

# Fiche de procédure

Basic information		
CNS - Consultation procedure Directive	1998/0025(CNS)	Procedure lapsed or withdrawn
Tax treatment: permanent or temporary transfer of tourism vehicles		
Subject 2.70.02 Indirect taxation, VAT, excise duties		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ECON</b> Economic and Monetary Affairs, Industrial Policy		24/03/1998
		ELDR <a href="#">WATSON Sir Graham</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
Council of the European Union European Commission	<b>JURI</b> Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	
	Commission DG	Commissioner	
	<a href="#">Taxation and Customs Union</a>	ŠEMETA Algirdas	

Key events			
10/02/1998	Legislative proposal published	COM(1998)0030	Summary
13/03/1998	Committee referral announced in Parliament		
03/06/1998	Vote in committee		Summary
03/06/1998	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0217/1998</a>	
17/06/1998	Debate in Parliament		
18/06/1998	Decision by Parliament	T4-0365/1998	Summary
16/04/1999	Modified legislative proposal published	COM(1999)0165	Summary
07/03/2015	Proposal withdrawn by Commission		

Technical information	
Procedure reference	1998/0025(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Directive
Legal basis	Treaty on the Functioning of the EU TFEU 113
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	ECON/4/09843

#### Documentation gateway

Legislative proposal		<a href="#">COM(1998)0030</a> <a href="#">OJ C 108 07.04.1998, p. 0075</a>	10/02/1998	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0793/1998</a> <a href="#">OJ C 235 27.07.1998, p. 0031</a>	27/05/1998	ESC	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A4-0217/1998</a> <a href="#">OJ C 210 06.07.1998, p. 0007</a>	03/06/1998	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0365/1998 <a href="#">OJ C 210 06.07.1998, p. 0171-0204</a>	18/06/1998	EP	Summary
Modified legislative proposal		<a href="#">COM(1999)0165</a> <a href="#">OJ C 145 26.05.1999, p. 0006</a>	16/04/1999	EC	Summary

## Tax treatment: permanent or temporary transfer of turism vehicles

OBJECTIVE: the proposed directive aims to simplify the conditions and procedures relating to private motor vehicles moved permanently or temporarily to another Member State. The objective is to bring the tax treatment of private motor vehicles accompanying individuals moving from one Member State to another more closely into line with the principles and rules of the single market. SUBSTANCE: the proposed directive is intended to replace Directive 83/182/EEC on tax exemptions within the Community for certain means of transport imported into one Member State from another and Directive 83/183/EEC (amended by Directive 89/604/EEC), on tax exemptions applicable to permanent imports from a Member State of the personal property of individuals. The proposed measures cover two broad categories: (1) firstly, in the case of transfer of residence, it is proposed that Member States should not impose registration taxes or similar taxes on vehicles brought into their territory by individuals who are transferring their place of residence to their territory from another Member State; (2) as regards temporary movements, the main thrust of the proposal is to ensure a satisfactory continuation of the right of an individual to use a vehicle temporarily in a Member State other than that in which he resides; the key element here is the right to use a vehicle for up to six months in any 12 month period. A number of additional elements are being introduced, in particular: - greater freedom to use rental cars in Member States other than those where they are registered, - the right of family members to use the vehicle, - greater flexibility concerning the rights of persons who work in a Member State other than that where they reside and vehicles provided by employers. The proposal also envisages a greater onus on the competent authorities of Member States to communicate bilaterally in the event of a dispute concerning a persons' alleged place of residence, and emphasizes that, in cases where national law is infringed, any consequent action or sanction must be proportionate. ?

## Tax treatment: permanent or temporary transfer of turism vehicles

A Commission proposal aiming at ensuring free movement for cars won strong backing from the Committee. The proposal, which is in response to a large number of petitions to the European Parliament, seeks to prevent double taxation on cars when a person moves from one Member State to another. Subject to certain conditions, Member States will no longer be allowed to impose registration taxes, such as the Belgian Taxe de mise en circulation, on vehicles brought into their territory by individuals changing their place of residence. The proposal also seeks to make the rules concerning temporary use of a vehicle in another Member State more flexible. Following the advice of the rapporteur, Graham WATSON (ELDR, UK), the Committee approved the proposal subject to three amendments which seek to clarify the Commission text.?

## Tax treatment: permanent or temporary transfer of turism vehicles

In adopting the report by Mr Graham WATSON (ELDR, UK), the European Parliament endorsed the proposal subject to three amendments seeking to clarify the Commission's text. Parliament takes the view that, where vehicles, during temporary use in another Member State, are irretrievably damaged and disposed of with a view to being scrapped or destroyed, then the owners should not incur liability to taxation as a result. In addition those concerned should have the choice of whether to pay the tax of the Member State or to remove the vehicle from the Member State without payment of tax.?

## Tax treatment: permanent or temporary transfer of turism vehicles

The amended proposal retains the two amendments adopted by the European Parliament. ?