

**13 May 2016****Decision**  
of the Bundesrat**Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee on an action plan on VAT Towards a single EU VAT area - Time to decide****COM(2016) 148 final; Council Doc. 7687/16**

At its 945th session on 13 March 2016, the Bundesrat adopted the following position pursuant to Sections 3 and 5 of the Act on Cooperation between the Federation and the Länder in European Union Affairs ('EUZBLG'):

1. The Bundesrat supports the Commission's objectives laid down in its action plan on VAT to simplify the VAT system and make it less vulnerable to fraud. The Bundesrat notes the proposed measures and expressly reserves the right to adopt a position pursuant to Sections 3 and 5 EUZBLG once concrete legislative proposals have been submitted.
2. The Bundesrat agrees with the Commission that enforcing these tax provisions falls under the responsibility of the tax authorities of the Member States and thus within the exclusive competence of the Member States. Its initial view, however, is that several of the proposals in the action plan on VAT - including non-legislative proposals - do aim to harmonise the procedures, implementation measures and methods of the customs authorities of Member States, including the deployment of staff and the monitoring of tax authorities by the Commission. As this will also significantly affect the interests of the Länder, which are responsible for the administration of VAT, the Bundesrat calls on the Federal Government to ensure that, in any further discussions on the action plan on VAT, no decisions

will be made at EU level without the Länder's involvement.

3. The Bundesrat hereby submits this opinion directly to the Commission.