



Euro Tax Flash from KPMG's EU Tax Centre



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Extension of DAC6 reporting deadlines announced by some Member States

European Union – Directive on Administrative Cooperation – Mandatory Disclosure Requirements – Implementation – Reporting deadlines

On January 28, 2021, tax authorities in Belgium and Greece announced an extension of the reporting deadlines under the EU Mandatory Disclosure Rules (MDR). In the absence of final transposition legislation, deferrals are also expected in Cyprus and Spain.

Background

Mandatory disclosure requirements for intermediaries and relevant taxpayers under the Directive on Administrative Cooperation (DAC6) entered into force in the European Union (EU) on June 25, 2018 and apply as of July 1, 2020.

Under the text of DAC6, the deadline for intermediaries to disclose reportable transactions the first step of which was implemented between June 25, 2018 and July 1, 2020 (the look-back period) was initially August 31, 2020. For ongoing reporting, starting from July 1, 2020, the deadline was set at 30 days from the relevant reporting trigger.

As a result of the severe disruption caused by the COVID-19 pandemic, the EU allowed Member States to defer the DAC6 reporting deadlines by up to six months (i.e. deferral period), as follows:

- to February 28, 2021 for the look-back period;
- to January 1, 2021 for the start date of the 30-day reporting deadline and for arrangements that met one of the reporting triggers during the deferral period.

Most EU Member States opted for a six-month deferral, with the notable exceptions of Austria (three-month extension), Finland and Germany (no deferral).

Deadline extensions announced

On January 28, 2021, the Belgian Tax Authorities [announced](#) an administrative deferral, which will apply until February 28, 2021 for arrangements that should have been reported in January and February 2021. Sanctions for late reporting will therefore not apply during this period.

On the same day (January 28, 2021) the Greek Tax Authorities also [announced](#) a deferral of the reporting deadline with respect to arrangements for which reporting was triggered during the deferral period (July 1 to December 31, 2020) and between 1 and 31 January 2021. For these arrangements, the 30 - day deadline starts from February 1, 2021.

Reporting deadlines for look-back period reporting and for the periodic report on marketable arrangements remain the same, i.e. February 28, 2021 and April 30, 2021, respectively.

Earlier in January 2021, the Swedish Tax Authorities [announced](#) that deadlines that occur on a Saturday, Sunday or a public holiday they will be extended to the following weekday. This applies both for initial and ongoing reporting. Therefore, January and February 2021 reporting deadlines apply as follows:

- Monday, February 1, instead of Sunday, January 31;
- Monday, March 1, instead of Sunday, February 28.

EU Tax Centre comment

As at the date of this publication, no other countries had formally announced an extension of DAC6 reporting deadlines. However, two EU Member States – Cyprus and Spain, have not completed DAC6 transposition into national law and have not published regulations for compliance with DAC6 obligations. For these two countries, deferral of the reporting timeline is therefore inevitable, albeit of unknown timing and not formally confirmed.

Should you have any queries, please do not hesitate to contact [KPMG's EU Tax Centre](#), or, as appropriate, your local KPMG tax advisor.



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