French outermost regions, Mayotte: exclusion from the scope of the VAT and excise duty Directives

2013/0280(CNS) - 17/12/2013 - Final act

PURPOSE: to amend Directives 2006/112/EC on the common system of value added tax and 2008/118 /EC as regards the French outermost regions and Mayotte in particular.

LEGISLATIVE ACT: Council Directive 2013/61/EU amending Directives 2006/112/EC and 2008/118 /EC as regards the French outermost regions and Mayotte in particular.

CONTENT: **from 1 January 2014, the status of Mayotte will be that of outermost region** within the meaning of Article 349 of the Treaty on the Functioning of the European Union (TFEU) instead of that of an overseas country or territory (OCT) within the meaning of Article 355(2) of the TFEU.

Union tax provisions will apply to Mayotte after this amendment of status.

As regards value added tax (VAT) and excise duties, Mayotte is in a situation similar to that of the other French outermost regions (Guadeloupe, French Guiana, Martinique, Réunion and Saint-Martin), which fall outside the territorial scope of Council Directive 2006/112/EC and Council Directive 2008/118/EC, and should therefore be excluded from the territorial scope of those Directives as from the date its status is amended under the TFEU.

Consequently, this Directive makes it clear that **Mayotte and the other French outermost regions are excluded from the scope of Directives 2006/112/EC and 2008/118/EC** regardless of any change in their status under French law, reference should be made in those Directives to Article 349 and Article 355(1) TFEU in respect of those regions.

ENTRY INTO FORCE: 01.01.2014.