

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

2013/0280(CNS) - 07/08/2013 - Legislative proposal

PURPOSE: to amend Directives 2006/112/EC and 2008/118/EC as regards the French outermost regions and Mayotte in particular.

PROPOSED ACT: Council Directive.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to take account of Parliament's opinion.

BACKGROUND: with Decision 2012/419/EU amending the status of Mayotte with regard to the European Union, the European Council decided that, 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.

To this end, in the above-mentioned European Council Decision, Mayotte has been added to the list of outermost regions in Articles 349 and 355(1) of the TFEU.

Union legislation on VAT (Directive 2006/112/EC) and excise duties (Directive 2008/118/EC) will therefore apply in Mayotte after the change of status.

IMPACT ASSESSMENT: the Commission did not undertake an impact assessment.

LEGAL BASIS: Article 113 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the objective of this proposal is to bring Mayotte's situation into line with that of other French outermost regions by excluding it from the scope of Directives 2006/112/EC and 2008/118/EC. Furthermore, by referring to Articles 349 and 355(1) of the TFEU, the intention is to make it clearer that all these regions, including Mayotte, are excluded from the scope of these Directives.

BUDGETARY IMPLICATION: the proposal has no implication for the Union's budget.