Tax privileges as a stimulating tool of Megascience projects

E Y Gracheva, L L Arzumanova, O V Boltinova and A A Sitnik

Kutafin Moscow State Law University (MSAL), Moscow, 125993, Russian Federation

gracheva@msal.ru

Abstract. The article is devoted to the study of the impact of tax privileges on the stimulation of scientific activity in general and megascience projects in particular. The paper examines the concept and types of tax privileges in accordance with the tax legislation of the Russian Federation, considers tax privileges associated with the implementation of scientific activities, in particular, privileges for personal income tax, corporate income tax, privileges for taxes levied in connection with the use of simplified and patent systems of taxation, by subjects carrying out scientific activities. It should be noted that currently there are no privileges in the tax legislation of the Russian Federation that would be directly related to the implementation of megascience projects. Meanwhile, the possibility of their introduction should be properly assessed and should be seriously considered by the top officials of the state. Currently, there are no privileges in the tax legislation of the Russian Federation that would be directly related to the implementation of megascience projects. Meanwhile, the possibility of their introduction should be properly assessed and should be seriously considered by the top officials of the state. The mechanism for applying the so-called "tax holidays" is currently very limited.

1. Introduction
Development of innovative activity in Russia is becoming a key element of state policy in the economic sphere. Over the past few decades, this task has become of great importance, which has given a significant shift both at the level of state management of the economy and at the level of the scientific community.

The Federal Law of 23.08.1996 No. 127-FZ "On Science and State Scientific and Technical Policy" introduces the concept of innovation, which is considered as a new or significantly improved product (product, service) or process introduced into use, a new sales method or new organizational method in business practice, workplace organization or in external relations.

In turn, activities (including scientific, technological, organizational, financial and commercial activities) aimed at the implementation of innovative projects, as well as at the development of an innovative infrastructure and ensuring its activities are recognized as innovative (Art.2).

The participation of the state in the regulation of economic processes in the course of tax policy can be carried out, including using such an instrument as a tax privilege.

1 CL RF 1996. No 35. Art. 4137
The tax privilege, being an effective mean of implementing tax policy, is associated with partial or complete exemption from taxation of certain categories of legal entities and individuals, including those that are classified as scientific in accordance with the legislation of the Russian Federation.

At the same time, it should be noted that preferential tax regulation, on the one hand, is aimed at stimulating certain areas of activity, and on the other hand, puts taxpayers in an unequal position, thereby violating the principle of equality of taxation for all taxpayers.

However, we are talking about such a direction as megascience projects, which are expensive scientific and research complexes, the participants of which are Russian and foreign research institutions and their teams. Moreover, the legislation allows the development of megascience projects with the participation of public and private capital. In turn, attracting the private sector is possible through tax privileges for their participation. In this regard, we will consider tax privileges provided to legal entities and individuals in their scientific and scientific-research activities.

2. Concept and types of tax privileges

In accordance with paragraph 1 of Art. 17 of the Tax Code of the Russian Federation, the tax is considered established only when taxpayers and elements of taxation are identified, namely: the object of taxation; the tax base; taxable period; tax rate; the procedure for calculating tax; the procedure and terms of tax payment. If necessary, when establishing a tax in an act of legislation on taxes and duties, tax privileges and grounds for their use by taxpayers may also be provided (clause 2 of article 17 of the Tax Code of the Russian Federation). Thus, tax privileges are referred by the legislator to the number of optional elements of taxation, which, in turn, is confirmed by judicial practice.

In particular, the Appellate Ruling of the Investigative Committee on Civil Cases of the Kursk Regional Court dated 06.07.2016 No. 33-2117/2016 notes that the privileges provided to taxpayers do not apply to the mandatory elements of the tax named in clause 1 of Art. 17 of the Tax Code of the Russian Federation.

The Court of Appeal emphasizes that within the meaning of paragraph 2 of Art. 17 of the Tax Code of the Russian Federation, privileges and the grounds for their use by taxpayers of a certain category can be established in the legislation on taxes and duties in cases where it seems necessary and expedient. Thus, their absence in the tax law is not a reason for refusing to pay one or another type of tax.

Consequently, the legislator, having regulated the elements of tax as a legal structure, actually creates a pragmatic model of tax (in the terminology of D.M. Zhilin, a model for which reality is "adjusted")⁴.

Moreover, the regulatory function of the tax can be realized by varying individual elements of the tax. So, in the Ruling of the Constitutional Court of the Russian Federation of June 17, 2008 No. 498-O-O⁵, it is explained that the federal legislator in the implementation of tax regulation is bound by the requirements of ensuring the constitutional principles of fairness and proportionality in the field of tax relations and, at the same time, has a sufficient degree of discretion in establishing specific taxes: it independently determines the parameters of the main elements of tax, types of tax rates, the duration of the tax period, the procedure for calculating tax, the circle of persons, as well as the grounds and procedure for exemption from taxation.

---

² Tax Code of the Russian Federation. Part I. CL RF. 1998. No 31. Art. 3824.
³ Reference and legal system "Garant".
⁴ Zhilin D.M. Systems theory: experience in building a course. - M., 2007. P. 30 - 32.
⁵ Ruling of the Constitutional Court of the Russian Federation of June 17, 2008 No. 498-O-O "On refusal to accept for consideration the complaint of the open Joint Stock Company Murmansk Sea Fishing Port on violation of constitutional rights and freedoms by subparagraph 23 of paragraph 2 of Article 149 of the Tax Code of the Russian Federation" // Constitutional justice in the CIS and Baltic countries. 2008. No.23 (special issue).
At the same time, in a number of acts of the Constitutional Court of the Russian Federation (for example, Resolution of November 28, 2017 No. 34-P⁶, Ruling of February 5, 2009 No. 367-O-O⁷), it is indicated that forming the structure of the tax system of the Russian Federation, the federal legislator when establishing a specific tax, independently chooses and determines the parameters of its elements due to the economic characteristics of this tax, including the composition of taxpayers and objects of taxation, types of tax rates, the duration of the tax period, cost and/or quantitative indicators necessary to determine the tax base, and procedure for calculating tax, ensuring the calculation of the amount of tax to be paid to the budget.

According to paragraph 1 of Art. 56 of the Tax Code of the Russian Federation, privileges for taxes and duties are recognized as privileges provided to certain categories of taxpayers and payers of duties as provided by the legislation on taxes and duties compared to other taxpayers or payers of duties, including the possibility of not paying a tax or levy or paying them in a smaller amount. The norms of the legislation on taxes and duties, which determine the grounds, procedure and conditions for the application of privileges on taxes and duties, cannot be individual in nature.

At the same time, the legislator in paragraph 2 of Art. 56 of the Tax Code of the Russian Federation established the right of the taxpayer to refuse to use the privilege or to suspend its use for one or several tax periods.

Privileges for federal taxes and duties are established and canceled by the Tax Code of the Russian Federation. Privileges for regional and local taxes are established and canceled by the Tax Code of the Russian Federation, the laws of the constituent entities of the Russian Federation on taxes and regulatory legal acts of the representative bodies of municipalities on taxes, respectively (clause 3 of Article 56 of the Tax Code of the Russian Federation).

The Ministry of Finance of Russia in the Letter dated 03.02.2020 No. 03-04-05 / 6581 notes that tax exemption on an individual basis is not possible⁸.

There is no uniform classification of tax privilege in the legislation. Nevertheless, the analysis of the norms of the Tax Code of the Russian Federation makes it possible to formulate the following types:

- tax deductions;
- reduced tax rates (for example, a 10% preferential VAT rate is applied for children's and medical goods);
- exemption from tax of certain categories of persons (probably sales of food products produced by canteens of educational and medical organizations is exempt from VAT);
- reduction of the amount of tax payable;
- other forms.

The listed tax privileges are centered around:

- tax exemption. Tax exemptions include: exemption from tax for a certain period (for example, individual entrepreneurs applying a "simplified tax" or a patent, subject to certain conditions, can receive this exemption for two tax periods); tax amnesty - repayment by a taxpayer of overdue debt without applying sanctions for delay; full tax exemption can be granted to certain

---

⁶ Resolution of the Constitutional Court of the Russian Federation of November 28, 2017 No. 34-II "In the case of checking the constitutionality of paragraph 8 of Article 75, subparagraph 3 of paragraph 1 of Article 111 and subparagraph 23 of paragraph 2 of Article 149 of the Tax Code of the Russian Federation in connection with the complaint of the Joint Stock Company Fleet of Novorossiysk Commercial Sea Port // CL RF. 2017. No. 49. Art. 7532.

⁷ Ruling of the Constitutional Court of the Russian Federation dated 05.02.2009 No. 367-O-O "On refusal to accept for consideration the complaint of the Open Joint-Stock Company Nizhnevartovsk Oil And Gas Production Enterprise on violation of constitutional rights and freedoms by subparagraph 2 of paragraph 2 of Article 164 of the Tax Code of the Russian Federation" // Reference and legal system "Garant".

⁸ Letter of the Department of Tax and Customs Policy of the Ministry of Finance of Russia dated 03.02.2020 No. 03-04-05 / 6581 // Reference and legal system "Garant".
categories (pensioners, war veterans, public organizations, etc.); exemption - exclusion from the tax base of its parts, for example, exemption from taxation of certain types of property of pharmaceutical, religious and other organizations (Article 381 of the Tax Code of the Russian Federation); a reduced tax rate allows certain categories of taxpayers to pay tax at interest rates lower than the generally established rates; tax holidays;

- reduction of the tax base: tax deductions - exclusion from the taxable base of a certain part of it, for example, standard, social and property deductions for personal income tax; non-taxable minimum - the minimum amount not subject to tax;
- granting a tax credit: investment tax credit, i.e. the ability of an organization to reduce its payments for income tax, regional and local taxes within a certain period with the subsequent payment of the loan and interest on it (Art. 66 of the Tax Code of the Russian Federation).

3. Tax privileges for individuals

In the Russian Federation, taxpayers of personal income tax are divided into two categories - residents and non-residents. As a general rule, residents pay tax on personal income at a rate of 13% on income received both in the territory of the Russian Federation and abroad, and non-residents at a rate of 30%, but only on income received in Russia. According to paragraph 2 of Art. 207 of the Tax Code of the Russian Federation, as a general rule, individuals are recognized as tax residents in case of actual stay in the Russian Federation for at least 183 calendar days within 12 consecutive months. At the same time, Russian tax legislation establishes a number of exceptions when taxpayer income can be taxed at a rate of 13% regardless of the duration of stay in Russia. In particular, paragraph 3 of Art. 224 of the Tax Code of the Russian Federation provides for the possibility of taxation with this rate of income from labor activity received by highly qualified specialists.

The procedure for assigning foreign citizens to the category of highly qualified specialists is fixed by Federal Law No. 115-FZ dated 25.07.2002 "On the Legal Status of Foreign Citizens in the Russian Federation". Basing on part 1 of Art. 13.2 of this law, a foreign citizen with work experience, skills or achievements in a specific field of activity is recognized as a highly qualified specialist, if the conditions for attracting him to work in the Russian Federation imply that he will receive a certain level of wages (remuneration).

Scientists and teachers are recognized as highly qualified in the event:

- if they were invited to engage in research or teaching activities on state accredited educational programs by educational institutions of higher education;
- if they were invited by Russian commercial organizations or Russian scientific organizations, educational organizations of higher education (with the exception of spiritual educational organizations), as well as other organizations carrying out scientific, scientific and technical and innovative activities, experimental development, testing, training in accordance with state priority directions of development of science, technique and technology of the Russian Federation, if they have, in the cases provided for by the legislation of the Russian Federation, state accreditation;
- receiving a salary of at least eighty three thousand five hundred rubles per calendar month (just over $ 1,100).

Provisions of tax legislation granting the right to apply a reduced tax rate to researchers can certainly be considered as a tax privilege aimed, among other things, at stimulating research work. Meanwhile, it seems that the current procedure for recognizing a foreign specialist as a highly qualified specialist is overly bureaucratic.

---

9 Tax Code of the Russian Federation. Part II. CL RF. 2000. No. 32. Art. 3340.
10 CL RF. 2002. No. 30. Art. 3032.
Also, individual privileges provided to scientists include exemption from personal income tax of amounts received in the form of grants (gratuitous assistance) provided to support science and education, culture and art in the Russian Federation by international, foreign and/or Russian organizations according to the lists of such organizations approved by the Government of the Russian Federation\textsuperscript{11}. This list, in particular, includes the Russian Humanitarian Science Foundation, the Russian Foundation for Fundamental Research, the Russian Science Foundation, as well as a number of other organizations.

Also the following amounts of income are exempt from taxation which are received by taxpayers:

- in the form of international, foreign or Russian awards for outstanding achievements in the field of science according to the list of awards approved by the Government of the Russian Federation;
- in the form of prizes awarded by senior officials of the constituent entities of the Russian Federation (heads of the supreme executive bodies of state power of the constituent entities of the Russian Federation) for outstanding achievements in the field of science, according to the lists of awards approved by senior officials of the constituent entities of the Russian Federation (heads of the highest executive bodies of state power of the constituent entities of the Russian Federation).

Tax deductions for individuals can be considered as a tool to stimulate the financing of scientific activities. So, when calculating the tax base for personal income tax, the payer has the right not to take into account the amount of income paid as donations to non-profit organizations operating in the field of science and education (subparagraph 1 of paragraph 1 of article 219 of the Tax Code of the Russian Federation). It’s worth noting that today the operators of the megascience projects implemented in Russia are in most cases budgetary institutions, which, according to Russian legislation, are among the non-commercial ones. Meanwhile, it should be recognized that business is weakly interested in financing megascience projects in view of the limited commercial use of the results of these studies.

4. Tax privileges for scientific organizations

Art. 19 of the Tax Code of the Russian Federation provides a definition of taxpayers, which are organizations and individuals who are charged with the obligation to pay taxes, duties, insurance premiums, respectively.

By virtue of paragraphs 3 p. 1 art. 21 of the Tax Code of the Russian Federation, a taxpayer is entitled to use tax privileges if there are grounds and in the manner established by the legislation on taxes and duties.

In Art. 2 of the Federal Law of 23.08.1996, No. 127-FZ "On Science and State Scientific and Technical Policy", the definition of scientific (scientific-research) activity is presented, which is an activity aimed at obtaining and applying new knowledge, including:

- fundamental scientific research - experimental or theoretical activity aimed at obtaining new knowledge about the basic laws of the structure, functioning and development of man, society, the environment;
- applied scientific research - research aimed primarily at applying new knowledge to achieve practical goals and solve specific problems;

\textsuperscript{11} Decree of the Government of the Russian Federation of 15.07.2009 No. 602 "On approval of the list of Russian organizations, the grants (gratuitous assistance) of which are received by taxpayers, provided to support science, education, culture and art in the Russian Federation, are not subject to taxation" // CL RF. 2009. No. 30. Art. 3815.
• exploratory research - research aimed at obtaining new knowledge for the purpose of its subsequent practical application (oriented scientific research) and/or at the application of new knowledge (applied scientific research) and carried out by performing research work.

Thus, scientific and technical activities are aimed at obtaining, applying new knowledge to solve technological, engineering, economic, social, humanitarian and other problems, to ensure the functioning of science, technology and production as a single system.

In the course of scientific and technical activities, organizations enjoy tax privileges established by certain types of taxes. However, not all taxes, the payers of which are these organizations, have established privileges in relation to the activities that the latter carry out. Nevertheless, we will consider some types of taxes in respect of which a preferential treatment of their payment by scientific organizations, including those operating in the field of megascience projects, is applicable.

So, in particular, VAT is not subject to taxation in the territory of the Russian Federation:

• scientific-research and experimental development work at the expense of the budgets of the budgetary system of the Russian Federation, funds of the Russian Fund for Fundamental Research, the Russian Fund for Technological Development and funds to support scientific, scientific and technical, innovative activities; performance of scientific-research and experimental development work by educational organizations and scientific organizations on the basis of economic contracts;

• scientific-research, experimental development and technological work of organizations related to the creation of new products and technologies or to the improvement of manufactured products and technologies, if the following types of activities are included in the scientific-research, experimental development and technological work: development of the design of an engineering facility or technical system; development of new technologies, that is, ways of combining physical, chemical, technological and other processes with labor processes into an integral system that produces new products (goods, works, services); creation of experimental, that is, without a certificate of conformity, samples of machines, equipment, materials that have fundamental features of innovations and are not intended for realization to third parties, their testing during the time necessary to obtain data, accumulate experience and reflect them in technical documentation (subparagraphs 16 and 16.1 of paragraph 3 of article 149 of the Tax Code of the Russian Federation).

In accordance with paragraph 1 of Art. 246.1 of the Tax Code of the Russian Federation, organizations that received the status of participants in a project to carry out research, development and commercialization of their results in accordance with the Federal Law "On the Skolkovo Innovation Center" or project participants in accordance with Federal Law No. 216-FZ of July 29, 2017 "On Innovative scientific and technological centers and on amendments to certain legislative acts of the Russian Federation", within 10 years from the date they receive the status of project participants in accordance with the indicated federal laws, acquire the right for exemption from the duties of taxpayers.

The expenses related to production and sales (reducing the taxable base) include expenses for scientific-research and experimental development (subparagraph 4 of paragraph 1 of article 253 of the Tax Code of the Russian Federation).

Paragraph 1 of Art. 262 of the Tax Code of the Russian Federation defines the costs of scientific research and/or experimental development, which are recognized as costs related to the creation of new or improvement of manufactured products (goods, works, services), to the creation of new or improvement of applied technologies, methods of organizing production and management.

Also, privileged taxation in the form of exemption from payment of tax on the property of organizations is fixed in relation to the property of organizations that have been assigned the status of state research centers; organizations that have received the status of a project participant in accordance
with Federal Law No. 216-FZ of July 29, 2017 "On Innovative Scientific and Technological Centers and on Amendments to Certain Legislative Acts of the Russian Federation" - in relation to property recorded on their balance sheets and located in the territory of an innovative scientific and technological center, for ten years starting from the month following the month of registration of the specified property (clauses 15 and 28 of Art. 381 of the Tax Code of the Russian Federation).

A similar exemption from land tax is provided for organizations recognized as funds in accordance with the Federal Law No. 216-ФЗ of July 29, 2017 "On Innovative Scientific and Technological Centers and on Amendments to Certain Legislative Acts of the Russian Federation" - in relation to land plots, which are part of the territory of the innovative scientific and technological center (clause 13 of article 395 of the Tax Code of the Russian Federation).

5. Privileges on taxes levied in connection with the application of the simplified and patent taxation systems by entities engaged in scientific activities

Let's make a reservation right away that in the Russian Federation only small businesses and individual entrepreneurs are entitled to apply special tax regimes. Thus, it is obvious that organizations implementing megascience projects in the territory of the Russian Federation cannot apply these regimes. Meanwhile, the practice of introducing "tax holidays" seems to be interesting, which was tested within the framework of the simplified and patent taxation systems.

So, since January 1, 2015, amendments entered in force into chapters 26.2 "Simplified taxation system" and 26.5 "Patent taxation system" of the Tax Code of the Russian Federation, which provided the subjects of the Russian Federation with the right to introduce the so-called "tax holidays". Despite the fact that this term is not used in the Federal Law of December 29, 2014 No. 477-FZ "On Amendments to Part Two of the Tax Code of the Russian Federation"12 it is nevertheless commonly used.

The essence of the "tax holidays" is that at present the constituent entities of the Russian Federation have the right to establish, on the basis of their laws, a tax rate of 0 percent for certain categories of taxpayers.

The following restrictions apply to this privilege:

1) the term of the privilege - can be applied by the constituent entities of the Russian Federation only in the period from January 1, 2015 to January 1, 2024. It was the urgency uncharacteristic of tax privileges that gave rise to the use of the concept of "holidays". It should also be noted that initially, the term for the introduction of this privilege was limited to December 31, 2020. Meanwhile, according to the Federal Law No. 266-FZ of July 31, 2020, this period was extended for another four years;

2) the term for the application of tax privileges by taxpayers - on the basis of par. 2 п. 4 art. 346.20 of the Tax Code of the Russian Federation, the privilege can be applied continuously for two tax periods;

3) the privilege is introduced on the basis of the law of the subject of the Russian Federation. The subjects of the Russian Federation have the right to independently decide whether to introduce such a privilege or not. In addition, the subjects of the Russian Federation:

• independently determine the duration of the privilege, within the general period;
• determine the types of entrepreneurial activity in production, social and scientific spheres, in respect of which a tax rate of 0 percent is set;
• can limit the average number of employees;
• can limit the maximum amount of income from sales, in the implementation of production, social and/or scientific activities;

4) applies only to taxpayers who are sole proprietors. Organizations taxpayers are not entitled to apply this tax privilege. It should be borne in mind that the Tax Code of the Russian Federation as a

---

12 Federal Law of December 29, 2014 No. 477-FZ "On Amendments to Part Two of the Tax Code of the Russian Federation"// CL RF. 2015. No. 1 (Part. 1), Art. 30.
whole does not operate with the concept of "scientific organizations", enshrined in the Federal Law of 23.08.1996 No. 127-ФЗ "On Science and State Scientific and Technical Policy"\textsuperscript{13}.

5) taxpayers must be "registered for the first time after the entry into force of these laws". As the Ministry of Finance of Russia explained, individual entrepreneurs who have been deregistered due to the termination of their activities and newly registered (repeatedly or again) after the entry into force of these laws of the constituent entities of the Russian Federation are not entitled to apply the privilege\textsuperscript{14}. If an individual entrepreneur registered after January 1, 2015 applied the general taxation system, then when switching to a simplified or patent taxation system, it acquires the right to apply the privilege in question\textsuperscript{15}.

The disadvantage of the above wording is also that individual entrepreneurs registered after 2015, but before the entry into force of the relevant law of the constituent entity of the Russian Federation, do not have the right to use the privilege. At the same time, the law does not endow the representative bodies of the constituent entities of the Russian Federation with the right to apply this benefit retrospectively;

6) the privilege can be introduced only in relation to taxpayers carrying out activities in the production, social and/or scientific fields. In accordance with par. 3 p. 4 art. 346.20 of the Tax Code of the Russian Federation, types of entrepreneurial activities in production, social and scientific spheres, in respect of which a tax rate of 0 percent is established, are established by the constituent entities of the Russian Federation on the basis of the All-Russian classifier of services to the population and/or the All-Russian classifier of types of economic activities. In turn, Rosstandart explained in its letter dated February 26, 2015 No. CT-101-32 / 1386 that the types of entrepreneurial activities in the industrial, social and scientific spheres, in respect of which a tax rate of 0 percent is established, are established by the constituent entities of the Russian Federation on the basis of the named classifiers independently.

It should be recognized that the use of "tax holidays" is very limited. In relation to taxpayers carrying out their entrepreneurial activities in the scientific field, this privilege is practically not applied. We believe that in order to increase the effectiveness of the benefits under consideration, it is necessary to extend it not only to individual entrepreneurs, but also to organizations that, in accordance with the Law on Science and State Scientific and Technical Policy, can be classified as scientific.

In addition, it seems expedient to work out a variant with the introduction of this kind of "tax holidays" for scientific organizations implementing megascience projects. These "holidays" can only be extended to activities related to the implementation of this type of projects, and be urgent.

6. Conclusion
Summing up the results of the study, the following should be noted:

1. There are two main groups of methods for stimulating scientific activity - direct, associated with direct financing, and indirect, which can be attributed to tax privileges. Obviously, the success of the implementation of megascience projects primarily depends on the amount of funds allocated for these projects, the timeliness of their delivery to the final recipients, as well as the efficiency of spending these funds. Meanwhile, tax privileges are also important for stimulating scientific activity - they allow reducing the fiscal burden of scientific organizations and scientists, allowing them to spend more money on solving scientific problems. In addition, tax

\textsuperscript{13} Federal Law of 23.08.1996 No. 127-FZ "On Science and State Scientific and Technical Policy" // CL RF. 1996. No. 35. Art. 4137.

\textsuperscript{14} Letters of the Ministry of Finance of Russia dated 08.04.2015 No. 03-11-11 / 19806, dated 26.01.2015 No. 03-11-10 / 2204 // Official documents (annex to "Accounting. Taxes. Law"). 2015. No. 7.

\textsuperscript{15} Letter of the Ministry of Finance of Russia dated 03.23.2015 No. 03-11-10 / 15651 // Accounting Appendix (Appendix to "Economy and Life"). 2015. No. 15.
privileges also have an important psychological significance - by introducing them, the state recognizes the social significance of scientific activity and the importance of the profession of a scientist for society. Thus, tax privileges play an important role in the development of scientific activities.

2. Currently, there are no privileges in the tax legislation of the Russian Federation that would be directly related to the implementation of megascience projects. Meanwhile, the possibility of their introduction should be properly assessed and should be seriously considered by the top officials of the state.

3. It is necessary to work out a mechanism for a simplified procedure for recognizing foreign scientists as highly qualified specialists for the purposes of taxation with personal income tax. This will increase the interest of foreign scientists in scientific activities on the territory of Russia.

4. The Tax Code of the Russian Federation identifies the following types of tax privileges, which include: tax deductions; reduced tax rates (for example, a 10% preferential VAT rate is applied on children's and medical goods); tax exemption for certain categories of persons (it is possible to sell food products produced by canteens of educational and medical organizations, exempt from VAT); reducing the amount of tax payable; etc.

5. The mechanism for applying the so-called "tax holidays" is currently very limited. In addition, the possibility of conducting serious scientific activities within the framework of the organizational and legal form of an individual entrepreneur raises doubts. Meanwhile, the practice of introducing "tax holidays" can be extended to organizations that act as operators of megascience projects. For example, the Chairman of the Government of the Russian Federation D.A. Medvedev in one of his speeches admitted the possibility of exempting from the fiscal burden of work carried out by individual scientific organizations. It seems that this proposal should find its legislative confirmation.

Acknowledgments
The research was accomplished with financial support of the Russian Fundamental Research Fund in the framework of scientific project № 18-29-15036 mk «Models of legal regulation of unique scientific facilities of megascience class in the national and international level in conditions of technological development of the Russian Federation».

References
[1] Arzumanova L L and Boltinova O V 2019 Megascience projects financing in the territory of Russia IOP Conf. Series: Journal of Physics: Conf. Series 1406 012005
[2] Boltinova O V 2020 Federal budget expenditures for the creation of Mega science installations in national projects of the Russian Federation Actual Problems of Russian Law 114 pp 42–47
[3] Boltinova O V and Arzumanova L L 2019 Legal regulation of megascience projects in Russia Actual Problems of Russian Law 104 pp 39–42
[4] Chetverikov A. O. Big hadron Collider as a legal phenomenon / Lex Russica. 2019. No. 4(149).
[5] Gorlova E 2019 Legal status of scientific collaborations in the implementation of megascience projects IOP Conf. Series: Journal of Physics: Conf. Series 1406 012013
[6] Gorlova E N and Tkachenko RV 2019 The Concept of “Megascience” Class Projects: the Case of ITER and FAIR Installations Actual Problems of Russian Law 102 pp 205–213
[7] Inshakova E. I., Morozov M. V. Vesti. Volgogr. state University. Ser. 3, Econ. Ecol. 2016. No. 2 (35).
[8] Inshakova E., Voloshina A. The Role of mega-science centers in the implementation of megaprojects / Science and innovation. 2013. No. 11.

The government will work out the issue of expanding privileges for research by Russian scientists // https://er.ru/news/182094/
[9] Kalchenko T. V. the Phenomenon of collaboration in global innovation processes / KANT. 2018.

[10] Kozheurov Ya S and Teymurov E S 2019 Concept, features and legal nature of global research infrastructure Actual Problems of Russian Law 106 pp 130–141

[11] Krokhina Yu A 2011 Financial Law of Russia: textbook (Moscow: Norma) p 130

[12] Moshkova D M 2019 Public-private partnership in implementing “mega-science” projects IOP Conf. Series: Journal of Physics: Conf. Series 1406 012012

[13] Moshkova D M and Lozovskij D L 2019 Legal aspects of the implementation of Megascience projects Courier of Kutafin Moscow State Law University (MSAL) 59 pp 34–41

[14] Nurakhov N N, Andreyandrey A S M, Kolesnikova E A, Petrov A A and Tsvetus N Y 2020 Analysis of risks and challenges to creating and operating Mega science research facilities Journal of Advanced Research in Dynamical and Control Systems. 12 Special Issue 6 pp 580–587

[15] Pronin A B 2015 Financial and Legal Regulation of Budgetary Control in the Constituent Entities of the Russian Federation: dissertation ... cand. jurid. sciences (Moscow) p. 122

[16] Report on the results of the expert-analytical event “Identification of the main reasons hindering scientific development in the Russian Federation: assessment of scientific infrastructure, sufficiency of motivational measures, ensuring the attractiveness of the work of leading scientists” URL: http://audit.gov.ru/upload/iblock/94c/94cb719b9702e15f8092d998273c68a0.pdf (date of reference – 8.02.2020)

[17] Report on the work of the Accounts Chamber of the Russian Federation in 2019 // URL: https://ach.gov.ru/promo/annual-report-2019/ (date of reference – 8.02.2020)

[18] Sitnik A A and Tkachenko R V 2020 Legal Regulation of Financing Mega-Science Projects Actual Problems of Russian Law 114 pp 48–64.

[19] Smirnov S 2019 Russia - CERN cooperation: current status and perspectives IOP Conf. Series: Journal of Physics: Conf. Series 1406 012003

[20] Tkachenko R V 2019 Projects of the class “Megasciens” as one of the main directions of implementation of the budget policy of Russia Courier of Kutafin Moscow State Law University (MSAL) 59 pp 42–47

[21] Sitnik A A Mechanism for financing scientific projects of "Megascience" class in Russia Journal of Physics: Conference Series 2019 J. Phys.: Conf. Ser. 1406 012017 https://doi.org/10.1088/1742-6596/1406/1/012017