



Consistent with our commitment to provide [updated information](#) on current tax issues, we outline below the clarifications provided with Circular E.2019/2022 in relation to the changes pertaining to intra-community transactions, widely known as “Quick Fixes”.

The “Quick Fixes” rules, which were transposed into Greek VAT legislation through Law 4174/2020 and entered into force as of 1 January 2020, concerned four main areas, namely (i) the application of “call-off stock” arrangements, (ii) chain transactions, (iii) substantive requirements for the application of zero-rated intra-community supplies, and (iv) proof of transport/documentation to evidence the intra-community nature of supplies.

In this context, with the issuance of Circular E.2019/2022 (the “Circular”) the Independent Authority of Public Revenues aims to provide further practical clarifications on issues arisen during the implementation of the relevant provisions.

“Call-off stock” arrangements

The Circular *inter alia* includes additional information and practical examples with regards to:

- The possibility to substitute the purchaser in the Member-State to which the underlying goods were transported within a twelve-month period from the dispatch of said goods;
- The implications arising from the (progressive) sale of the goods placed under the “call-off stock” regime to the purchaser and the return of such goods to the Member-State of dispatch within the aforementioned twelve-month period;
- The supplier’s obligations in case of non-compliance with the conditions for the application of the “call-off stock” simplification; and
- The content of the special book (register) required to be maintained by both the supplier and the purchaser of the products, as well as the content and filing deadline of the corresponding EC Listing.

To this end, special consideration is drawn to the fact that the Circular explicitly stipulates that the “call-off stock” rules may be invoked even where the supplier is

registered (merely) for VAT purposes in the Member-State of arrival. By contrast, the existence of a permanent establishment in such Member-State precludes the application of the “call-off stock” arrangements, even if said establishment does not intervene in the actual supply of the goods, while respective provisions may also not apply in conjunction with customs regime “4200”, whereby the importation of goods subsequently transported to another Member-State shall be exempted from Greek import VAT.

Chain transactions

Among others, the Circular provides clarifications on:

- The status of the intermediary operator. In particular, it is stated that the intermediary operator should possess adequate documentation evidencing (i) that it organized the transportation of the goods, and (ii) that the goods were indeed transported to another Member-State, as well as that the first supplier and the final customer cannot be considered “intermediary operators”;
- The nature of the involved transactions and the identification of the transaction that would qualify as intra-community supply in case of chain transactions. To this end, it is noted that a sequence of transactions including at least one import/export does not fall within the scope of the “chain transactions” provisions, as well as that the final customer may constitute a VATable or non-VATable person (i.e. an individual); and
- The potential application of the triangular simplification to chain transactions. In particular, it is explicitly stated that the “chain transaction” provisions do not impact the implementation of the triangular simplification (subject to the fulfillment of the relevant conditions).

Fundamental requirements for the application of zero-rated intra-community supplies

The Circular reiterates that following the introduction of

the Quick Fixes, the use of a VAT number issued by a Member-State other than the Member-State of dispatch by the purchaser and the submission by the supplier of an EC Listing constitute fundamental requirements for the application of the VAT exemption to intra-community supplies.

In this regard, it is clarified that:

- The purchaser may provide the supplier with a VAT number issued by any Member State other than that of the supplier's establishment, even if the underlying goods are transported to a different Member State;
- The Greek tax authorities may retroactively revoke the application of the VAT exemption to intra-community supplies, in case the supplier has not properly and timely filed the relevant EC Listing, unless the supplier is in a position to sufficiently justify its non-compliance with such obligation. To this effect, certain examples where the inaccurate submission of the corresponding EC Listing is considered "justified" are provided; and
- The supplier may retroactively apply the abovementioned VAT exemption, by issuing a credit invoice merely for VAT purposes, where the purchaser communicates to the supplier its VAT number at a stage following the transportation of the goods.

Proof of transport/documentation to evidence the intra-community nature of supplies

The Circular provides additional information on the supporting documentation that the supplier should possess in order to support the zero-rated intra-community nature of respective transaction.

In this respect, the Circular *inter alia*

- 1 Specifies the type of the necessary supporting documents and the instances where respective provisions of "Quick Fixes" shall apply; and
- 2 Determines the applicable framework of the "Quick Fixes" provisions, taking into consideration the pre-existing rules in the Greek VAT legislation with regards to the substantiation of an intra-community supply.

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This Newsletter aims to provide the reader with general information on the above-mentioned matters. No action should be taken without first obtaining professional advice specifically relating to the factual circumstances of each case.