# Exchange of VAT-relevant payment data - Survey for payment industry actors

## Background

On 18 February 2020, the Council adopted a legislative package to transmit and exchange payment data in order to improve the fight against e-commerce VAT Fraud[1].

In order to implement this legislative package, the European Commission will work with Member States and actors of the payment industry in an expert group that will assist the Commission with the different elements of the implementation. The results of the survey will be used to organise and feed the work of the expert group.

The package creates new reporting obligations for payment service providers established in the EU, which will require them to transmit data on the beneficiary ("payee") of cross-border payments to tax authorities. Only payment service providers listed in article 1, points (a) to (f) of Directive (EU) 2015/2366[2] ("PSD2") and providing payment services laid down in points 3 to 6 of Annex I to the PSD2 will be subject to the reporting obligation.

Payment service providers will have to monitor cross-border payments (both inbound and outbound) using the rules laid down in article 243c of the amended Directive (EU) 2006/112, to determine the origin and destination of a payment and its cross-border nature. They will also need to monitor the amount of cross-border payments received per payee. Only data on payees receiving more than 25 cross-border payments per quarter will be transmitted to tax authorities.

The list of data to be transmitted is laid down in article 243d of the Amended Directive (EU) 2006/112 and includes:

- The Business Identification Code (BIC) or any other business identifier code that unambiguously identifies the payment service provider providing the data;
- The name or business name of the payee;
- Any VAT identification number or tax number if available to the payment service provider;
- The IBAN or any identifier which unambiguously identifies the payee and his location;
- The BIC or any business identifier code that unambiguously identifies the payment service provider acting on behalf of the payee and its location, when the payee receives funds without any payment account;
- The address of the payee if available; The date and time of the payment or payment refund;
- The amount and the currency of the payment or payment refund;
- The reference of the payment; Information that the payment is initiated at the physical premises of the merchant;

• The Member State of origin of the payment or the Member State of destination of the refund.

The reporting will be done on a quarterly basis to the Member State where the payment service provider has its registered office or its head office ("the home Member State"). When the payment service provider also provides payment services, or has a branch or an agent, in another Member State ("the host Member State"), then the data related to these services should be reported in that Member State.

Finally, to ensure the proportionality of the system, only the payment service providers of the payers will have to report information on cross-border payments made to third countries/territories (extra-EU payments). Similarly, only the payment service providers of the payees will have to report cross-border payments made to another EU Member States (intra-EU payments).

The collection of data under this survey is performed in accordance with the privacy statement attached.

[1] Council Directive (EU) 2020/284 of 18 February 2020 amending Directive 2006/112/EC as regards introducing certain requirements for payment service providers (OJ L 62, 2.3.2020, p. 7)

Council Regulation (EU) 2020/283 of 18 February 2020 amending Regulation (EU) No 904/2010 as regards measures to strengthen administrative cooperation in order to combat VAT fraud (OJ L 62, 2.3.2020, p. 1)

[2] Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, (OJ L 337, 23.12.2015, p. 35–127)

#### Section I - Identification

#### 1 Contact details

	Name	Mail address
*Please provide your contact information or those of a contact person within		
your organisation (name, e-mail address)		

2 Transparency Register (for business association, payment association)

	Number
Please provide your registry number in the Transparency Register if available	

*3 Do you agree with the publication of your contribution
O Yes
O No
* 4 To which of the following categories do you belong?
As defined by Article 1 of the Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on
payment services in the internal market, the so-called Payment Service Directive 2 (PSD2).
Payment Service Provider (as defined in Article 1 PSD2)
Payment Service Provider Association
Governance Authority of a Card Payment Scheme
Governance Authority of a Credit Transfer Scheme
Governance Authority of a Direct Debit Scheme
Operator of a Clearing and Settlement Mechanism
Merchant
Modulati
Payment Service Users Association
Other
* 5 If other, please specify ?
* 6 What type of payment service provider are you/ do you represent?
Credit institution
E-money institution
Payment Acquirer
Payment Card Issuer
Money Remittance Institution
Payment Initiator
Third-Party Payment Processor
Post office giro institution
Payment Institution
Other
*7 For payment institutions, please briefly detail your business activities
*8 In which Member State are you registered as a payment service provider?
O Austria
Belgium
Bulgaria
© Croatia
© Cyprus
© Czechia
Denmark
<ul><li>Estonia</li></ul>

		Finland
		France
		Germany
		Greece
		Hungary
		Ireland
		Italy
		Latvia
		Lithuania
		Luxembourg
		Malta
		Netherlands
		Poland
		Portugal
		Romania
		Slovak Republic
		Slovenia
		Spain
		Sweden
* 9 I1	f oth	ner, please specify ?
<b>*</b> 10	Wh	ich of the following payment methods do you offer/represent?
V		le answer (select all that apply)
		Credit or delayed debit card
		Debit card
		E-wallet
		Mobile payment solution
		Credit transfer
		Direct Debits
		E-money payment transactions
		Money remittance
		Crypto assets
		Others
. 11	lf of	than places enecify 2
* I I	11 (0)	ther, please specify?

# Section II - Scope of the proposal

\* 12 According to article 243a(1) to (3), the Commission has identified the following market categories of payment service providers to be in scope of the proposal.

Three party card scheme
E-money provider
Acquirer
e-Wallet provider
Money Transfer operator
Issuer of payment instruments
Payment Processor
E-payment
Payment collector
Do you agree that this list includes all the categories of payment service providers that will be subject to the
reporting obligation under this legislative package ?
O Yes
© No
*13 If no, please specify why?
* 14 According to article 243b(3) of the amended Directive (EU) 2006/112, only the payment service provider of the payer will have to report payments to non-EU country, while only the payment service provider of the payee will have to report payments to other Member States. What are the methods you use to determine whether you are the payment service provider of the payer or the payee?
Contractual relationship with the payer/payee
Issuing payment instruments for payment service providers having contractual relationship with the payer
Acquiring payments for payment service providers having contractual relationship with the payee
<ul> <li>Processing payment transactions for payment service providers having contractual relationship with the payer/payee (subcontracts)</li> </ul>
Other
* 15 If other, please specify ?
Section III - Monitoring
Section III - Monitoring
# 10 Article 040s of the greeneded Directive (EU) 0000(410 leid down the greening to be used by recomment coming
* 16 Article 243c of the amended Directive (EU) 2006/112 laid down the proxies to be used by payment service providers to determine the localisation of the payer and the payee. If you are the payment service provider of the
payer, how do you identify the localisation of the payer?
BAN
any other identifier which unambiguously identifies the payer
the BIC of the payment service provider acting on behalf of the payer
Any other business identifier code that unambiguously identifies the payment service provider acting on behalf of the payer

\*17 Please specify what kind of identifier?

* 18 Article 243c of the amended Directive (EU) 2006/112 laid down the proxies to be used by payment service providers to determine the localisation of the payer and the payee. If you are the payment service provider of the payer, how do you identify the localisation of the payee?  IBAN  any other identifier which unambiguously identifies the payee  the BIC of the payment service provider acting on behalf of the payee  Any other business identifier code that unambiguously identifies the payment service provider acting on behalf of the payee
* 19 Please specify what kind of identifier ?
<ul> <li>★ 20 Article 243c of the amended Directive (EU) 2006/112 laid down the proxies to be used by payment service providers to determine the localisation of the payer and the payee. If you are the payment service provider of the payee, how do you identify the localisation of the payer?</li> <li>□ IBAN</li> <li>□ any other identifier which unambiguously identifies the payer</li> <li>□ the BIC of the payment service provider acting on behalf of the payer</li> <li>□ Any other business identifier code that unambiguously identifies the payment service provider acting on behalf of the payer</li> </ul>
* 21 Please specify what kind of identifier ?
<ul> <li>★ 22 Article 243c of the amended Directive (EU) 2006/112 laid down the proxies to be used by payment service providers to determine the localisation of the payer and the payee. If you are the payment service provider of the payee, how do you identify the localisation of the payee?</li> <li>□ IBAN</li> <li>□ any other identifier which unambiguously identifies the payee</li> <li>□ the BIC of the payment service provider acting on behalf of the payee</li> <li>□ Any other business identifier code that unambiguously identifies the payment service provider acting on behalf of the payee</li> </ul>
* 23 Please specify what kind of identifier ?
* 24 What are, according to you, the main challenges in monitoring the threshold of 25 cross-border payments received per payee ?  Payee has multiple payment accounts in a single Member State Payee has multiple payment accounts in various Member States

Multiple intermediaries in the payment chain
Payee has several payment accounts with different names
Other
* 25 If other, please specify ?
Section IV - IT systems arrangements
, ,
* 26 Do you think the expert group should discuss IT systems arrangements (e.g. filters, extraction of data) to comply
with the proposal?
© Yes
O No
* 27 Please specify why ?
" 27 T lease specify with :
28 If you supply payment services to several Member States, do you have a central IT system/repository for all your
branches or multiple local systems (e.g. one per Member State) ?
Central IT System
Multiple local systems
Other
Other Control
00 If albeit aleges briefly symbols years IT system system 0
29 If other, please briefly explain your IT system organisation?
Section V - Reporting
Section V - Reporting
*30 According to article 24b of the Amended Regulation, the transmission of data to Member States must be done
using an harmonised electronic form. Which of the following option do you see as most appropriate to develop this
form ?
Dupo of different standard file formate nor neument method (one for exadit transfer, one for early assuments
Use of different standard file formats per payment method (one for credit transfer, one for card payments, one for e-money,) and per intra-EU or extra-EU payments (i.e. different standard file formats will be
created for each payment method and for intra-EU and extra-EU payments)

Use of different standard file formats per payment method (one for credit transfer, one for card payments, one for e-money, ...) only (i.e. different standard file formats will be created for each payment method and

payments (i.e. two standard file formats will be created, one for intra-EU and one for extra-EU payments)

Use of a single standard file format for all payment methods but different for intra-EU or extra-EU

include intra-EU and extra-EU payments)

9

Use of a single standard types of payments will be			•		a-EU or extra-EU payments (i.e. all m)	
Other	·	·			,	
*31 If other, please specify?						
defined). In this regard, which o	data form	at would y	ou prefer		or XML format (specific format to be	е
Please tick the box that correspond	ds to your	JSON	XML	Other format	]	
* a) Type of data format	0	0	©	0		
* 33 Please detail which "Other to Maximum 5 rows	format" y	ou prefer a	and why ?	)	1	
report the transaction to their h	ome Mer anch in t	mber State hat Memb	s or to the er State.	e host Member S Do you think exp	yment service providers will have to tates when they provide payment lanatory notes are needed to determ	
*35 Please specify what elemen	nts are ur	nclear to yo	ou ?			
			-		to transmit the VAT or tax number of the you with their VAT/tax number?	of
*37 How are VAT/tax number re In a pre-defined field In a free text box	egistered	in your sy	stems?			
*38 If yes, do you control the va	llidity of t	he VAT/tax	k number	provided?		

39 Please briefly explain how you control the validity of the VAT/tax number?
* 40 Pursuant to article 243d (2)(d) payment service providers will be required to transmit the unique identifier of
each payment transaction. What standards do you use to establish these identifiers?
Multiple answer (select all that apply)  ISO 20022
CAPE
☐ ISO 8583
Other
* 41 If other, please specify what standards are used ?
* 42 Pursuant to article 243d (2)(a) Payment service providers will be required to transmit the date and time of the payment transaction. Which of the following option do you think would be the most appropriate?
Date and time of the authorisation response
Date and time of the execution of the payment (e.g. daily aggregation)
Oother
* 43 If other, please specify ?
44 Demonstrate attitude 040 d (0)(a) and an action and all the second attitude to the second attitude at the second at the second attitude at the second at the second attitude
* 44 Pursuant to article 243d (2)(e), payment service providers will be required to transmit information on payments done at the premises of the merchant (POS). What code or standards do you use to determine whether a payment
is a POS payment?
□ ISO 20022
CAPE
☐ ISO 8583
Other
* 45 If other, please specify what standards are used ?
Section VI - Technology
* 46 Have you had any experience from reporting payment data to tax authorities within the EU ?
Yes
O No
47 What medium, format and standard are used/have been used for the reporting?

48 \	What is the periodicity of the reporting	1						
		Real-tin transact		Daily	Monthly	Quarterly	Yearly	On request
	Please provide information on the periodicity of the reporting	0		0	0	0	0	0
49	s the reporting done via aggregated	or transacti	on data	. ?				
	Aggregated							
	Transaction							
• 50 I	Have you had any experience from re	eporting pay	/ment d	ata to ta	x authorities	outside the E	U?	
	O Yes							
	O No							
51 \	What medium, format and standard a	ire used/hav	ve been	n used fo	r the reportir	na?		
						.9.		
52 \	What is the periodicity of the reporting	g ?						
		Real-tim transacti		Daily	Monthly	Quarterly	Yearly	On request
	Please provide information on	<b></b>				0	0	0
	the periodicity of the reporting							
52	Do you report aggregated or transact	ion data 2						
50 1	<ul> <li>Aggregated</li> </ul>	ion data :						
	Transaction							
	What would be the minimum time you necessary changes) ?	u need to im	nplemer	nt the ob	ligations (i.e.	the fastest yo	ou could i	mplement
	ease tick the box that applies							
			0 –		6 – 12	12 – 1		18 - 24
			mor	nths	months	month	ns	months

* a) please approximate the time needed (in months)	0	0	©	0
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### Section VII - Statistics

55 Pursuant to article 243b of the amended Directive (EU) 2006/112, payment service providers shall transmit records on the beneficiary (the payee/seller) of cross-border payments when the threshold of 25 payments received per calendar quarter is exceeded. Information on the payee should then be transmitted to the home or the host Member State(s), when the payment service provider provides payment service or has an agent or branch in another Member State than its home Member States.

Please tick the box that applies

	1-5 Member States	6-10 Member States	11-15 Member States	16-20 Member States	More than 20 Member States
a) for intra-EU payments (coming from Member States), in how many EU Member States do you expect to transmit payment data as the payment service provider of the payee					
b)For extra-EU payments (going to third country), in how many EU Member States do you expect to transmit payment data as the payment service provider of the payer					

56 In which Member States do you provide payment services ?
Austria
Belgium
Bulgaria
Croatia
Cyprus
Czechia
Denmark
Estonia
Finland
France
Germany
☐ Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg

[	Malta					
[	Netherlands					
L	Poland					
I.	Portugal Romania					
[	Slovak Republic					
[	Slovenia					
[	Spain					
[	Sweden					
	Please provide informati calendar quarter, per pa			ss-border payment	transactions you exp	pect to transmit
-	ease tick the box that applies	-				
		Up to	100.000 to	500.000 to	1.000.000 to	More than
		100.000	500.000	1.000.000	10.000.000	10.000.000
	Credit or delayed					
	debit card					
	Debit card					
	E-wallet					
	Mobile payment solution					
	Credit transfer					
	Direct Debits					
	E-money payment transactions					
	Money remittance					
	Others					
* 58 I	f other, please indicate	what are the pa	ayment methods c	oncerned ?		
		<u>_</u>				
	Please provide informati			rder payment trans	actions registered in	2019.
Ple	ease tick the box that applies					
		Up to 1.000.000	1.000.000 to 5.000.000	5.000.000 to 10.000.000	10.000.000 to 50.000.000	More than 50.000.000
	Credit or delayed debit card					
	Debit card					
	E-wallet					

solution					
Credit transfer					
Direct Debits					
E-money payment transactions					
Money remittance					
Others					
other, please indicate		·		actions registered in	2018.
ase tick the box that applies					1
ase lick the box that applies	1				
ase tick the box that applies	Up to 1.000.000	1.000.000 to 5.000.000	5.000.000 to 10.000.000	10.000.000 to 50.000.000	More than 50.000.000
Credit or delayed debit card	Up to				
Credit or delayed	Up to 1.000.000				
Credit or delayed debit card	Up to 1.000.000	5.000.000	10.000.000	50.000.000	50.000.000
Credit or delayed debit card	Up to 1.000.000	5.000.000	10.000.000	50.000.000	50.000.000
Credit or delayed debit card  Debit card  E-wallet  Mobile payment	Up to 1.000.000	5.000.000	10.000.000	50.000.000	50.000.000
Credit or delayed debit card  Debit card  E-wallet  Mobile payment solution	Up to 1.000.000	5.000.000	10.000.000	50.000.000	50.000.000
Credit or delayed debit card  Debit card  E-wallet  Mobile payment solution  Credit transfer	Up to 1.000.000	5.000.000	10.000.000	50.000.000	50.000.000
Credit or delayed debit card  Debit card  E-wallet  Mobile payment solution  Credit transfer  Direct Debits  E-money payment	Up to 1.000.000	5.000.000	10.000.000	50.000.000	50.000.000

63 Please indicate the approximative number of payment transactions you expect to report under this legislation in 2024 (in-bound and out-bound) per payment method.

Please tick the box that applies

	The same number as in the past	Up to 5.000.000	5.000.000 to 10.000.000	10.000.000 to 50.000.000	50.000.000 to 100.000.000	More than 100.000.000
Credit or delayed debit card						
Debit card						
E-wallet						
Mobile payment solution						
Credit transfer						
Direct Debits						
E-money payment transactions						
Money remittance						
Others						

64	If other, please indicate what are the payment methods concerned?

65 Please indicate the approximative number of payment transactions you expect to report under this legislation in 2030 (in-bound and out-bound) per payment method.

Please tick the box that applies

	The same number as in the past	Up to 5.000.000	5.000.000 to 10.000.000	10.000.000 to 50.000.000	50.000.000 to 100.000.000	More than 100.000.000
Credit or delayed debit card						
Debit card						
E-wallet						
Mobile payment solution						
Credit transfer						
Direct Debits						
E-money payment transactions						
Money remittance						
Others						

Less than 5%	5% to 10%	10% to 20%	20% to 30%	30% to 40%	40% to 50%	More than 50%
than 5%	to 10%	to 20%	to 30%	to 40%	to	than
5%	10%	20%	30%	40%		
					50%	50%
0	0	0				
0	0	0	0	@		
				0	0	0
s (in-bound	d and out-	-bound), v	vhat is the	e percenta	age of intra	a-EU
T .						
						More
						than 50%
3 /0	10 /6	20 /0	30 %	40 /0	30 /6	30 /
0	0	0	0	0	0	0
			20% to 30%	30% to 40%	40% to 50%	More than 50%
0		0	0	0	0	0
	Less than 5% s, what is to a Member than 5%	Less 5% than to 5% 10% s, what is the percent a Member States to 5% than to 5% 10%	Less 5% 10% than to to 5% 10% 20% s, what is the percentage of por a Member States?  Less 5% 10% than to to 5% 10% 20%	Less 5% 10% 20% than to to to 5% 10% 20% 30%  s, what is the percentage of payments to a Member States?  Less 5% 10% 20% 30% than to to to 5% 10% 20% 30%	Less 5% 10% 20% 30% than to to to to 5% 10% 20% 30% 40%  s, what is the percentage of payments transaction a Member States?  Less 5% 10% 20% 30% 30% than to to to to 5% 10% 20% 30% 40%	than to to to to to 5% 10% 20% 30% 40% 50%  s, what is the percentage of payments transaction from a No a Member States?  Less 5% 10% 20% 30% 40% than to to to to to 5% 10% 20% 30% 40% 50%

 $\,$  66 If other, please indicate what are the payment methods concerned ?

71 Among the payment transactions you process, what is the percentage of payments transaction where the VAT or tax number of the payee is available ?

Please tick the box that applies

	Less	5%	10%	20%	30%	40%	More
	than	to	to	to	to	to	than
	5%	10%	20%	30%	40%	50%	50%
a) please approximate the percentage of cross-border payments where the VAT/tax number is available	0	0	0	0	0	0	0

# Section VIII - Guidelines

	Commission will adopt guidelines to details the new requirements. Which of the following elements do you
ınk si	nould be part of these guidelines ?
	Who are the payment service providers covered by the reporting obligation?
	When is a payment cross-border?
	How should the threshold of 25 payments received be calculated ?
	When shall the payment service provider of the payee report ?
	When shall the payment service provider of the payer report ?
	To who shall the payment service provider report (home or host Member State) ?
	How shall the payer/payee be localised (article 243c) ?
	What are the mandatory data elements in article 243b?
	How shall the data be reported (e.g. what address should be reported)?
	How shall the data be transmitted to Member States ?
	When shall the data be transmitted?
	Other
If ot	her, please specify?
o o t	ion IX - Other
$\omega_{(\cdot)}$	ion ix - Oner

75 Please upload any additional contribution you would like to attach to your answer.

The maximum file size is 1 MB

Should have any question or on the survey or wish to contact us directly, you can do so using the following e-mail: TAXUD-UNIT-C4@ec.europa.eu