Basic information

2006/0245(CNS) CNS - Consultation procedure Directive	Procedure completed
Value added tax (VAT): period of application of the VAT arrangements applicable to radio and television broadcasting services and certain electronically supplied services Amending Directive 2006/112/EC 2004/0079(CNS) **Subject** 2.70.02 Indirect taxation, VAT, excise duties 3.30.01 Audiovisual industry and services 3.30.02 Television, cable, digital, mobile 3.30.04 Radiocommunications, broadcasting	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs		

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2766	2006-11-28
Agriculture and Fisheries	2774	2006-12-19

European Commission

Commission DG	Commissioner
Taxation and Customs Union	KOVÁCS László

Key events

Date	Event	Reference	Summary
24/11/2006	Legislative proposal published	COM(2006)0739	Summary
28/11/2006	Debate in Council		Summary
01/12/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0440/2006	
12/12/2006	Committee referral announced in Parliament		
13/12/2006	Decision by Parliament	T6-0564/2006	Summary
13/12/2006	Results of vote in Parliament		
19/12/2006	Act adopted by Council after consultation of Parliament		

19/12/2006	End of procedure in Parliament		
29/12/2006	Final act published in Official Journal		

Technical information

Procedure reference	2006/0245(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2006/112/EC 2004/0079(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 093
Stage reached in procedure	Procedure completed
Committee dossier	ECON/6/36655

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0440/2006	01/12/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0564/2006	13/12/2006	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2006)0739	24/11/2006	Summary
Commission response to text adopted in plenary	SP(2007)0303	24/01/2007	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1563/2006	13/12/2006	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Directive 2006/0138
OJ L 384 29.12.2006, p. 0092 Summary

Value added tax (VAT): period of application of the VAT arrangements applicable to radio and television broadcasting services and certain electronically supplied services

2006/0245(CNS) - 13/12/2006 - Text adopted by Parliament, 1st reading/single reading

In adopting the report drafted by Zsolt László **BECSEY** (EPP-ED, HU), the European Parliament proposes to extend the period of application of the value added tax arrangements applicable to radio and television broadcasting services and certain electronically supplied services until 31 December 2009 (the Commission had stated 31 December 2008 in its initial proposal.). The amendment aims to give more time to the Council to ensure the consistent application and harmonisation of different provisions of E-Commerce VAT Directive (2002/38/EC), the proposal for establishing "One Stop Shop (OSS)" package (COM(2004)0728) and the proposal place of supply of services (COM(2005)0334 which politically relates to the whole VAT package.

The European Parliament sees the importance of legal and economic consistency - especially, as regards the different deadlines (for length of tax period, record keeping obligation and filing tax return) - between the concerning VAT regulations. Until 31 December 2009 the Council should finish the unification of the above-mentioned VAT schemes and transpose them in a uniform structure into the basic Council Directive 77/388/EC.The amendment also states that the Commission shall adopt any proposal for possible prolongation of the regime in good time before its expiry in order to allow the European Parliament sufficient time within which to express its opinion in accordance with Article 93 of the Treaty.

Value added tax (VAT): period of application of the VAT arrangements applicable to radio and television broadcasting services and certain electronically supplied services

2006/0245(CNS) - 28/11/2006

Value added tax (VAT): period of application of the VAT arrangements applicable to radio and television broadcasting services and certain electronically supplied services

2006/0245(CNS) - 24/11/2006 - Legislative proposal

PURPOSE: to amend Council Directive 2002/38/EC as regards the period of application of the VAT arrangements for radio and television broadcasting services as well as certain electronically supplied services.

PROPOSED ACT: Council Directive.

CONTENT: Council Directive 2002/38/EC, referred to as the e-commerce VAT Directive, contains a number of provisions which were due to expire on 30 June 2006 unless extended. On 15 May 2006, the Commission adopted both a Report on the e-commerce Directive and a proposal to temporarily extend the validity of Council Directive 2002/38/EC until 31 December 2008. For a summary see CNS/2006/0069. In June 2006, however, the Council decided to extend the existing Directive until the end of the current year only and not until the end of 2008, as was originally proposed by the Commission.

It is the view of the Commission, however, that an extension until the end of 2008 is still required for the smooth running of the internal market. Further, an extension of the Directive's provisions will allow sufficient time for the adoption of two related proposal (one on the simplification of VAT and the other on the place of supply of services) which, once adopted, will ensure that the provisions of Directive 2002/38/EC are no longer needed.

The objective of this proposal remains the same as the earlier extension proposal. In essence, the Commission is resubmitting its proposal with the original deadline i.e. 31 December 2008 unchanged.

Value added tax (VAT): period of application of the VAT arrangements applicable to radio and television broadcasting services and certain electronically supplied services

2006/0245(CNS) - 19/12/2006 - Final act

PURPOSE: to amend Council Directive 2002/38/EC and extend the period of application for certain VAT arrangements.

LEGISLATIVE ACT: Council Directive 2006/138/EC amending Directive 2006/112/EC on the common system of value added tax as regards the period of application of the value added tax arrangements applicable to radio and television broadcasting services and certain electronically supplied services.

CONTENT: the Council adopted a directive amending Directive 2006/112/EC on the common system of value added tax by extending the period of application of VAT arrangements for radio and television broadcasting services and certain electronically supplied services until 31 December 2008. The Directive requires the levying of VAT on the provision of such services from third countries.

The extension is due to the fact that it has not yet been possible to adopt provisions on the place of supply of services and on a more general electronic mechanism. The legal situation and the facts which justified the previous extension until 31 December 2006 had not changed and to avoid a temporary gap in the VAT arrangements for radio and television broadcasting services and certain electronically supplied services, those arrangements will continue to apply until 31 December 2008.

ENTRY INTO FORCE: 29/12/2006.

TRANSPOSITION: 01/01/2007.

APPLICATION: 01/01/2007.