Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax

TITLE I

	SUBJECT MATTER AND SCOPE
Article 1	(1) This Directive establishes the common system of value added
Article 2 Article 3 Article 4	(1) The following transactions shall be subject to VAT: (1) By way of derogation from Article 2(1)(b)(i), the following In addition to the transactions referred to in Article 3,
	TITLE II
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	TITLE III
	TAXABLE PERSONS
Article 9	(1) 'Taxable person' shall mean any person who, independently, carries
Article 10 Article 11	The condition in Article 9(1) that the economic activity be After consulting the advisory committee on value added tax
Article 12 Article 13	(hereafter,(1) Member States may regard as a taxable person anyone(1) States, regional and local government authorities and other bodies
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	TAXABLE TRANSACTIONS
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The application by a taxable person of goods forming part...

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Article 17 Article 17a Article 18 Article 19	 The transfer by a taxable person of goods forming The transfer by a taxable person of goods forming Member States may treat each of the following transactions as In the event of a transfer, whether for consideration or
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	Intra-Community acquisition of goods
Article 20	'Intra-Community acquisition of goods' shall mean the acquisition of the
Article 21 Article 22 Article 23	The application by a taxable person, for the purposes of The application by the armed forces of a State party Member States shall take the measures necessary to ensure that
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	Supply of services
Article 24 Article 25 Article 26 Article 27 Article 28 Article 29	 (1) 'Supply of services' shall mean any transaction which does A supply of services may consist, inter alia, in one (1) Each of the following transactions shall be treated as In order to prevent distortion of competition and after consulting Where a taxable person acting in his own name but Article 19 shall apply in like manner to the supply
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	Importation of goods
Article 30	'Importation of goods' shall mean the entry into the Community
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	Provisions common to Chapters 1 and 3
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Article 31 Where goods are not dispatched or transported, the place of...

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Article 36	Where goods dispatched or transported by the supplier, by the
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Article 73 In respect of the supply of goods or services, other...

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Article 73a Article 74 Article 75 Article 76 Article 77 Article 78	Without prejudice to Article 73, the taxable amount of the Where a taxable person applies or disposes of goods forming In respect of the supply of services, as referred to In respect of the supply of goods consisting in transfer In respect of the supply by a taxable person of The taxable amount shall include the following factors: taxes, duties,
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Article 80 Article 81 Article 82	(1) In order to prevent tax evasion or avoidance, Member Member States which, at 1 January 1993, were not availing Member States may provide that, in respect of the supply
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Article 84	(1) Member States shall take the measures necessary to ensure
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Article 135 Article 136	(1) Member States shall exempt the following transactions: Member States shall exempt the following transactions: the supply of
Article 137	(1) Member States may allow taxable persons a right of

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- Article 155 Without prejudice to other Community tax provisions, Member States may,...
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- Article 160 (1) Member States may exempt the following transactions:
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- Article 165 Member States may set a common maximum amount for transactions...

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Article 185	(1) Adjustment shall, in particular, be made where, after the
Article 186	Member States shall lay down the detailed rules for applying
Article 187	(1) In the case of capital goods, adjustment shall be
Article 188	(1) If supplied during the adjustment period, capital goods shall
Article 189	For the purposes of applying Articles 187 and 188, Member
Article 190	For the purposes of Articles 187, 188, 189 and 191,
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Article 193	VAT shall be payable by any taxable person carrying out
Article 194	(1) Where the taxable supply of goods or services is
Article 195	VAT shall be payable by any person who is identified
Article 196	VAT shall be payable by any taxable person, or non-taxable
Article 197	(1) VAT shall be payable by the person to whom
Article 198	(1) Where specific transactions relating to investment gold
	between a
Article 199	(1) Member States may provide that the person liable for
Article 199a	(1) Until 30 June 2022, Member States may provide that
Article 199b	(1) A Member State may, in cases of imperative urgency
Article 199c	(1) By way of derogation from Article 193, a Member
Article 200	VAT shall be payable by any person making a taxable
Article 201	On importation, VAT shall be payable by any person or
Article 202	VAT shall be payable by any person who causes goods
Article 203	VAT shall be payable by any person who enters the
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Article 206 Article 207 Article 208	Any taxable person liable for payment of VAT must pay Member States shall take the measures necessary to ensure that Where Member States designate the customer for investment gold
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Article 216	Member States shall take the measures necessary to ensure that.
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Article 218 Article 219	For the purposes of this Directive, Member States shall accept Any document or message that amends and refers specifically and
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Article 219a Article 220 Article 220a Article 221	 (1) Invoicing shall be subject to the rules applying in (1) Every taxable person shall ensure that, in respect of (1) Member States shall allow taxable persons to issue a (1) Member States may impose on taxable persons an obligation
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Article 224 Article 225	Invoices may be drawn up by the customer in respect Member States may impose specific conditions on taxable persons in
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Article 226b	As regards simplified invoices issued pursuant to Article 220a and		
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Article 241	For the purposes of this Chapter, 'storage of an invoice		
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Article 242 Article 243	Every taxable person shall keep accounts in sufficient detail for (1) Every taxable person shall keep a register of the		

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a . c	1 1 1	1	.1	C 11	
Specific	Obligations	relating to	the storage	∩t all	INVOICES
Specific	ounganons	relating to	uic storage	OI all	III V OICCS

Article 244	Every taxable person shall ensure that copies of the invoices
Article 245	(1) For the purposes of this Directive, the taxable person
Article 246	
Article 247	(1) Each Member State shall determine the period throughout
	which
Article 248	Member States may, subject to conditions which they lay down,

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Article 248a	For control purposes, and as regards invoices in respect of
Article 249	For control purposes, where a taxable person stores, by
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Article 260	Member States shall lay down detailed rules for the submission
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Article 263	(1) The recapitulative statement shall be drawn up for each
Article 264	(1) The recapitulative statement shall set out the following
	information:
Article 265	(1) In the case of intra-Community acquisitions of goods, as
Article 266	By way of derogation from Articles 264 and 265, Member
Article 267	Member States shall take the measures necessary to ensure that
Article 268	Member States may require that taxable persons who, in their

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Article 283	(1) The arrangements provided for in this Section shall not
Article 284	(1) Member States which have exercised the option under Article
Article 285	Member States which have not exercised the option under
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Article
Article 286	Member States which, at 17 May 1977, exempted taxable persons
Article 287	Member States which acceded after 1 January 1978 may exempt
Article 288	The turnover serving as a reference for the purposes of
Article 289	Taxable persons exempt from VAT shall not be entitled to
Article 290	Taxable persons who are entitled to exemption from VAT may
Article 291	Subject to the application of Article 281, taxable persons enjoying
Article 292	The arrangements provided for in this Section shall apply until
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Article 294	The Council shall decide, in accordance with Article 93 of
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Article 295	(1) For the purposes of this Chapter, the following definitions
Article 296	(1) Where the application to farmers of the normal VAT
Article 297	Member States shall, where necessary, fix the flat-rate
11101010 25 7	compensation percentages
Article 298	The flat-rate compensation percentages shall be calculated on the
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Article 299	The flat-rate compensation percentages may not have the effect
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Article 300	The flat-rate compensation percentages shall be applied to the prices,
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Article 303	(1) Where the taxable customer pays flat-rate compensation
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Article 304	Member States shall take all measures necessary to verify
4 .: 1 225	payments
Article 305	Whenever Member States apply this flat-rate scheme, they shall take

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Article 306	(1) Member States shall apply a special VAT scheme, in
Article 307	Transactions made, in accordance with the conditions laid down
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Article 308	The taxable amount and the price exclusive of VAT, within
Article 309	If transactions entrusted by the travel agent to other taxable
Article 310	VAT charged to the travel agent by other taxable persons

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Article 312	For the purposes of this Subsection, the following definitions shall
Article 313	(1) In respect of the supply of second-hand goods, works
Article 314	The margin scheme shall apply to the supply by a
Article 315	The taxable amount in respect of the supply of goods
Article 316	(1) Member States shall grant taxable dealers the right to
Article 317	If a taxable dealer exercises the option under Article 316,
Article 318	(1) In order to simplify the procedure for collecting the
Article 319	The taxable dealer may apply the normal VAT arrangements to
Article 320	(1) Where the taxable dealer applies the normal VAT
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Article 321	If carried out in accordance with the conditions specified in
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Article 323	Taxable persons may not deduct from the VAT for which
Article 324	Where the taxable dealer applies both the normal VAT
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Article 326 Member States which, at 31 December 1992, were applying special...

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Article 335 Article 336 Article 337 Article 338 Article 339 Article 340 Article 341	The supply of goods to a taxable person who is The taxable amount in respect of each supply of goods The net amount paid or to be paid by the Organisers of sales by public auction who supply goods in The organiser of the sale by public auction must issue (1) The organiser of the sale by public auction to Member States which apply the arrangements provided for in this
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Article 343	deduction Acting unanimously on a proposal from the Commission, the Council
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Article 346	Member States shall exempt from VAT the supply, the intra-
Article 347	Community Member States shall exempt the services of agents who act

Article 361

within...

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Article 360	The taxable person not established within the Community shall

(1) The information which the taxable person not established

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Article 362 Article 363	The Member State of identification shall allocate to the taxable The Member State of identification shall delete the taxable
1 264	person
Article 364	The taxable person not established within the Community shall submit
Article 365	The VAT return shall show the identification number and, for
Article 366	(1) The VAT return shall be made out in euro
Article 367	The taxable person not established within the Community shall
	pay
Article 368	The taxable person not established within the Community making
	use
Article 369	(1) The taxable person not established within the Community shall

Section 3

Special scheme for telecommunications, broadcasting or electronic services supplied by taxable persons established within the Community but not in the Member State of consumption

Article 369a Article 369b	For the purposes of this Section, and without prejudice to Member States shall permit any taxable person not established in
Article 369c	The taxable person not established in the Member State of
Article 369d	A taxable person making use of this special scheme shall,
Article 369e	The Member State of identification shall exclude the taxable
	person
Article 369f	The taxable person not established in the Member State of
Article 369g	The VAT return shall show the identification number referred to
Article 369h	(1) The VAT return shall be made out in euro
Article 369i	The taxable person not established in the Member State of
Article 369j	The taxable person not established in the Member State of
Article 369k	(1) The taxable person not established in the Member State

TITLE XIII **DEROGATIONS**

CHAPTER 1

Derogations applying until the adoption of definitive arrangements

Section 1

Derogations for States which were members of the Community on 1 January 1978

Article 370 Article 371	Member States which, at 1 January 1978, taxed the transactions Member States which, at 1 January 1978, exempted the
	transactions
Article 372	Member States which, at 1 January 1978, applied provisions
	derogating

Article 373	Member States which, at 1 January 1978, applied provisions derogating
Article 374	By way of derogation from Articles 169 and 309, Member
	Section 2
Derogati	ons for States which acceded to the Community after 1 January 1978
Article 375	Greece may continue to exempt the transactions listed in points
Article 376	Spain may continue to exempt the supply of services performed
Article 377	Portugal may continue to exempt the transactions listed in points
Article 378	(1) Austria may continue to tax the transactions listed in
Article 379	(1) Finland may continue to tax the transactions listed in
Article 380	Sweden may, in accordance with the conditions applying in that
Article 381	The Czech Republic may, in accordance with the conditions applying
Article 382	Estonia may, in accordance with the conditions applying in that
Article 383	Cyprus may, in accordance with the conditions applying in that
Article 384	For as long as the same exemptions are applied in
Article 385	Lithuania may, in accordance with the conditions applying in that
Article 386	Hungary may, in accordance with the conditions applying in that
Article 387	For as long as the same exemptions are applied in
Article 388	Poland may, in accordance with the conditions applying in that
Article 389	Slovenia may, in accordance with the conditions applying in that
Article 390	Slovakia may, in accordance with the conditions applying in that
Article 390a	Bulgaria may, in accordance with the conditions applying in that
Article 390b	Romania may, in accordance with the conditions applying in that
Article 390c	Croatia may, in accordance with the conditions applying in that
	Section 3
	Provisions common to Sections 1 and 2
Article 391	Member States which exempt the transactions referred to in Articles
Article 392	Member States may provide that, in respect of the supply
Article 393	(1) With a view to facilitating the transition to the

CHAPTER 2

Derogations subject to authorisation

Section 1

Simplification measures and measures to prevent tax evasion or avoidance

Article 394	Member States which, at 1 January 1977, applied special
	measures

Article 395 (1) The Council, acting unanimously on a proposal from the...

Section 2

International agreements

Article 396 (1) The Council, acting unanimously on a proposal from the...

TITLE XIV **MISCELLANEOUS**

CHAPTER 1

Implementing measures

The Council, acting unanimously on a proposal from the Article 397 Commission,...

CHAPTER 2

VAT Committee

Article 398 (1) An advisory committee on value added tax, called 'the...

CHAPTER 3

Conversion rates

Article 399	Without prejudice to any other particular provisions, the
	equivalents in
Article 400	When converting the amounts referred to in Article 399 into

CHAPTER 4

Other taxes, duties and charges

Article 401 Without prejudice to other provisions of Community law, this Directive...

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TITLE XV FINAL PROVISIONS

CHAPTER 1

Transitional arrangements for the taxation of trade between Member States

Article 402	(1) The arrangements provided for in this Directive for the
Article 403	
Article 404	
	CHAPTER 2
Transitiona	l measures applicable in the context of accession to the European Union
Article 405	For the purposes of this Chapter, the following definitions shall
Article 406	The provisions in force at the time the goods were
Article 407	The provisions in force at the time the goods were
Article 408	(1) The following shall be treated as an importation of
Article 409	In the cases referred to in Article 408(1), the place
Article 410	(1) By way of derogation from Article 71, the importation
	CHAPTER 2a
Transitional measures for the application of new legislation	
Article 410a	Articles 30a, 30b and 73a shall apply only to vouchers
Article 410b	By 31 December 2022 at the latest, the Commission shall,
	CHAPTER 3
	Transposition and entry into force
Article 411	(1) Directive 67/227/EEC and Directive 77/388/EEC are repealed, without prejudice
Article 412	(1) Member States shall bring into force the laws, regulations
Article 413	This Directive shall enter into force on 1 January 2007
Article 414	This Directive is addressed to the Member States.

ANNEX I

LIST OF THE ACTIVITIES REFERRED TO IN THE THIRD SUBPARAGRAPH OF ARTICLE 13(1)

Telecommunications services; supply of water, gas, electricity and thermal energy;...

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ANNEX II

INDICATIVE LIST OF THE ELECTRONICALLY SUPPLIED SERVICES REFERRED TO IN POINT (C) OF THE FIRST PARAGRAPH OF ARTICLE 58

Website supply, web-hosting, distance maintenance of programmes and equipment; supply...

ANNEX III

LIST OF SUPPLIES OF GOODS AND SERVICES TO WHICH THE REDUCED RATES REFERRED TO IN ARTICLE 98 MAY BE APPLIED

Foodstuffs (including beverages but excluding alcoholic beverages) for human and...

ANNEX IV

LIST OF THE SERVICES REFERRED TO IN ARTICLE 106

ANNEX V

CATEGORIES OF GOODS COVERED BY WAREHOUSING ARRANGEMENTS OTHER THAN CUSTOMS WAREHOUSING AS PROVIDED FOR UNDER ARTICLE 160(2)

ANNEX VI

LIST OF SUPPLIES OF GOODS AND SERVICES AS REFERRED TO IN POINT (D) OF ARTICLE 199(1)

Supply of ferrous and non ferrous waste, scrap, and used...

ANNEX VII

LIST OF THE AGRICULTURAL PRODUCTION ACTIVITIES REFERRED TO IN POINT (4) OF ARTICLE 295(1)

Crop production: general agriculture, including viticulture; growing of fruit (including...

ANNEX VIII

INDICATIVE LIST OF THE AGRICULTURAL SERVICES REFERRED TO IN POINT (5) OF ARTICLE 295(1)

Field work, reaping and mowing, threshing, baling, collecting, harvesting, sowing...

ANNEX IX

WORKS OF ART, COLLECTORS' ITEMS AND ANTIQUES, AS REFERRED TO IN POINTS (2), (3) AND (4) OF ARTICLE 311(1)

PART A

Works of art

PART B

Collectors' items

PART C

Antiques

ANNEX X

LIST OF TRANSACTIONS COVERED BY THE DEROGATIONS REFERRED TO IN ARTICLES 370 AND 371 AND ARTICLES 375 TO 390c

PART A

Transactions which Member States may continue to tax

PART B

Transactions which Member States may continue to exempt

ANNEX XI

PART A

Repealed Directives with their successive amendments

- (1) Directive 67/227/EEC (OJ 71, 14.4.1967, p. 1301)
- (2) Directive 77/388/EEC (OJ L 145, 13.6.1977, p. 1)

PART B

Time limits for transposition into national law

ANNEX XII
CORRELATION TABLE

- (1) [OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2006/98/EC (OJ L 363, 20.12.2006, p. 129).]
- (2) [OJ 71, 14.4.1967, p. 1301. Directive as last amended by Directive 77/388/EEC.]
- (3) OJ L 253, 7.10.2000, p. 42.
- (4) OJL 76, 23.3.1992, p. 1. Directive as last amended by Directive 2004/106/EC (OJL 359, 4.12.2004, p. 30).