



Verslo teisės grupė  
**FORESTA**  
Business Law Group

Law firm FORESTA was founded in 1991.

Attorneys of the firm mainly specialize in business law.

These are the principal areas of the firm's practice:

- Corporate and Commercial
- Banking and Finance
- Securities
- Competition
- Insolvency
- Intellectual Property
- Information Technology and Telecommunications;
- Insurance
- Real Estate and Construction
- Dispute Resolution
- Employment
- Taxation

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## FINANCE AND TAXATION

### Value Added Tax

On 31 of January 2007 the Government of the Republic of Lithuania passed the Resolution No 108 on the Amendment of the Resolution of the Government of the Republic of Lithuania, as of 12 June 2002, No 861 On the Implementation of the Law on Value Added Tax.

### Fees and Charges

On 8 of January 2007 the Government of the Republic of Lithuania passed the Resolution No 18 on the Amendment of the Resolution No 1458 of the Government of the Republic of Lithuania, as of 15 of December 2000, on the Approval on the List of Objects and the Amounts of State Fees and Charges and the Rules of Payment and Refund of the State Fees and Charges.

On 29 of January 2007 the Government of the Republic of Lithuania passed the Resolution No 90 on the Amendment of the Resolution No 1458 of the Government of the Republic of Lithuania, as of 15 of December 2000, on the Approval on the List of Objects and the Amounts of State Fees and Charges and the Rules of Payment and Refund of the State Fees and Charges.

On 7 of December 2006 the Parliament of the Republic of Lithuania passed the Law No X-960 on the Amendment of Article 28 of the Law on Excises. The amendments are due to the tariffs of excises applied to cigarettes. It is noteworthy that the above-mentioned amendments will come into force on 1 of March 2007.

## CIVIL LAW

On 12 of January 2006 the Parliament of the Republic of Lithuania passed the Law No X-1014 on the Amendment of the Law on Consumer Protection (hereafter – the Law). By this law a new edit of the Law was set forth. Among other amendments the new edit of the law does not provide legal rules regulating the unfair terms of a contracts of purchasing goods, sale of things inside the premises not intended for trade, sale of goods concluded by means of communication and legal rules regulating acquisition of the right to make use, at a certain time, of residential space and consumer credits. After the new edit of the Law comes into force only the Civil Code of the Republic of Lithuania shall regulate the abovementioned institutes. The new edit of the Law gives a great deal of attention to regulating the extrajudicial protection of consumer rights. The regulation of financial services provided under contracts concluded by means of communication was expanded. It is noteworthy that the new edit of the Law comes into force on 1 of March 2007.

## ADMINISTRATIVE LAW

On 16 of January 2007 the Parliament of the Republic of Lithuania passed the Law No X-1019 on the Amendment of Articles 15, 44<sup>1</sup>, 189<sup>7</sup>, 224, 247<sup>10</sup>, 259<sup>1</sup>, 320 of the Code on Administrative Offences (hereafter – the Code) and the Supplementation of the Code with Articles 44<sup>3</sup>, 44<sup>4</sup>, 44<sup>5</sup>, 214<sup>25</sup>, 214<sup>26</sup>. The amendments are due to the order of applying administrative liability for breaches of laws regulating the activities related to medicine (medical preparations) and (or) products of medical purpose.

## COMPANY LAW

On 12 of January 2007 the Parliament of the Republic of Lithuania passed the Law No X - 1015 on the Amendments of the Articles 15, 45, 52, 53, 58, 59, 60 and Announcement Void of Part 1 of the Article 78 of the Law on Companies (hereinafter – Law). Among other amendments the list of property rights of the shareholders set forth in the Article 15 of the Law was supplemented. It is established that the shareholders have the right to get the part of the company's assets, when the authorized capital is being reduced in order to pay out the company's assets to the shareholders. The order of the reduction of the authorized capital set forth in Article 52 was amended. From now on the

purpose of the reduction of the authorized capital must be indicated in the decision of the general meeting of the shareholders to reduce the authorized capital. The new edit of the Article 52 provides certain conditions of adoption of the decision to reduce the authorized capital in order to pay out the company's assets to the shareholders. This decision may be adopted only by the ordinary general meeting of the shareholders. It is also provided that the abovementioned decision cannot be adopted if the company is insolvent or would become insolvent if company's assets were paid out to shareholders. It is established that the decision of the general shareholders meeting is

considered to be void if the changed statutes of the company are not presented to the Register of Legal Persons within 6 months from the day of the general shareholders meeting that adopted this decision. The amendments of Part 2 of Article 58 of the Law are due to the order of affirmation of company's financial accounts. It is indicated that if an audit of the company's financial accounts is compulsory according to effective legislature, then only audited financial accounts can be affirmed. It is noteworthy that this provision of

the Law comes into force on 1 of January 2008. Article 59 of the Law providing the order of appropriation of profit/loss was also amended.

On 29 of January 2007 the Government of the Republic of Lithuania passed a Resolution No 93 On the Amendment of the Resolution No 1407 of the Government of the Republic of Lithuania, as of 12 of November 2003, On the Founding of the Register of Legal Persons and the Affirmation of the Regulation of the Register of Legal Persons.

**SECURITIES**

On 18 of January 2007 the Parliament of the Republic of Lithuania passed the Law on Securities No X-1023. This law regulates the order of preparing, affirming and announcing the prospectus, the order of disclosing and storage of periodical and current information, the order of presenting an official offer and the rights and duties of the Securities Commission of the Republic of Lithuania. This law amends the Law on the Securities Market.

On 18 of January 2007 the Parliament of the Republic of Lithuania passed the Law on the Market of Financial Means No X-1024. The purpose of this law is to regulate the social relations in pursuance to ensure honest, open and effective operation of the markets of financial means, the protection of the interests of the investors and the limitation of the systematic risk.

**ADVOCACY**

On 21 of December 2006 the Parliament of the Republic of Lithuania passed a law No X-1004 on the Amendment of Article 4 of the Law on Advocacy. This law amended Part 4 of Article 4 of the Law on Advocacy.

**VARIOUS**

- On 29 of December 2006 the Government of Republic of Lithuania passed the Resolution No 1369 on the Transfer of Days-off in the Year 2007
- On 29 of December 2006 the Minister of Justice of the Republic of Lithuania issued the Order No 1R – 488 on the Amendment of the Order of the Minister of Justice of the Republic of Lithuania No 57 as of 12 of September 1996, on the Affirmation of Temporary Amounts of Notary Fees for Notary Services, Preparing Projects of Contracts, Consultations and Technical Services.