



EUROPEAN COMMISSION

*Brussels, 15.1.2014
C(2013) 7 final*

Dear President,

The Commission would like to thank the Bundesrat for its Opinion concerning the Commission proposal for a Directive on electronic invoicing in public procurement {COM(2013) 449 final}.

The Commission welcomes the Bundesrat's support for the principles of the e-invoicing Directive which aims at eliminating the existing barriers in the internal market and ensuring interoperability at EU level.

The Commission confirms that the obligations set out in this draft Directive are addressed exclusively to Contracting Authorities and Entities at all national, federal and local levels, but do not impose any obligations on the economic operators. This approach was chosen precisely in order not to impose additional burdens on the economic operators.

The scope of this Directive is confined to invoices issued in relation to contracts subject to public procurement rules. Nevertheless, it is expected that the benefits of e-invoicing will incentivise take up of e-invoicing and the use of the new European standard by all economic operators in all sectors, and that its use will gradually extend beyond the Business to Government environment to Business to Business transactions. This approach was chosen for the same reasons as above, namely not to impose any additional burdens on economic operators, especially Small and Medium Enterprises (SMEs).

The Commission recognizes the important role of stakeholders in the elaboration of the European standard. The Commission will consult the European Multi Stakeholder Group on Electronic Invoicing on the draft mandate for the European Standardisation Organisation (CEN). The European Multi Stakeholder Group is an advisory body of the Commission, and it is composed of representatives of national fora in all Member States, representatives of European Associations representing consumers, SMEs and large corporations and of representatives of EU organisations and bodies. Furthermore, according to the internal rules of procedure, CEN will involve in its work the relevant National Standardisation Organisations in all Member States and will validate the standard with them.

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As regards the content of the standard, the Commission notes the Bundesrat's request for a simple and user friendly standard. This opinion is in line with the Commission views, even though it is not possible, at this stage, to pre-empt the future work of CEN.

The Commission also notes the opinion of the Bundesrat that the deadline for transposition should be linked to the date of the availability of the standard. The Commission is confident that the proposed deadline of 48 months from the adoption of the directive would give sufficient time to Member States to implement and apply the provisions of this Directive.

The Commission hopes that these clarifications address the concerns raised by the Bundesrat and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*