Value added tax (VAT): combating tax evasion linked to imports

2008/0228(CNS) - 24/04/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 349 votes to 32, with 2 abstentions, a legislative resolution modifying, under the consultation procedure, the proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax as regards tax evasion linked to import and other cross-border transactions.

The main amendments are as follows:

- according to the Parliament, the proposal should ensure that any measures to counter fraud are proportional and targeted at persons that have committed fraud;
- prior to holding a person supplying jointly and severally liable, the authorities to which that person is required to submit his recapitulative statement shall notify him of his non-compliance and shall give him the opportunity to justify his shortcoming within a period not shorter than two months;
- by five years after the date of entry into force of the Directive, the Commission should evaluate the functioning of joint and several liability, including its impact on administrative costs for suppliers and on tax revenue gained by Member States.

If appropriate, and provided that the Commission is able to demonstrate that the Value-added Tax Information Exchange System (VIES) database and the exchange of information between Member States function correctly, the Commission shall submit a proposal to amend Article 205 of Directive 2006/112/EC.