLICATIONS:

- Request for payment of subsidies;
- Documents proving that downtime was announced;
- Payment slips and bank records proving that salaries were paid.

WHEN WILL THE SUBSIDIES BE PAID OUT?

The state authorities will check the application documents within 5 working days. State subsidies will be paid out for the previous month until the end of the current month.

END OF PAYMENT

State subsidies will be paid until the state of emergency or quarantine regime is revoked by the Lithuanian Government or in cases of violation of the rules for the granting of subsidies.

WHAT WILL BE THE AMOUNTS?

THE FOLLOWING AMOUNTS WERE APPROVED BY THE LITHUANIAN PARLIAMENT:

- 70 percent of the salary costs, but not more than EUR 910,50 gross; or
- 90 percent of the salary costs, but not more than EUR 607,00 gross.

The employer is obliged to keep at least 50 percent of the employees employed for at least 3 months after the last subsidy amount is paid.

Therefore, if the employer pays a higher salary during downtime than the statutory minimum salary, the state obliges to grant a higher subsidy amount –the ceiling of such state aid will be raised to 1,5 factor of the minimum monthly wage amount (910,50 EUR).

Employers will have to notify the National Labour Inspectorate about announced downtime. If it turns out that the employee is working during downtime, the employer will have to repay granted subsidy amounts.

The Lithuanian government doubled the initially planned financial support to maintain business liquidity from 500 million EUR to more than 1 billion EUR.

The state enterprise aimed at promoting business growth "INVEGA" approved 3 key instruments:

- Loan holidays: if after the 16 March 2020 loan or leasing payments were postponed by banks up to 6 months, the state will compensate all interest during that period. 23 million EUR will be made available from state funds. The application for this instrument started on 3 April 2020.
- Soft loans for businesses: INVEGA is planning to provide loans to cover the necessary costs of businesses, which were affected the most by quarantine (complete or at least 30 percent drop of turnover). The applications can be submitted from the 16 April. The state fund limit has been recently increased to 200 million EUR.
- Guarantees for financial institutions: the state will guarantee a sum of up to 826 million EUR to financial institutions for business loans. This instrument is planned to be implemented on 10 April 2020.

The Lithuanian parliament approved a post-quarantine package which offers state subsidies for employees returning to work from downtime. The following state subsidy amounts were approved:

- 100 percent of the salary costs during the first 2 months after the quarantine;
- 50 percent of the salary costs during the 3-4 months after the quarantine;
- 30 percent of the salary costs during the 5-6 months after the quarantine;

In all cases, state subsidies will be limited to 607,00 EUR (gross).

On 4 May a new state support instrument was approved in order to compensate rent costs for businesses that had to shut down their activities due to COVID-19.

Tenants will have the possibility to apply for state subsidies, compensating a maximum of 50 percent of the rent costs, if their main business activity was or still is prohibited due to the quarantine regime, their landlord has offered a discount on the rent payments of at least 30 percent and if other preconditions are met.

State subsidies will be paid during the quarantine period and for another 60 days after the quarantine regime is recalled. The applications will be administered by INVEGA. 100 million EUR will be made available from state funds. Since the state funds are limited, it is recommended to submit the application as soon as all conditions for state aid are met.

5.2 Regulatory response

- Travelling and movement
- Conducting of business
- Export

The entry of foreigners into the Republic of Lithuania is prohibited except for:

- Citizens of the countries of the European Economic Area, the Swiss Confederation and of the United Kingdom of Great Britain and Northern Ireland, and persons lawfully residing in these countries, provided the incidence of COVID-19 (coronavirus infection) in the country where they lawfully reside has not exceeded 25 cases / 100 000 population in the last 14 calendar days. The list of such countries shall be approved and made public every Monday by the State Commander of National Emergency Operations. The revised list of 17 June can be accessed here.
- Foreigners who hold documents confirming their right to reside in the Republic of Lithuania and foreigners who are family members (parents (adoptive parents), children (adopted children), spouses and carers) of the citizens of the Republic of Lithuania and of foreigners who hold documents confirming their right to reside in the Republic of Lithuania;
- Persons enjoying immunities and privileges under the Vienna Convention on Diplomatic Relations (1961), the Vienna Convention on Consular Relations (1963) and under other international agreements and legislation of the Republic of Lithuania, their family members and their service personnel, also members of official delegations;
- Persons serving in the military units of NATO and of NATO countries and their service personnel, also their family members;
- Crew members, who are employed in Lithuanian companies engaged in international commercial transportation, or who carry out international commercial transportation by all the means of transport;
- Health professionals arriving into the Republic of Lithuania for the provision of transplant services;
- High-performance athletes and their service personnel coming to the Republic of Lithuania at the permission of the Minister for Education, Science and Sports of the Republic of Lithuania for the preparation and participation in high-performance athletic competitions;
- Artists coming to the Republic of Lithuania at the permission of the Minister for Culture of the Republic of Lithuania for the participation in professional artistic events, and their service personnel;
- Journalists coming to the Republic of Lithuania at the permission of the Minister for Foreign Affairs of the Republic of Lithuania;
- And in other exceptional cases, where foreigners are allowed entry to the Republic of Lithuania on the basis of an individual permission by a minister holding the jurisdiction in the respective realm, and whose entry has been approved by the Government;
- Persons transiting through the territory of the Republic of Lithuania:
- On their return to their country of residence;
- In whose respect a reasoned request has been made by a foreign country;
- Seafarers;
- Using facilitated transit of persons from the territory of the Russian Federation to Kaliningrad region of the Russian Federation and backwards. This transit of persons shall be carried out only through Kena railway border checkpoint and Kybartai railway border checkpoint under the conditions laid down by the Minister for Foreign affairs of the Republic of Lithuania.

As of 4 May 2020, citizens of Lithuania are no longer restricted from leaving the country. Lithuania and Poland have agreed to reopen their shared border on 12 June 2020.

As of 10 May 2020 flights are allowed to resume to destinations approved by the government. Flights to Frankfurt have resumed since 13 May 2020. Vilnius-Riga regular daily flights have been relaunched since 18 May 2020. Vilnius-Talinn flights as well as flights to Oslo, Alesund, Bergen and Torp Sandefjord in Norway resumed on 25 May 2020. As of 28 May 2020, regular flights to Germany and the Netherlands have been approved by the government. Regular flights to France, Finland and Denmark are allowed to resume from 4 June 2020. On 10 June 2020, the Government has allowed to resume regular flights to Lithuania from Ireland, Spain, Italy, Greece, Croatia, and Cyprus.

On 17 June 2020, Lithuania has published a <u>list</u> of 45 affected countries (with a coronavirus infection (COVID-19) incidence rate of more than 25 cases per 100.000 population over the last 14 days). The list includes countries mostly outside the European Union and the European Economic Area (EEA). The entry of foreigners into the Republic of Lithuania from those countries shall be limited to exceptional cases and those entering Lithuania will be subject to recommended isolation. The list of the affected countries will be updated and made public every week.

From **22 June 2020 to 28 June 2020**, due to high incidence of the coronavirus infection Lithuania will prevent arrivals from Portugal, the UK and Sweden.

Self-isolation requirement for foreign arrivals depends on the original point of travelling. This means that if people have proof that they are travelling from a country from which isolation on return or arrival is not required, they do not need to self-isolate even if they have travelled through other countries. Failing to have such proof, travellers will fall subject to requirements applicable for the last visited country, from which they have come to Lithuania.

There is no restriction on the movement of goods, including purchasing, selling, transporting inside the country, importing and exporting.

There is no restriction of movement inside the country.

Seafarers' transit through the country is allowed as of 15 May 2020. This will be possible only after the shipping company or the ship's agent has ensured their safe transportation from the entry into the Republic of Lithuania to the departure from it through the international border crossing points.

Foreigners staying in Lithuania and wishing to return to their country of residence may do so by means coordinated with the competent authorities of their country.

THE LITHUANIAN GOVERNMENT ANNOUNCED AN QUARANTINE EXIT PLAN

Citizens of the countries of the European Economic Area, the Swiss Confederation and of the United Kingdom of Great Britain and Northern Ireland, and persons lawfully residing in these countries, who arrive from these countries will be allowed entry to Lithuania as of 1 June, provided that the incidence of COVID-19 (coronavirus infection) in their country has not exceeded 25 cases / 100 000 population in the last 14 calendar days. The list of such countries will be approved and made public every Monday. The revised list of 8 June 2020 can be accessed here.

Entry from third countries will only be allowed if a mutual agreement between states on the admission of citizens is reached.

The Lithuanian Government has decided to lift the quarantine regime as of 17 June 2020.

After 17 June, wearing facemasks in public is only recommended. Nevertheless, the provision of services, trade in public trading outlets, leisure and entertainment activities, operation of catering facilities, restaurants, cafes, bars, nightclubs and other entertainment venues shall still be organized and conducted in accordance to the requirements for the management of

the flows of visitors, safe physical distance, and other key requirements for public health safety, hygiene, and the use of personal protective equipment.

Outdoor events will remain restricted to 700 participants from 17 June 2020 to 30 June 2020 and to 1.000 people from 1July 2020 to 16 July 2020. Indoor events are not allowed to have more than 150 participants from 17 June 2020 to 30 June 2020 and 200 participants from 1 July 2020 to 16 July 2020.

Quarantine exit plan announced by the Lithuanian Government Retailers that have direct access from the street 1 stage: starting from 15 April 2020 Shops selling household goods and repair service providers Key makers ✓ Accessory shops ✓ Shoe repair services ✓ Bike repair shops ✓ Laundry shops and dry-cleaners ✓ Rental shops ✓ Repair shops Pet stores 2 stage: starting from As long as they can ensure 10 square meters per client, 23 April 2020 and 27 or serve only one person at a time: April 2020 Cultural establishments - libraries, museums Hairdressers, beauticians and manicure services Outdoor restaurants and cafes Specialized trainings that cannot take place remotely Outdoor activities, e.g. Tennis and golf courts, shooting ranges, wakeboarding parks, sightseeing paths, parks, zoos, outdoor botanical gardens, observational towers All shops, including shopping centers Non-food markets 3 stage: starting from 30 April 2020 Group outdoor activities, as long space of 10 square meters per person maintained ✓ Non-essential medical services ✓ Facemasks not mandatory outside populated areas, for children under 6 and athletes during training Individual training in indoor sporting facilities Leaving the country allowed from 4 May 4 stage: 7 May to 31 **Boating** May 2020 Kindergartens and pre-school education Tattoo parlors, suntan salons and other beauty salons Gym training in small groups Outdoor and indoor events of under 30 people Dental services Hospital visits Unrestricted travels within Baltic countries

5.3 Working

- Home office
- Flexible working hours
- Short-time work

ADOPTED AMENDMENTS OF THE LITHUANIAN LABOUR CODE GUARANTEE MINIMUM WAGE DURING DOWNTIME AND ALLOW ADDITIONAL SAFETY MEASURES

On 8 April 2020, new amendments of the Lithuanian labour code entered into force.

According to the new amendments, employers may declare downtime for an employee or a group of employees if a state of emergency and **(or)** quarantine is declared by the Lithuanian Government, and the employer cannot provide the employees with work according to the employment agreement, because due to the peculiarities of work organization it is not possible to work remotely or the employee does not agree to carry out other work functions offered by the employer.

Employers are obliged to inform the National Labour Inspectorate about announced downtime within 1 working day after the announcement.

Whenever downtime is announced during a declared state of emergency and (or) quarantine:

- Employers are obliged to inform the National Labour Inspectorate about announced downtime within 1 working day after the announcement;
- The employee cannot be required to come to the workplace;
- The employee is entitled to receive a salary that is not lower than the minimum monthly wage approved by the Lithuanian Government (currently 607 EUR gross), if full working time is established in the employment agreement. Furthermore, the employer is entitled to receive a compensation for a part of payroll costs incurred during the announced downtime.
- The employer may declare a partial downtime, reducing the number of weekly number days (reducing at least two working days) or the number of daily working hours (reducing at least three working hours). In case of partial downtime, normal salary is paid during working time and a reduced rate is paid proportionally during downtime, according to the procedure described above.

The newly introduced partial downtime regime allows a more flexible work organization.

If the workload is significantly reduced during the declared state of emergency or lock-down, employees who don't have the possibility to work remotely, may be instructed to work for less days per week or for less hours per day. A regular salary is paid during normal working time whereas a salary, that is not lower than the statutory minimum is paid during the remaining downtime.

Another amendment of the Labour Code allows in case of a declared state of emergency **and** (or) quarantine to suspend an employee from work without having to pay a salary. This is only allowed if the health condition of such employee endangers the health of others and if this employee refuses to work from home. The decision of the employer to dismiss the employee has to meet strict form requirements.

REMOTE WORK FOR PUBLIC SECTOR

State and municipal institutions, offices, state and municipal enterprises are returning to normal working regime.

REMOTE WORK FOR PRIVATE SECTOR

It is not obligatory for private sector companies to organise remote work.

The quarantine regime has been revoked as of 16 June 2020 24:00.

5.4 Contact in Lithuania



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6. SWEDEN

Latest news:

- The government has decided to implement support for companies to speed up the process of changing and adapting their business. The support is to be granted to companies and organizations that have F-tax. The application period for the support is 22 June 2020 to 31 August 2020.
- The Ministry of Foreign Affairs still advises Swedish citizens against unnecessary travel to all countries. The recommendation is valid until 31 August 2020. However, as from June 30 and onwards the Ministry of Foreign Affairs has lifted the travel ban to the following ten countries in Europe: Belgium, France, Greece, Iceland, Italy, Croatia, Luxembourg, Portugal, Switzerland, Spain.
- The government prohibits all travel to Sweden from countries outside the EU until 30 June 2020.

Country overview: 6.1 Direct business support

TAX

Temporary deferral with payment of tax, which entered into force on 7 April 2020. This deferral option concerns the payment of employer contributions, deducted tax and value added tax, which are reported monthly or quarterly. The opportunity is valid for 3 months for each tax during January 2020 - September 2020, and the deferral period may be set out for a maximum of 1 year.

The presented temporary deferral with payment of tax that are reported monthly or quarterly, is now expanded to include VAT that is reported annually from 27 December 2019 to 17 January 2021 (applicable for some smaller businesses).

The interest rate for the deferral is lowered from 6.6 percent to 1.25 percent for the first six months, after which a monthly fee is charged which gives a total fee of 3.1 percent.

A temporary reduction in employers' contributions for the period 1 March 2020 - 30 June 2020 was introduced, so that only the retirement pension contribution is paid (10.21 percent instead of 31.42 percent). The reduction can be applied to up to 30 employees and only to the part of the salary that does not exceed 25.000 SEK (monthly gross). This entails a tax relief of up to 5.300 SEK per employee per month. In order to provide a corresponding relief to sole traders, a reduction of the self-employed contributions can also be made.

The rules on the so-called periodization funds (a profit equalization fund, Sw: periodiseringsfond) are temporarily changed so that self-employed persons receive reduced tax. The new rules mean that 100 percent of the taxable profit for 2019 may be set aside for such funds, up to a ceiling of 1 million SEK, which can then be offset against possible future

losses. This concerns individual traders and natural persons who are partners in trading partnership.

RENT

In order to reduce the costs for companies in sectors such as durables, hotels, restaurants and fairs as well as consumer services such as dentists, physiotherapy activities, hair and body care etc., the government has allocated 5 billion SEK for support of reduced fixed rents. The support is to be applied for by the landlord who has lowered the fixed rent for tenants during the period 1 April 2020 to 30 June 2020. The compensation is given with a maximum of 50 percent of the reduced fixed rent, i.e. the discount itself, but a maximum of 25 percent of the original fixed rent. The rent reduction agreement between the landlord and the tenant must be concluded before 30 June 2020. The application must be sent no later than 31 August 2020 online through the county administrative boards (Sw: länsstyrelserna).

ADAPTATION SUPPORT

The government has decided to implement support for companies to speed up the process of changing and adapting their business. The amount of compensation depends on how large the loss of sales are, but varies between 22.5 and 75 percent of the company's fixed costs (excluding salary costs) during March and April 2020. In order to receive the support, the company must have had a turnover of at least 250.000 SEK during the last financial year and a loss of turnover of at least 30 percent. The turnover loss is to be calculated during March and April 2020 compared to the same months last year. The support is to be granted to companies and organizations that have F-tax. The application period for the support is 22 June 2020 to 31 August 2020.

DORMANT SOLE PROPRIETORSHIPS

Sole proprietorships that are dormant due to unemployment are exempted in 2020 from the rule that they may only be dormant once for five years.

6.2 Contracts, debts and civil law

EXTENDED OPPORTUNITIES FOR LOANS:

- Almi Företagspartner, a state-owned venture capital firm, will receive a capital injection of 3 billion SEK to increase their capacity to lend to small and medium-sized companies.
- The Swedish Export Credit Agency's debt limit is extended from 125 billion SEK to 200 billion SEK for loans to export companies.
- The Swedish Export Credit Agency ceiling for credit guarantees is increased from 450 billion SEK to 500 billion SEK.
- A government loan guarantee, where the state guarantees 70 percent of new loans from the banks to companies that have encountered financial difficulties. The guarantee is issued to the banks, which in turn issue guaranteed loans to the companies. The loan guarantee is primarily aimed at small and medium-sized companies, but there is no formal limit on the size of the company. Each company may be granted a loan at a maximum amount of 75 million SEK, but exceptions can be made.

SHAREHOLDERS' MEETINGS

The parliament has passed a new temporary law to facilitate holding of shareholders meetings under the current circumstances, which comes into force on 15 April and applies until 31 December 2020. The law makes it easier for companies to conduct the meetings in such a way

that the risk of spreading the virus is minimized. Collection of proxies, postal voting and participation through representatives at general meetings will be possible to a greater extent. The number of in person can be kept down, while the possibility for shareholders and members to exercise their right to vote is facilitated.

DIVIDENDS

Tillväxtverket, the authority in charge for support for short-time work, has announced that they will not pay out financial support to companies that pay out dividends. In addition, companies that have paid out dividends and received the support will be liable for any support paid out. These rules apply to all companies, e.g. both listed companies and smaller companies.

6.3 Regulatory response

CITIZENS

The Public Health Authority urges people with symptoms, even mild ones, to avoid social contacts to avoid infecting others. This applies both in working life and in private life.

In particular, people over the age of 70 years are encouraged to limit the contact with other people for the time being. Moreover, they shall avoid traveling by public transport, shopping in stores, visit other places where people gather in numbers.

Prohibition of public gatherings and public events with more than 50 people. This does not apply to private events but should be seen as recommendations for these events as well, according to authorities.

A visitor ban on nursing homes is in effect since 1 April.

EDUCATION

All Sweden's upper secondary schools, colleges and universities are urged to keep closed and switch to distance education. However, the government has announced that upper secondary schools, colleges and universities, during the fall, will be able to return to normal teaching.

On 19 March 2020 the Parliament passed a new regulation that gives the government the possibility to close elementary schools and preschools and that secures care for children of guardians working in socially important activities. However, as of yet the government has not yet decided to close elementary and preschools.

FOREIGN TRAVEL

The Ministry of Foreign Affairs still advises Swedish citizens against unnecessary travel to all countries. The recommendation is valid until 31 August 2020. However, as from June 30 and onwards the Ministry of Foreign Affairs has lifted the travel ban to the following ten countries in Europe: Belgium, France, Greece, Iceland, Italy, Croatia, Luxembourg, Portugal, Switzerland, Spain.

The government prohibits all travel to Sweden from countries outside the EU until 30 June. Swedish citizens and other persons permanently residing in Sweden are however able to return home from abroad. The entry ban does not apply to people who have particularly important reasons for traveling to Sweden, e.g. diplomats and persons in need of international protection.

DOMESTIC TRAVEL

People that are ill shall avoid all forms of travel.

Symptom-free people can travel within Sweden.

Those who belongs to a risk group should especially consider if they should travel.

POLITICS

The parliament has passed a new temporary law were the government is granted increased power to take decisions on Corona-related issues, such as closing schools, without first consulting the parliament. The new law is in effect from 18 April 2020 to 30 June 2020.

RESTAURANTS, STORES, TRANSPORT

The Public Health Authority prohibits everything except table service/take away at restaurants, cafes, bars and nightclubs. Hence, service at the bar or in other areas of a pub or restaurant is prohibited.

The Public Health Authority have released guidelines regarding how to reduce the number of customers staying in such areas as grocery stores, department stores and shopping centres at the same time, including e.g. to develop alternative solutions to avoid queues, or to specify the distance between the customers.

In terms of public transport, the Public Health Authority, have announced that the responsible actors shall review and limit the total number of passengers per vehicle to avoid near distances between passengers.

MEDICAL

The capacity to test for COVID-19 will be further expanded to other selected groups, such as medical staff and the Public Health Authority shall develop a national strategy and coordinate this work with other actors.

6.4 Working

- Home office
- Flexible working hours
- Short-time work

HOME OFFICE/ REGULAR OFFICE

Employers who have the opportunity to let employees work from home should consider recommending this.

For employees that does not work from home, the employer shall ensure that there is a distance between colleagues in the workplace, that working hours are adjusted so that employees do not have to travel to or from the workplace in rush hour traffic and that good hand hygiene is maintained.

SHORT-TIME WORK

As of 16 March 2020, employers can order short-time work where employees' working hours are reduced by up to 60 percent while they retain 92.5 percent of their salary.

As from 1 May 2020, and for three months onwards, the opportunities for short-time work is extended. During this time period it shall be possible for employers to reduce the employees working hours by up to 80 percent while they still retain 88 percent of their salary.

SICKNESS AND SICK-PAY

As from 16 March 2020 and for at least until July, sick pay (paid for day 2-14 of absence due to sickness) is not to be paid by the employer. This is instead to be paid by the government.

The qualifying day for sick pay will be discontinued between 11 March 2020 and onwards. Instead, the employee will receive compensation if applied for at the Swedish Social Insurance Agency. The requirement for medical certificate from the eight day of the sick period shall be repealed. Hence, the employee can stay away from work without a medical certificate issued by a doctor.

6.5 Contact in Sweden



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