

Procedure file

Basic information		
CNS - Consultation procedure Directive	2017/0349(CNS)	Procedure completed
Common system of value added tax (VAT): minimum standard rate		
Amending Directive 2006/112/EC 2004/0079(CNS)		
Subject 2.70.02 Indirect taxation, VAT, excise duties		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Economic and Monetary Affairs		23/01/2018
		 GUALTIERI Roberto	
		Shadow rapporteur	
		 MARTUSCIELLO Fulvio	
		 LOONES Sander	
		 CORNILLET Thierry	
		 SCOTT CATO Molly	
Council of the European Union	Council configuration	Meeting	Date
	Economic and Financial Affairs ECOFIN	3626	22/06/2018
European Commission	Commission DG	Commissioner	
	Taxation and Customs Union	MOSCOVICI Pierre	

Key events			
19/12/2017	Legislative proposal published	COM(2017)0783	Summary
18/01/2018	Committee referral announced in Parliament		
26/03/2018	Vote in committee		
28/03/2018	Committee report tabled for plenary, 1st reading/single reading	A8-0124/2018	Summary
19/04/2018	Results of vote in Parliament		
19/04/2018	Decision by Parliament	T8-0177/2018	Summary

22/06/2018	Act adopted by Council after consultation of Parliament		
22/06/2018	End of procedure in Parliament		
27/06/2018	Final act published in Official Journal		

Technical information

Procedure reference	2017/0349(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2006/112/EC 2004/0079(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 113
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	ECON/8/11895

Documentation gateway

Legislative proposal	COM(2017)0783	19/12/2017	EC	Summary
Committee draft report	PE618.065	28/02/2018	EP	
Committee report tabled for plenary, 1st reading/single reading	A8-0124/2018	28/03/2018	EP	Summary
Text adopted by Parliament, 1st reading/single reading	T8-0177/2018	19/04/2018	EP	Summary

Final act

[Directive 2018/912](#)
[OJ L 162 27.06.2018, p. 0001](#) Summary

Common system of value added tax (VAT): minimum standard rate

PURPOSE: to ensure that all Member States apply a standard VAT rate of at least 15% permanently.

PROPOSED ACT: Council Directive.

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

BACKGROUND: currently, Article 97 of [Directive 2006/112/EC](#) on the common system of value added tax (VAT Directive) provides that from 1 January 2016 until 31 December 2017, the standard rate may not be less than 15 %.

In October 2017, the Commission adopted the first [proposal](#) introducing the definitive system for the taxation of trade between Member States⁸ and outlined successive steps and sub-steps for introducing this system in its follow-up to the [VAT Action Plan](#). It also announced that it would propose a reform of VAT rates, which would be consistent with the definitive arrangements based on the destination principle that will gradually replace the current transitional arrangements.

The Commission considers it appropriate to maintain the current minimum standard rate at 15%, also in a definitive VAT system based on the principle of taxation in the Member State of destination and to make it permanent.

Considering that all Member States currently apply a standard rate of at least 17%, the current arrangement for a minimum standard rate of 15% remains appropriate.

CONTENT: the Commission proposes to make an existing temporary provision definitive (Article 97 of the VAT Directive). The proposal aims to prevent that the minimum of 15% for the standard rate expires on 1 January 2018 and ensures that all Member States apply a standard rate

of a minimum of 15% on a permanent basis.

The Commission will continue to monitor that Member States respect the minimum of 15% for the standard VAT rate.

Common system of value added tax (VAT): minimum standard rate

The Committee on Economic and Monetary Affairs adopted, following Parliaments consultation procedure, the report by Roberto GULATIERI (S&D, IT) on the proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax, with regard to the obligation to respect a minimum standard rate.

The committee recommended that the European Parliament approve the Commission's proposal without making any amendments.

As a reminder, the proposal aims to prevent the 15% minimum level applicable to the standard rate of VAT from expiring on 1 January 2018 and to ensure that all Member States apply a standard rate of 15% as a minimum on a permanent basis.

As the explanatory memorandum accompanying the report recalls, the minimum of 15% for the standard VAT rate has been prolonged six times since the Council agreed in 1992 on rules limiting the discretion of Member States to set VAT rates, requiring Member States to apply this minimum standard rate over a certain period.

While noting that the proposal has been submitted at the last moment, the rapporteur welcomes the fact that the proposal will permanently set an agreed limit that ensures the proper functioning of the internal market whilst leaving flexibility for Member States in setting the standard VAT rate, instead of numerous last-minute prolongations of a temporary minimum rate.

Common system of value added tax (VAT): minimum standard rate

The European Parliament adopted by 562 votes to 58, with 22 abstentions, following the consultation procedure, a legislative resolution on the proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax, with regard to the obligation to respect a minimum standard rate.

Parliament approved the Commission proposal without amendments.

As a reminder, the proposal aims to prevent the 15% minimum level applicable to the standard rate of VAT from expiring on 1 January 2018 and to ensure that all Member States apply a standard rate of 15% as a minimum on a permanent basis.

Common system of value added tax (VAT): minimum standard rate

PURPOSE: to set the minimum standard rate of VAT at 15% on a permanent basis.

LEGISLATIVE ACT: Council Directive (EU) 2018/912 amending Directive 2006/112/EC on the common system of value added tax as regards the obligation to respect a minimum standard rate.

CONTENT: this Directive amends [Directive 2006/112/EC](#) in order to maintain the current minimum standard rate at its current level of 15 % and to make it permanent.

A 15% minimum standard rate has been maintained on a provisional basis since VAT rules for the EU single market were first applied in 1993. It was last extended in May 2016 for two years, expiring on 31 December 2017.

The application of a standard rate of value added tax (VAT) ensures the proper functioning of the common VAT system and should therefore be maintained.

ENTRY INTO FORCE: 17.7.2018.

TRANSPOSITION: no later than 1.9.2018.