





Votre espace professionnel

Professional

Account

FOCUS Guide

to

Online Procedures:

EU VAT Refunds - Submitting a Claim

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Council Directive 2008/9/EC of 12 February 2008 laying down detailed rules for the refund of value added tax to taxable persons not established in the Member State of refund but established in another Member State

This document provides information on how to access the EU VAT refund claim service ("Remboursement de la TVA dans l'Union européenne") arising from the implementation of Council Directive 2008/9/EC of 12 February 2008.

Before you get started

- ♦ You must have a professional account. For more information on how to set up a professional account, please refer to the FOCUS guides "Setting up a professional account in expert mode" and "Setting up a professional account in basic mode and signing up for services".
- ♦ You must have the EU VAT refund claim service, "Remboursement de TVA UE", which includes the services "Effectuer une demande" and "Suivre les demandes". For more information, please refer to the FOCUS guide "Signing up for online services in expert mode".
- ♦ You will need to log into your professional account via the www.impots.gouv.fr website. Click on "Votre espace professionnel".

To submit a refund claim online for VAT paid in another Member State or to check the status of an existing claim: after logging into your professional account, click on "Remboursement de TVA UE".

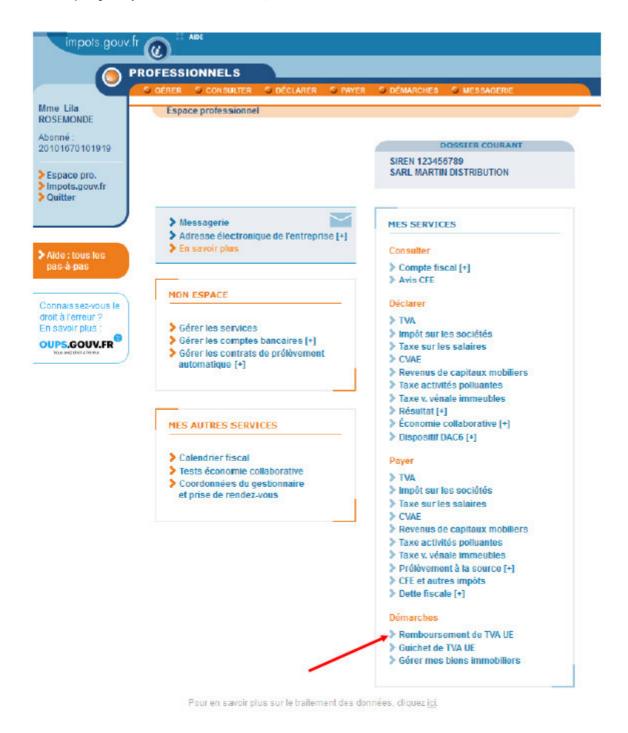
Note:

For more information on refunds of VAT paid in another Member State, please refer to the section "Vos préoccupations" and then "Remboursement de la TVA étrangère" on the www.impots.gouv.fr website.

1. Accessing the EU VAT refund claim service

♦ EU VAT REFUNDS

1) In your professional account, click on the link "Remboursement de TVA UE"



2) Select the option "Remboursement de TVA dans l'Union européenne"



On the main page of the service, the system displays the contact details of the company associated with the user.

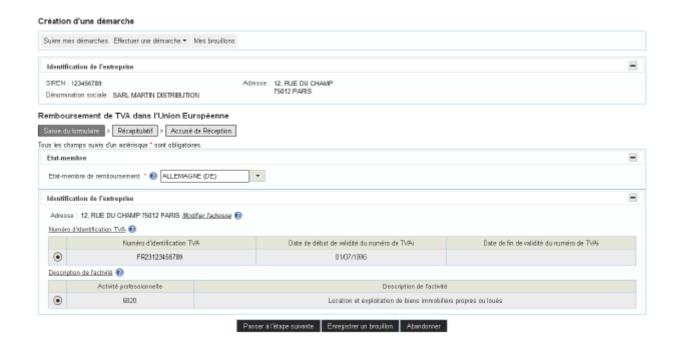
3) Complete the online form

Before you can complete the form, you must **select the Member State of refund** to which you wish to submit your claim.

Then select the claim's relevant VAT number and business activity.

Instructions on how to complete certain fields of the form can be found by clicking on the question mark (?) icon.

Helpful information on how to complete the claim form is provided in the guide "Informations sur les États membres", available in the section "Remboursement de TVA étrangère" and then "Informations sur la procédure dématérialisée".



4) Notification of receipt and transfer of claim

After submitting the form, if the claim is admissible and the form has been completed correctly, the system will display a confirmation of receipt which includes the reference number of your claim and serves as confirmation that the claim has been received by the French government's electronic portal and will be transferred to the Member State of refund indicated.

This confirmation of receipt, which you may print or save, remains viewable in the details of the claim.

It is recommended that you save and/or print a copy of the confirmation of receipt in the event that you need to provide proof of submission of your claim to the tax authorities of the Member State of refund.

Création d'une démarche



Remboursement de TVA dans l'Union Européenne





Un courriel de confirmation vous a été envoyé à l'adresse mél suivante : test@t.fr

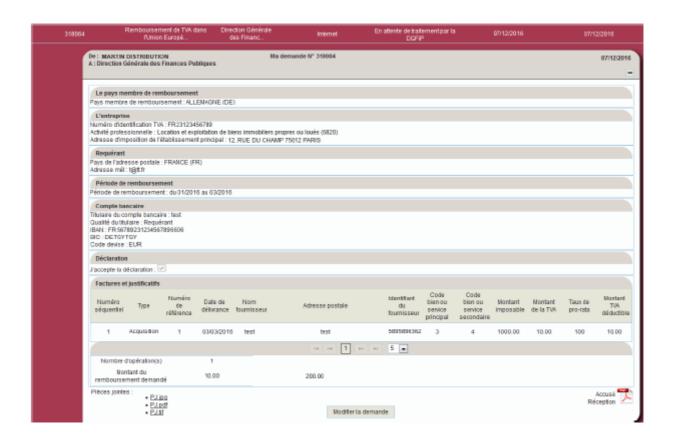
Vous recevrez à cette même adresse les messages vous informant de l'état d'avancement de votre demande.



END OF CLAIM SUBMISSION PROCESS

After clicking on "Fermer", you will be redirected to the claim status menu and can submit another claim or log out of your account.





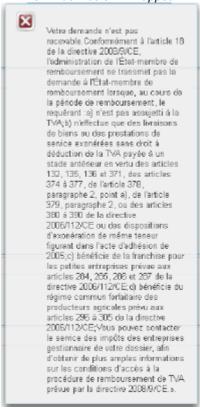


Notification of claim refusal

In accordance with Article 18 of Council Directive 2008/9/EC, the tax authorities must not forward the application to the Member State of refund where, during the refund period, the claimant is not a taxable person for VAT purposes and is ineligible to submit a claim.

Accordingly, if the company is not a taxable person for VAT purposes, the claim will be refused after the section "Saisie du formulaire" has been completed.





If you believe that this refusal is unjustified and that you are a taxable person for VAT purposes, you should contact the competent Business Tax Department (SIE) so that they may verify your intra-Community VAT regime and update, where necessary, the authorities' databases.

If you need more information, support for online procedure users is available via two channels:

- ✓ Hotline on 0809 400 210 (free service + carrier's charges) from 8am to 7.30pm, Monday to Friday.
- ✓ Online form on the www.impots.gouv.fr website. Click on "Contact"/"Accéder" > "Professionnel" > "Une assistance aux téléprocédures" > "En ligne par formuel pour une procédure de déclaration en ligne des données" > "Accéder au formuel".

♦ Making adjustments to an EU VAT refund claim

If a decision is still pending, you can make adjustments to a refund claim.

To do so, click on the "Modifier la demande" button, which is located either:

- on the same screen as your initial claim (if you have yet to receive a confirmation of receipt); or
- on the same screen as the confirmation of receipt from the Member State of refund.

This feature allows you to view your claim and change most of the information you already entered (except for the Member State of refund and the refund period).

You can also amend an invoice (to cancel an invoice, enter "0.00" as the amounts) but you cannot add a new invoice.

Once confirmed, the adjusted claim will be forwarded to the Member State of refund; it will cancel and replace your initial claim. The claim number will remain unchanged. The adjusted claim is viewable in the details of the claim.



The authorities may need to amend and/or resubmit your initial or adjusted claim due to a technical issue or an error in the form which prevented receipt of your claim by the Member State of refund.

Depending on the nature of the issue, the authorities may ask your permission to amend certain information.



♦ For partial VAT taxpayers: DECLARING AN ADJUSTMENT TO THE DEDUCTIBLE PROPORTION

This process is only applicable to partial VAT taxpayers: if, subsequent to the submission of a VAT refund application under Council Directive 2008/9/EC, the deductible proportion is adjusted after determining the final tax coefficient (Article 206 III of Annex II to the French General Tax Code), you are required to communicate the final proportion to the Member States of refund in accordance with the provisions of Article 13 of Council Directive 2008/9/EC.

As with EU VAT refund claims (see above), log into your professional account by clicking on "Votre espace professionnel" on impots.gouv.fr.

- 1) In your account, click on the service "Remboursement de TVA UE"
- 2) Select the option "Déclaration d'ajustement du prorata de deduction"



3) Complete the online form

For a given period, you can declare your final deductible proportion **using a single form**. This information will automatically be transferred to the authorities of all the Member States that you have selected.

Instructions on how to complete certain fields of the form can be found by clicking on the question mark (?) icon.

Création d'une démarche



4) Notification of receipt and transfer of claim

After submitting the form, if the form has been completed correctly, the system will display a confirmation of receipt which includes the reference number of your claim and serves as confirmation that the claim has been received by the French government's electronic portal and will be transferred to the relevant Member States of refund.

This confirmation of receipt, which you may print or save, remains viewable in the details of the claim.

END OF CLAIM SUBMISSION PROCESS FOR PARTIAL TAXPAYERS

After clicking on "Fermer", the claim submission process will end. You will be redirected to the homepage of your professional account, where you can submit another claim or log out of your account.

Création d'une démarche

Suivre mes démarches Effectuer une démarche Mes brouillons

Identification de l'entreprise

SIREN : 123456789 Adresse : 12, RUE DU CHAMP 75012 PARIS

Déclaration d'ajustement du prorata de déduction



Votre demande est maintenant terminée et enregistrée sous le numéro : 318065

Vous pouvez imprimer ou sauvegarder votre accusé de réception en cliquant sur l'icône ci-dessous;



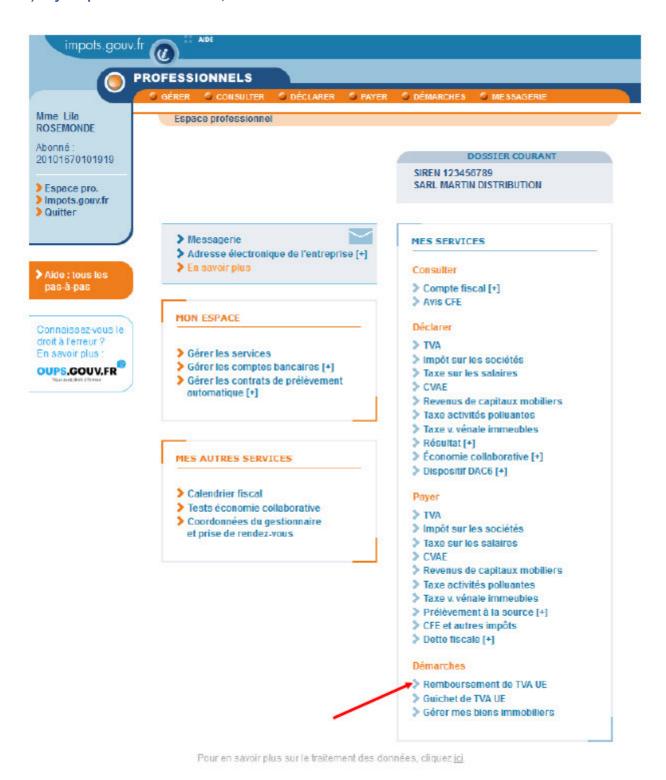
Un courriel de confirmation vous a été envoyé à l'adresse mél suivante : test@t.fr

Vous recevrez à cette même adresse les messages vous informant de l'état d'avancement de votre demande.

Fermer

2. Checking the status of your EU VAT refund claim

1) In your professional account, click on the link "Remboursement de TVA UE"



2) Select the claim you wish to view

All claims submitted by or on behalf of a company are displayed in groups of ten per page (see bottom of page for more results).

⇒ To view a claim, click on the appropriate message subject line.



3) View the details of a claim

The details provide the status of the processing of a claim by the Member State of refund.

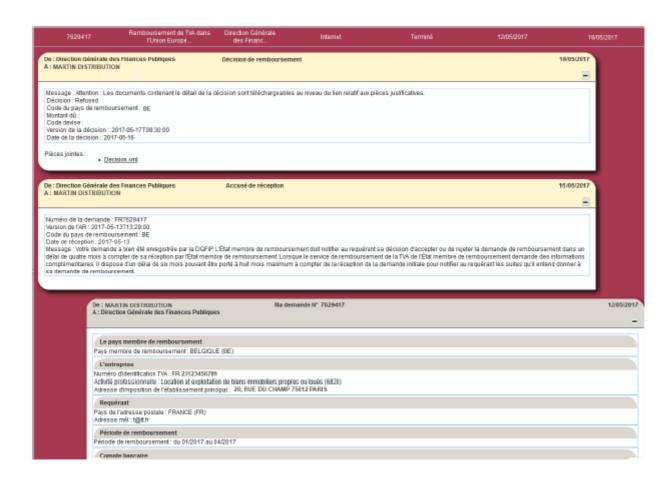
They also:

- show that you submitted an EU VAT refund claim on a given date;
- enable you to view all information relevant to your claim.

Lastly, the details allow you to view:

- supporting documents attached to your claim (attachments containing the invoices for which you are claiming a VAT refund);
- documents relating to the decision of the Member State of refund (see section 4 below Viewing documents related to the decision of the Member State of refund).

Click on the subject line of the claim to view the various messages and status changes associated with your claim (provided that the Member State of refund contacted the DGFiP to communicate information to French taxable persons).



♦ How the DGFiP processes a claim

The first message in the details of a claim is the admissibility verification by the DGFiP. Once you have created a claim, its status is shown as "Pending processing by the DGFiP" ("En attente de traitement par la DGFiP").

This indicates that the claim has been correctly recorded and transferred to the Member State of refund. After this transfer, the claim's status will change to "In progress" ("En cours").

The claim may be:

- an initial claim, i.e. upon initial submission of your claim;
- an amended claim, i.e. after you have made an adjustment to the initial claim; or
- a resubmitted claim, i.e. the authorities amended the claim due to a technical issue or an error in the form.

♦ Confirmation of receipt from the Member State of refund

If the claim is correct in form, the Member State of refund will send a confirmation of receipt which is subsequently added to the details of the claim.

The processing of the claim by the Member State of refund begins once the confirmation of receipt is received, after which the Member State of refund has four months to process the claim (this time limit may be extended to six or eight months if you are asked to provide additional information).

You can view the date of receipt in the details of the claim, in the message pertaining to the confirmation of receipt.

♦ Decision of the Member State of refund

Once the Member State of refund has processed the VAT refund claim, it will send its decision letter. You can view this decision along with the date and the refund amount in the details of the claim, in the message pertaining to the decision.

The status of the claim will then change to "Closed" ("Terminé") (unless the decision is a partial acceptance).

The details of the claim are only provided if the Member State of refund contacted the DGFiP to communicate information to French taxable persons.

- Confirmations of receipt

No such information will be displayed for the following Member States which have not requested the transfer of their confirmations of receipt: **Luxembourg**, **the Netherlands**, **Czechia and Sweden**.

In accordance with Article 19-1 of Council Directive 2008/9/EC, these Member States must send to you directly their electronic confirmation of receipt. If you do not receive a message to this effect, you must contact the relevant foreign authorities directly.

For all other Member States, if no confirmation of receipt appears within one month, you can contact technical support who will be able to tell you if you have not received it due to a technical glitch under investigation or a delay on the part of the Member State of refund.

- Refund decisions

No such information will be displayed for the following Member States which have not requested the transfer of their decision letters: **Germany, Hungary, Luxembourg, the Netherlands, Poland, Czechia and Sweden**.

Otherwise, in accordance with Article 19-2 of Council Directive 2008/9/EC, it is incumbent upon the Member State of refund to notify the applicant of its decision without delay by postal mail or by electronic means (based on the national law of the Member State).

4) Viewing documents related to the decision of the Member State of refund

♦ Full decision letter

The full decision letter sent by the Member State of refund is available in XML format.

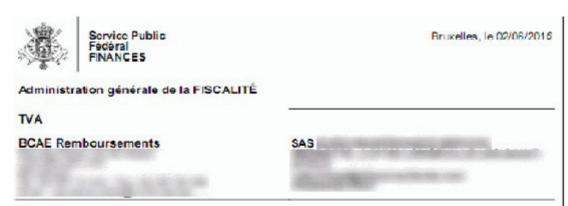
The level of detail of the information in the full decision letter depends exclusively on what information the Member State of refund provided.

♦ Decision letters in PDF format

The Member State of refund may also attach a document in PDF format.

This PDF document indicates, in addition to the decision, the grounds for the decision and the process for challenging it.

Below is a sample decision letter in PDF format sent by a Member State of refund (Belgium):



Concerne Décision relative à votre demande de restitution de la TVA belge

Numéro de référence de la demande de l'estribito Numéro de référence de la demande : ER. Date de la demande : 04/05/2016 Période de la demande : 01/01/2016 - 31/03/2016 Montant demandé : 2695.15 EUR Montant scoepté : 2695.15 EUR

Votre demande a été soceptée

Si vous désirez obtenir des informations supplémentaires sur les raisons ou les motivations de cette décision, ou si vous n'êtres pas d'accord avec celle-el, vouillez contacter le plus vite possible le Bureau central pour assujettis éxangers (DGAE) dont vous trouverez les cocrdonnées en tête de cette lettre.

Les arreurs ou omissions simples peuvent être rectifiées par ce bureau.

Lorsque vous introduisez une réclamation contre une décision, celle-ci doit être motivée en énonçant clairement les notifs pour lesquels vous contestez la décision de remboursement, elle doit être faite par écrit et signée par vous-mêmes ou votre mandataire (une signature électronique est acceptée), elle doit mentionner les différentes mentions reprises ci-dessus qui identifiènt précisément voire démande au sujet de laquelle vous contestez la décision prise. Cette réclamation doit parvenir par courriel ou par voie postale auprès du BCAE.

En vertu de l'article 19, § 2 de l'A.B. n° 56 en metière de TVA, des recours judicieires contre une déclaion de rejet btal ou partiel peuvent être également introduits par voie de requête devant la chambre fiscale du Tribunal de Première instance de Bruxelles avant l'expiration de la troisième année eville qui suit la présente notification.

Information sur le remboursement

Date de la décision : 31/05/2016
Date de la décision : 31/05/2016
Date de la décision : 31/05/2016
Date indicativo prévue pour l'exécution du paiement : null
Catte date vous est communiquée à titre purement informatif et n'engage aucune responsabilité de l'administration belge si elle n'est pas respectée. L'article 22 paragraphe 1er de la Directive 2008/9/CE du 12/02/2008 prévoit que le remboursement est effectué au plus tard dans un délai de 10 jours ouvrables à partir de l'expiration du délai de 4 nois (6 mois ou 8 mois en cas de demandes de renseignements visées à l'article 20 de la même Directive) à compter de la réception par la Belgique de votre demande de remboursement.

L'Inspecteur principal du BCAF

A PDF copy of the decision letter is only available if the Member State of refund has sent a usable

Otherwise, in accordance with Article 19-2 of Council Directive 2008/9/EC, it is incumbent upon the Member State of refund to notify the applicant of its decision without delay by postal mail or by electronic means (based on the national law of the Member State).

If you need more information, **support for online procedure users** is available via two channels:

- ✓ Hotline on 0809 400 210 (free service + carrier's charges) from 8am to 7.30pm, Monday to Friday
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