

# Tax News

March 2026

## New provisions on profits, reserves, and distributable results in financial statement notes

### Executive Summary

In March 2026, through **General Resolution No. 49/2026 dated March 24, 2026**, provisions were established regarding the information that IRE taxpayers must disclose in the Notes to the Financial Statements, specifically in relation to earnings, reserves, and distributable results, applicable to fiscal years ending on December 31, 2025.

### **DNIT General Resolution No. 49/2026 - Establishes provisions for the disclosure of information regarding profits, reserves, and distributable earnings in the Notes to the Financial Statements.**

Through General Resolution No. 49/2026, the National Tax Revenue Directorate ("DNIT") established new reporting requirements for Corporate Income Tax ("IRE") taxpayers who are required to file financial statements with the DNIT under Obligation No. 948.

The main objective of this regulation is to strengthen the control and audit mechanisms for the Dividend and Profit Tax ("IDU"), facilitating the DNIT's reconciliation of the net worth reported by taxpayers with their actual operating economic reality. In this regard, the Notes to the Financial Statements are required to contain detailed information on the composition and allocation of retained earnings and

accumulated results.

### **Minimum information required in the Notes:**

The resolution provides that the Notes to the Financial Statements must include, at a minimum, the following information:

- a. Reconciliation of retained earnings**, detailing: the current year's net income, retained earnings from prior years, and the corresponding adjustments.
- b. Distributable earnings**, identifying earnings for the current fiscal year and accumulated earnings from prior fiscal years.
- c. Distribution or allocation of earnings**, indicating dividends or earnings distributed, capitalized earnings, earnings allocated to reserves, and earnings pending distribution.
- d. Composition of reserves** (legal, optional, statutory, and other), reporting for each type: the opening balance, increases and decreases for the fiscal year, and the closing balance.
- e. Additional details for each reserve**: its purpose, the



source of the earnings comprising it, the fiscal year(s) of generation, the accounting account linked to its use, the corporate body that approved its establishment, and the possibility of future distribution.

**Effective Date and Filing:**

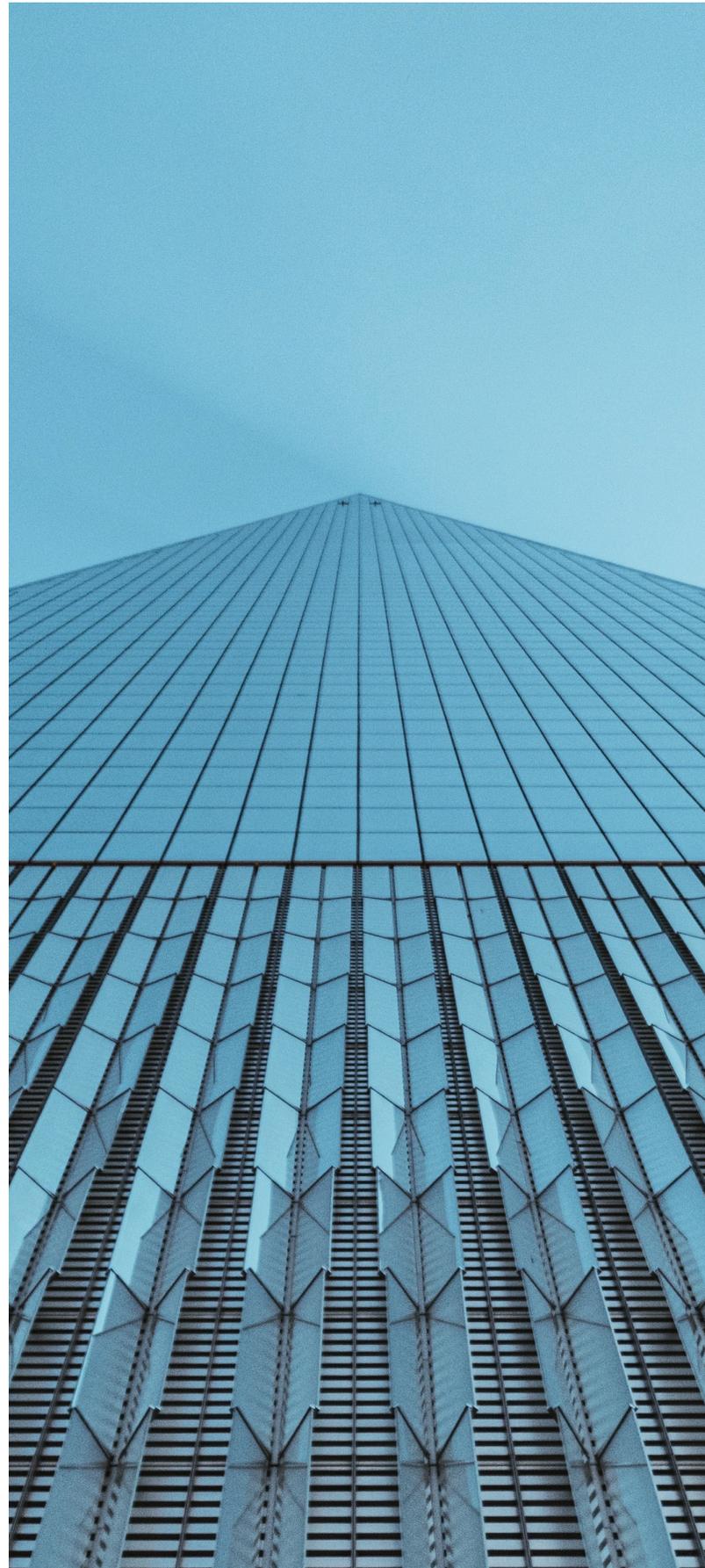
The resolution applies to financial statements for fiscal years ending on or after December 31, 2025. This means that taxpayers under the General IRE Regime whose fiscal year ends on that date must comply with these new requirements when filing their financial statements through the Marangatu Tax Management System, as part of the documentation corresponding to Obligation No. 948.

Pursuant to General Resolution No. 38/2020, the standard deadline for filing financial statements for the fiscal year ending December 31, 2025, is April 2026, according to the filing schedule for Informative Tax Returns (between April 8 and 26, depending on the last digit of the taxpayer's RUC). Notwithstanding this, it should be noted that in recent years the DNIT has granted exceptional extensions that pushed this deadline back to June; therefore, it is recommended to remain vigilant for the possible issuance of a similar resolution for this fiscal year.

**Connection to the IDU:**

It is important to note that this resolution falls within the context of IDU oversight, whose taxable event, pursuant to Article 40 of Law No. 6380/2019, is triggered by the distribution or payment of profits, dividends, or returns to owners, co-owners, partners, or shareholders. By requiring details on reserves and their potential for future distribution, the DNIT seeks to have more precise tools to verify that companies do not indefinitely defer the distribution of profits as a mechanism to postpone IDU payments.

In practice, this regulation introduces an additional reporting burden that taxpayers and their accounting advisors must consider when preparing the financial statements for the 2025 fiscal year, particularly regarding the traceability of the origin and destination of accumulated profits and the justification for the purpose of each reserve established.



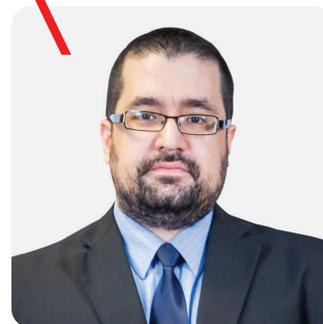
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