

CZECH REPUBLIC

13th Directive (86/560/EEC) VAT refunds

I. RECIPROCITY AGREEMENTS – Article 2(2)

1. Does your country have any reciprocity agreements?

Yes.

2. If yes, what countries are included in the reciprocity agreements?

Switzerland, Norway, Bulgaria and Moldavia.

3. What is the equivalent third country tax to which the reciprocity agreements relate?

VAT.

4. What goods and services are allowable under the reciprocity agreements?

The scope of items is not limited.

5. Are there any specific or additional rules applicable in relation to the reciprocity agreements?

The Ministry of Finance confirms the principle of reciprocity and announces the eligible countries in the Financial Journal.

6. If your country has no reciprocity agreements, do you still allow refunds?

No.

II. TAX REPRESENTATIVES – Article 2(3)

7. Does your country require the appointment of a tax representative?

No. The appointment of a tax representative is optional.

8. What conditions are imposed when appointing a tax representative?

A power of attorney for the representation must be written in the Czech or Slovak language and submitted to the tax authority.

III. REFUND ARRANGEMENTS – Article 3(1)

9. What are the time limits that are applied for making a claim?

The application for refund must be submitted by 30 June of the year following that to which the application relates.

10. What periods are eligible for a refund?

- Less than one calendar year but not less than three months when the amount for which the application is made is at least CZK 7.000;

- One calendar year or a period less than three months if this represents the remainder of the calendar year when the amount for which the application is made is at least CZK 1.000.

11. Where shall the applications be made?

Finanční úřad pro Prahu 1 (Local Tax Office for Prague 1)

Štěpánská 28

112 33 Praha 1

Czech Republic

Tel. No : +420 224 043 011

Fax No : +420 224 043 198

12. What is the minimum amount of VAT that can be refunded?

See the answer No. 10.

13. How can the applicant receive an application form?

The application form is at the disposal at the competent tax office or can be downloaded from the following website of the Czech Tax Administration:

http://cds.mfcr.cz/cps/rde/xbcr/cds/5239_2.pdf

14. What languages may be used for completion of the form?

The Czech language.

15. What information is requested on the application form? Please could you provide a copy of the form or a website link?

For the link see the answer No. 13. On the application form the following information is requested:

- Period to which the application relates;
- Full name and address of the applicant, in case of legal entities the person authorized to act on its behalf;
- Bank account or the address where the refundable amount shall be sent;
- The amount of VAT to be refunded;
- Statement on the validity and entirety of the data provided plus the signature
- Supplies (including numbers of invoices, VAT rates and amounts of VAT) in respect of which the VAT refunds are claimed.

16. Is any information optional? If yes, what information?

No.

17. Who is authorised to sign the application form?

The person authorized for submitting of the application (i.e. the applicant himself or the representative).

18. What evidence is required to support an application?

- The relevant invoices;

- Certification that the applicant is a taxable person registered for VAT or similar taxes issued by the tax authority from the country of his establishment;
- Written declaration that the applicant has not carried out any transaction within the Czech Republic (with the exception of certain exempted transactions and supplies subject to reverse charge procedure).

19. What time-limits does your country apply to making a refund?

Six months from the date of submission of the request or provision of additional information required by the tax authority.

IV. ELIGIBILITY– ARTICLE 4(2)

20. Are there any other conditions applicable?

No.

21. Are certain types of expenditure excluded and if so which?

All goods and services are eligible for VAT refunds with the exception of the following items:

- Passenger cars, their financial leasing and maintenance;
- Fuels excluding diesel;
- Business entertainment;
- Goods and services for personal use;
- Travel, accommodation and catering expenses;
- Telephone calls;
- Taxi service.

V. MAJOR DIFFERENCES BETWEEN REFUNDS UNDER THE 13TH AND THE 8TH (79/1072/EEC) DIRECTIVE

22. What are the main procedural differences between applying for a VAT refund based on the 8th Directive and a refund based on the 13th Directive?

There are no procedural differences.

23. Do certain types of expenditure give rise to refund under the 8th Directive but not under the 13th Directive? If yes, please specify the types of expenditure.

Yes, the following items:

- Fuels excluding diesel;
- Goods and services for personal use;
- Travel, accommodation expenses;

- Telephone calls;
- Taxi service.