

GGI - YITPG

Webinar

3 September 2020

DAC 6

National Transposition:

Example Adoption of the Directive

Administrative Rules and Procedures

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COVID-19 pandemic

COUNCIL DIRECTIVE (EU) 2018/822

of 25 May 2018

amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation in relation to reportable cross-border arrangement

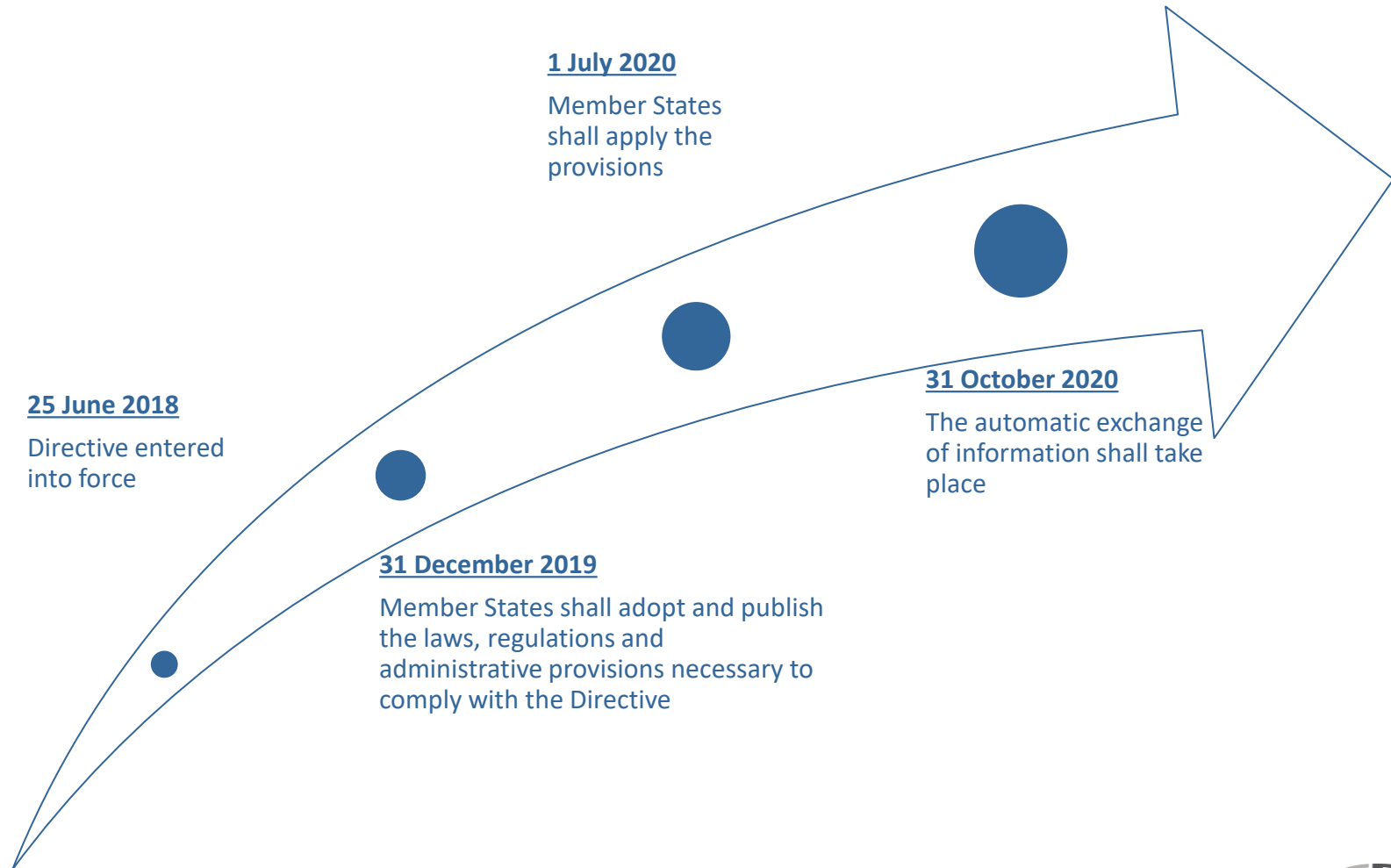


COUNCIL DIRECTIVE (EU) 2020/876

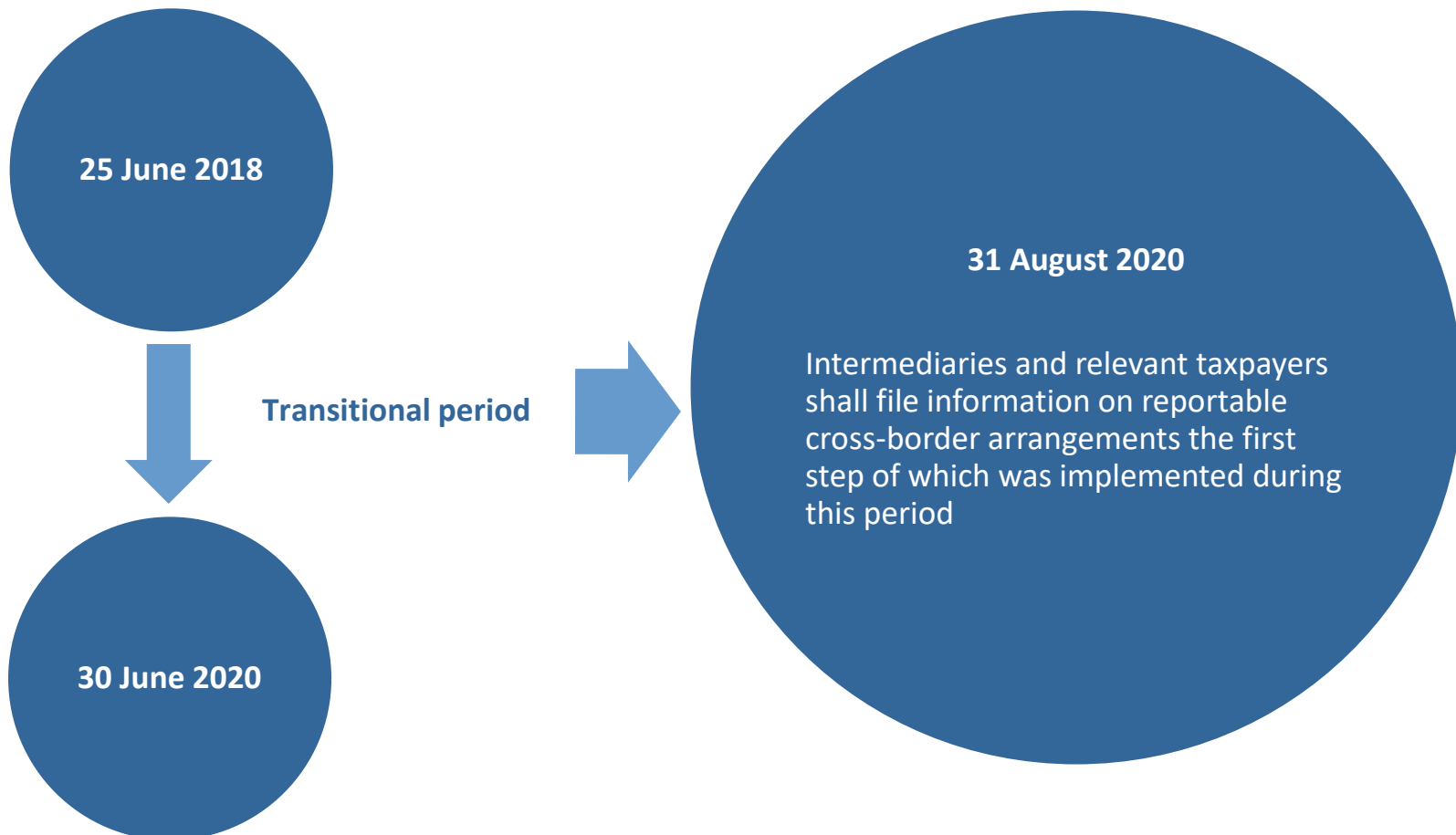
of 24 June 2020

amending Directive 2011/16/EU to address the urgent need to defer certain time limits for the filing and exchange of information in the field of taxation because of the COVID-19 pandemic

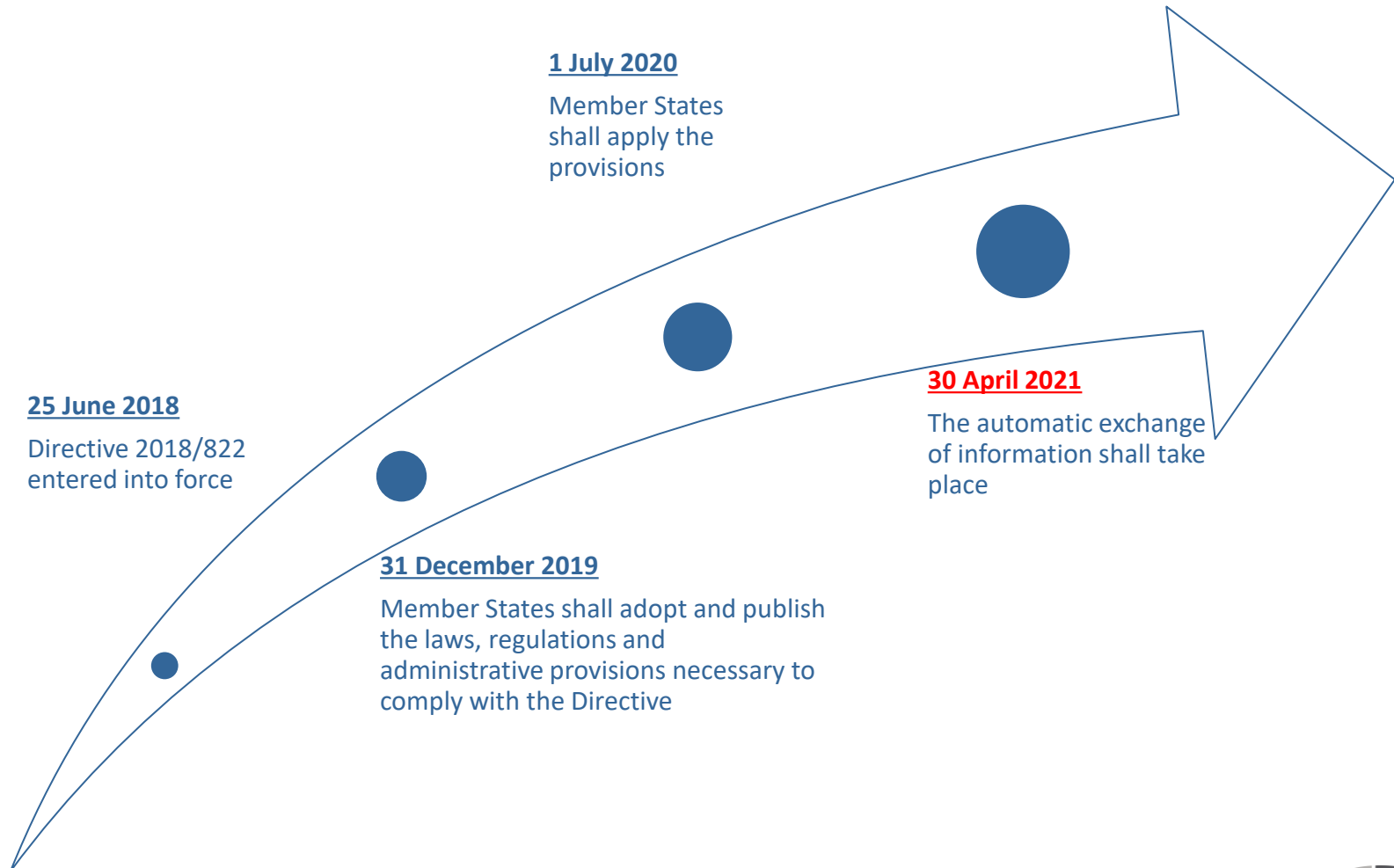
Timing / Agenda (Dir. 2018/822)



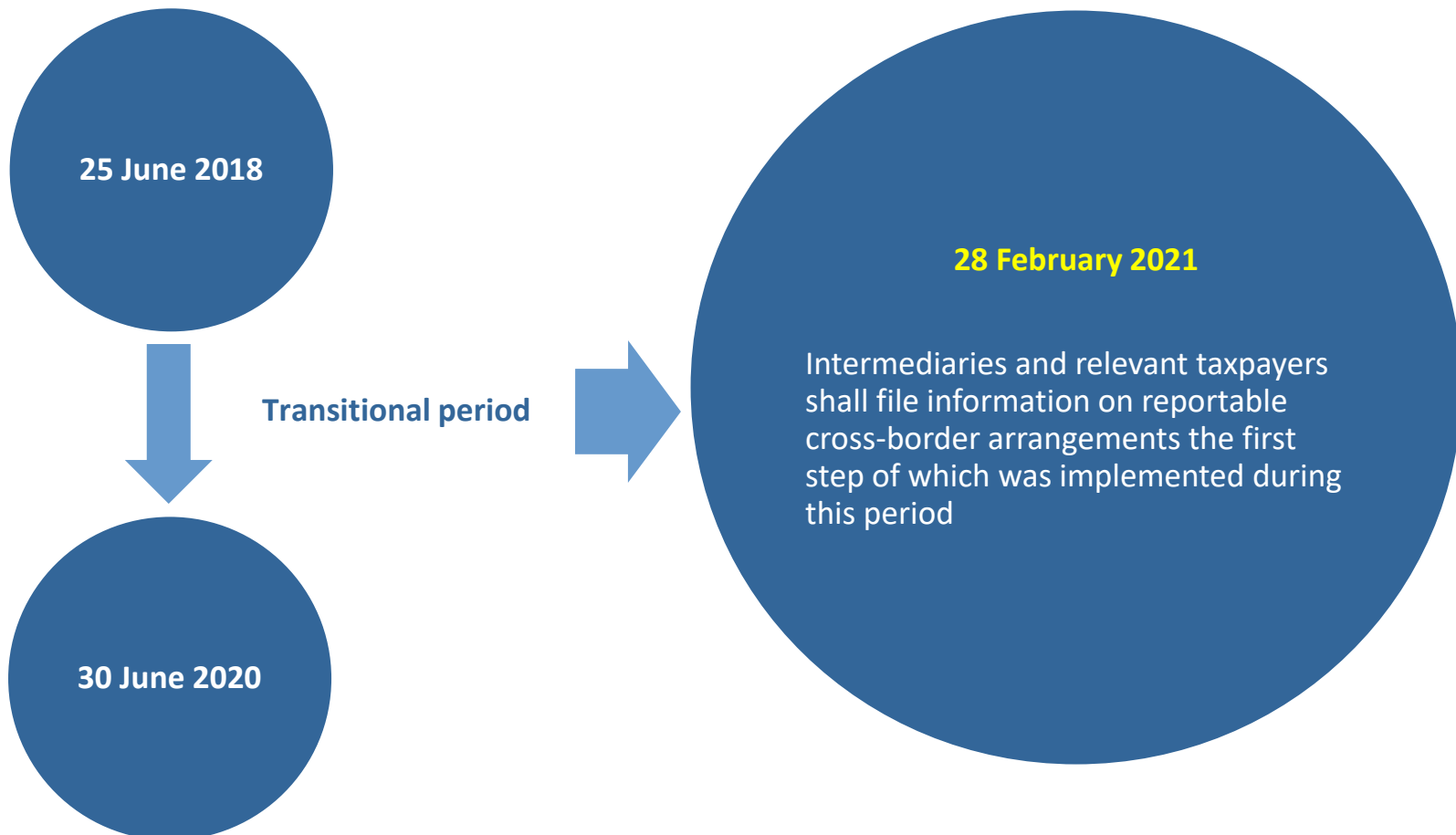
Timing / Agenda (Dir. 2018/822)



Timing / Agenda (Dir. 2020/876)



Timing / Agenda (Dir. 2020/876)



Timing / Agenda (Dir. 2020/876)

1 January 2021

will begin the period of 30 days for filing information

a reportable cross-border arrangement is made available for implementation or is ready for implementation, or where the first step in its implementation has been made between 1 July 2020 and 31 December 2020

intermediaries directly or by means of other persons, aid, assistance or advice between 1 July 2020 and 31 December 2020

Intermediary will make the first periodic report about the marketable arrangements by 30 April 2021

National Transposition

Dir. 2018/822 was transposed by every country except:

- Cyprus
- Czechia
- Luxembourg
- Spain

(Law 25 March 2020)

Source: EUR-Lex website

National Transposition

Dir. 2020/876 was transposed by:

- Ireland
- Germany
- Greece
- Luxembourg
- Portugal
- Slovakia
- United Kingdom

Source: EUR-Lex website

Italy

(Legislative Decree n. 100 of 30 July 2020)

Italy



Legislative Decree n. 100 of 30 July 2020

adopted the
Dir. 2018/822

adopted the
Dir. 2020/876

Ministry of
Economy decree

- should define the administrative rules to apply the Dir. 2018/822

- should specify the hallmarks

Revenue
Agency

- should define the administrative rules to submit the information

Penalties

- omission to submit information: € 3,000 to € 31,500

- invalid communication: € 1,000 to € 10,500

Other countries



What is happening in other countries?

Conclusions

Just a question:

Do we know how to submit the information?

Thank you for your attention



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