Latvia

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

I. RECIPROCITY AGREEMENTS - Article 2(2)

1. Does your country have any reciprocity agreements?
State Revenue Services (SRS) of the Republic of Latvia does not participate and conclude such agreements, but performs VAT input tax refund following the principle of parity, acting in accordance with the information about VAT input tax refund in other States provided by the Ministry of Foreign Affairs department of Economical Relations.
Contact phone number in Ministry of Foreign Affairs 7016249
or e-mail address tereze.gipsele@mfa.gov.lv

Annex 1: Information about VAT input tax refund in other states provided by Ministry of Foreign affairs.

2. If yes, what countries are included in the reciprocity agreements?
See point 1

3. What is the equivalent third country tax to which the reciprocity agreements relate?
See point 1

4. What goods and services are allowable under the reciprocity agreements?
See point 1

5. Are there any specific or additional rules applicable in relation to the reciprocity agreements?
See point 1

6. If your country has no reciprocity agreements, do you still allow refunds?
See point 1

II. TAX REPRESENTATIVES Article 2(3)

7. Does your country require the appointment of a tax representative?
No

8. What conditions are imposed when appointing a tax representative?
Not applicable

III. REFUND ARRANGEMENTS - Article 3(1)

9. What are the time limits that are applied for making a claim?
Six months after the calendar year end or three months after the period end for a period of less than three months.

10. What periods are eligible for a refund?
From 3 months to 1 calendar year (period can be less than 3 months if they are the last calendar months).

11. Where shall the applications be made?
Republic of Latvia State Revenue Service Large Taxpayers Department.

12. What is the minimum amount of VAT that can be refunded?
20 LVL, if the period of time is 1 calendar year or the period is less than three calendar months, and they are the last calendar months. Otherwise 135 LVL if the declared period of time is not less than three calendar months and doesn't exceed 1 calendar year.

13. How can the applicant receive an application form?
From the Republic of Latvia State Revenue Service Large Taxpayers Department or in the website http://www.vid.gov.lv/default.aspx?hl=2&tabid=7&id=15&oid=13461&lidz=2000.1.1&no=2008.2.27

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

15. What information is requested on the application form? Please could you provide a copy of the form or a website link?
Annex 2: Application form for VAT input tax refund for taxable persons from other Member States of the European Union or persons that are not registered for VAT in the territory of European Union.

16. Is any information optional? If yes, what information?
No

17. Who is authorised to sign the application form?
Person that claims the tax refund or an authorized person.

18. What evidence is required to support an application?
• Paid tax bills (originals) for the goods and services purchased in the Republic of Latvia that meet the requirements stated in the law "On Value Added tax";
• Notice (original) issued by tax administration of the respective State that is valid for 12 months from the date of issuance and certifies that at the time of purchase of the goods or services or release of goods to free circulation, the person was not registered in the territory of the European Union for the time period shown in the application and was registered in his home state as a taxable entity;
• Document that certifies tax payment (cash register receipt, that meets the requirements of the
law "On Value Added Tax," bank payment order);

- Customs declarations (originals);
- Authorization (original) if the authorized person belonging to the entity filing the application is not registered in the territory of European Union then:

  if the application for refund of VAT is submitted through the authorised representative – the original power of attorney. The power of attorney must meet the requirements of the international conventions 25 May 1987 Convention Abolishing the Legalisation of Documents in the Member States of the European Communities and 5 October 1961 Hague Convention Abolishing the Requirements of Legalisation for Foreign Public Documents. The power of attorney issued in Lithuania, Estonia or Poland must have the certification by notary. The power of attorney issued in other EU countries, Norway or Switzerland must be certified with "apostil"

- This state has concluded bilateral or multilateral agreements about legal aid and legal relations with Latvia.

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

The State Revenue Service, three months after receiving the application, makes a decision about the tax refund or partial refund or non-refund. In the case of a refund or a partial refund, no later than one month after making a decision, a copy of the application is sent to applicant showing a substantiated decision about the refund or partial refund and the tax bill and customs declaration originals are marked that tax has been refunded, as well as the documents that certify tax payment. Transfer of the payable amount of tax is made to the bank account indicated in the application.

If State Revenue Service has made a decision about not refunding, it sends the tax bills to the applicant about whom it has made decision not to refund the tax, without making a mark on the documents, and attaches the decision about the refusal of the tax refund.

In the case of not refunding, no later than 15 working days after making the decision, the applicant is informed in written form about the reasons for refusal attaching a copy of the application, the reason for the decision not to refund, the tax bill, the custom's declaration originals, as well as documents that certify tax payments.

IV. ELIGIBILITY - ARTICLE 4 (2)

20. Are there any other conditions applicable?

Tax is not refunded if:

- 20.1. in accordance with the legal acts, unregistered commercial activity has been carried out in Republic of Latvia;
- the applicant has been registered as a taxable person in the register of the SRS;
- documents have not been formed correctly or the tax invoices do not meet the requirements
stated in law "On Value Added Tax"

- controls have not confirmed that the transaction, mentioned in application about which the tax refund is claimed, has occurred;

Tourism (travel) firms and agencies operate according to the law "On value added tax" Article 13.

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

Certain types of expenditure are excluded:

- purchases of unused real estate and services that are related to the building of real estate including reconstruction, renovation or repair;
- the goods or services purchased are for personal use (for instance car rental, service, repair, purchase of gasoline, lubricants and spare parts, recreation, catering (including restaurants), health improvement and entertainment costs);

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?

None

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.

No
Annex 2

Application for refund of value added tax to a taxable person established in the other Member State or taxable persons not established in the European Union territory

Valsts iečēmumu dienesta Lielo nodokju maksātāju pārvaldei

To the Large Taxpayers' Department of the State Revenue Service

Lūdzu atmaksāt pievienotās vērtības nodokli (PVN), kas samaksāts:

☐ 20 __. gada

☐ sādās 20 __. gada mēnesos

par Latvijas Republikā: D

iegādātājam precēm D

saņemtājam pakalpojumiem

D importētajām precēm

We would like to ask for the refund of value added tax (hereinafter - VAT) paid on the following taxable transactions:

D supplied goods

D provided services
D imported goods
in the Republic of Latvia:

Din 20 ___

Din following months _____________________ ^___^ of the year
20 ___

I. Iesniedzējs

(citas Eiropas Savienības dažādvalsts apliekamā persona vai
Eiropas Savienības teritorijā neregistrētā persona)

Applicant
(a taxable person established in the other Member State or
taxable person not established in the European Union territory)

Nosaukums/Full name

Adreše/Address

Pasta indekss, valsts/Postal code, country Tālrunis/telephone

Telefāks/telephone

E-pasta adrese/e-mail address

Ar PVN apliekāmās personas registrācijas numurs mitnes zemē/VAT registration
number in country of residence

Nodokļu administrācijas iestādes nosaukums un adrese mitnes zeme/Name and
address of the Tax authority in country of residence

Uzņēmējdarbības veids mitnes zemē/Business in country of residence

leprieks iesniegtais iesniegums attiecas uz laikposmu/Previous application relates to
the period

Laikposms, uz kuru attiecas iesniegums/Period to which the application refers
Atmaksai pieprasītā PVN kopēja summa (LVL)/Total amount of VAT reclaimed for refund (LVL)

11. Pilnvarotā persona (aizpilda, ja iesniegumu iesniedz pilnvarotā persona, pievienojot pilnvaras originālu)

Authorized person (to be filled out if authorized person on behalf of applicant submits the application; power of attorney must be enclosed in original)

Vārds, uzvārds (juridiskajai personal - nosaukums)/Name and surname (for legal person - full name)

Pases numurs vai identifikācijas kods, personas kods (juridiskajai personal - registrajās numurs)/Passport number, personal identification number (for legal person - registration number)

Pilnvaras izdosanas datums/Date of issue of power of attorney

Adrese/Address

Pasta indekss, valsts/Postal code, country Tālrūņis/telephone

Telefāks/telefax

E-pasta adrese/e-mail address

III. Atmaksātā PVN sālēmējs
(citas dalībvalsts apliekamā persona, Eiropas Savienības teritorijā nereģistrētā persona vai so personu pilnvarotā persona)

Receiver of VAT refund
(taxable person established in the other Member State or taxable person not established in the European Union territory or authorized person of these persons)

Vārds, uzvārds (juridiskajai personal - nosaukums)/Name and surname (for legal person - full name)
Bankas nosaukums, adrese un kods (SWIFT kods)/Name, address and of the bank (SWIFT code)
Konta numurs, uz kuru pārskaitāts codejatmaksājamais nodoklis (IBAN konta Quums)/Account number to which the refunded tax is to be transferred (IBAN account number)

Valsts/Country

Nodokju rēķnu un maitas dokumentu Citi pielikumi/Number of other enclosures skait/Number of invoices and customs documents

**IV. PVN atmaksas**  
**Refund of the VAT**

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

**Kopā/Total**

**V. Cita informācija/ Other information**
I declare that I undertake to repay any sum collected in error to my bank account, the information in this application is true and correct - goods are purchased or imported and services are received for business purposes abroad and no business activity has been performed in the Republic of Latvia in 20____.

Paraksts un tā atsifrējums (drukātiem burtiem)/pilnvarotās personas paraksts un tā atsifrējums (drukātiem burtiem)/Signature and transcription (in block letters)/Signature of authorized person and transcription (in block letters)

VI. Lēnums par pievienotās vērtības nodokļa atmaksāšanu
(aizpilda VID)

Decision on refund of the value added tax
(to be filled in by the SRS)

Atmaksat pievienotās vērtības nodokli LVL _____ apmērā

Refund value added tax in the amount of LVL.

Neatmaksat pievienotās vērtības nodokli LVL _____ apmērā

Do not refund value added tax in the amount of LVL.

VID Lielo nodokļu maksātāju paraksts un tā atsifrējums (drukātiem burtiem)/Signature and transcription (in block letters)
pārvaldes direktors/Director of the Large Taxpayers' Department of the SRS

Datums/Date

Z.v./Place of seal

Finansu ministrs O.Spurdiņš
### Information on the order of value added tax refund in foreign countries

<table>
<thead>
<tr>
<th>Country</th>
<th>System of VAT refund</th>
<th>Responsible authority</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The USA</td>
<td>No VAT refund</td>
<td></td>
<td>No VAT is collected in USA. On national level the Income tax is collected and on the states' level the sales tax is collected.</td>
</tr>
<tr>
<td>Austria</td>
<td>VAT is refunded</td>
<td>The Financial Service of Graz Finanzamt der Stadt Graz Conrad von Hotzendorf Str. 14-18 8018, Graz Fax:+43 316 817 608</td>
<td>VAT is refunded to all foreign legal persons in conformity with Directives 8 and 13 of the EC.</td>
</tr>
<tr>
<td>The Republic of Belarus</td>
<td>No VAT refund</td>
<td>National Tax Committee of the Republic of Belarus</td>
<td>On September 7, 1995 &quot;Convention between the Republic of Latvia and the Republic of Belarus on Avoidance of Double Taxation and the Prevention of Fiscal Evasion&quot; was concluded.</td>
</tr>
<tr>
<td>Belgium</td>
<td>VAT is refunded, but there is no information about the VAT refund system</td>
<td>Service of Revenues and Fiscal Policy of the Ministry of Finance</td>
<td>The VAT refund order is provided by the Law No. 235/2004Coll. The VAT liable persons from the EU member states have the rights to receive VAT refund according to Articles 82 and 83 of the Law (currently the Law is amended on issues related with VAT refund's technical aspects)</td>
</tr>
<tr>
<td>The Czech Republic</td>
<td>VAT is refunded</td>
<td>VAT Department of the Ministry of Finance <a href="http://www.mfcr.cz">www.mfcr.cz</a> +420 2 57042574 e-mail <a href="mailto:eva.kostkova@mfcr.ca">eva.kostkova@mfcr.ca</a></td>
<td>The VAT refund order is provided by the Law No. 235/2004Coll. The VAT liable persons from the EU member states have the rights to receive VAT refund according to Articles 82 and 83 of the Law (currently the Law is amended on issues related with VAT refund's technical aspects)</td>
</tr>
<tr>
<td>Denmark</td>
<td>VAT is refunded, but the Ministry of Foreign Affairs has not received information about the refund system</td>
<td></td>
<td>Due to the Latvia's accession to the EU there will be changes in VAT refund order — starting with 01.05.2004 the EU Directive No 13 will be</td>
</tr>
<tr>
<td>France</td>
<td>VAT is refunded</td>
<td>Tax Centre of Non-residing Entrepreneurs Centre des Impots des non-residents</td>
<td></td>
</tr>
<tr>
<td>Country</td>
<td>VAT Refund Details</td>
<td>Relevant Authority</td>
<td></td>
</tr>
<tr>
<td>---------</td>
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<td></td>
</tr>
<tr>
<td>Greece</td>
<td>VAT is refunded to EU member states and bilateral treaty partners (Latvia is not in the list yet)</td>
<td>Ministry of Finance of Hellenic Republic, VAT Application Department, VAT Division</td>
<td></td>
</tr>
<tr>
<td>Estonia</td>
<td>VAT is refunded, but the Ministry of Foreign Affairs has not received information about the refund system</td>
<td>Applications have to be submitted to the Northern Payment Centre of Estonian Customs and Tax Service (Endla 8, 15177, Tallinn)</td>
<td></td>
</tr>
<tr>
<td>Ireland</td>
<td>VAT is refunded, except for fuel, food and lodging</td>
<td>Office of the Revenue Commissioners (<a href="http://www.revenue.ie">www.revenue.ie</a>)</td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>VAT is refunded only to the EU member states or on the basis of</td>
<td>Tax Policy Department of the Ministry of Economy and Finance</td>
<td></td>
</tr>
</tbody>
</table>

For Latvia, in cases when a Latvian company is engaged in commercial activities in France, the order of VAT refund will be different and it will have to register at Inspection de la fiscalité professionnelle de la TVA 9, rue d'Uzes 75080 Paris Cedex 02. In case if an LR company has both activities and expenses in France, then it has to pay into the French budget the difference minus VAT for the expenses. Intra-Community international freight forwarders pay the tax in France if the departure takes place in France, except the cases when the customer is a VAT payer in another country. International freight forwarders can receive VAT refund about the fuel purchased in France as well as other expenses, if submitting documents substantiating the expenses.

VAT refunds are regulated by the Law No 1642/1986 of Greece, where since its coming in force there have been no amendments. The international freight forwarders (from the EU member states) receive VAT refund based on the respective EU directive. The freight forwarders of other countries can receive VAT refund if they make tax-free purchases similar to every tourist. The refund documents have to be filled in Greek language.

The VAT payers from 3™ countries submit VAT refund application about the previous calendar year during the following half-year. VAT payers of other EU member states can submit the VAT refund application for a period exceeding 3 months and shorter than 1 year if the VAT amount is not less than 3000EEK.

VAT refund to passive subjects, who are not residents of the EU member states, is based on
<table>
<thead>
<tr>
<th>Country</th>
<th>VAT Refund Details</th>
<th>Authority/Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latvia</td>
<td>Latvia has not signed such a treaty.</td>
<td></td>
</tr>
<tr>
<td>Israel</td>
<td>VAT is refunded</td>
<td>Customs and VAT Department of Israel</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>VAT refund is possible if the respective company is registered in the Russian Federation.</td>
<td>Ministry of Taxes and Fees of the Russian Federation, Department of International; Tax Relations (МНННСТепСТБО РОСЧНСКОИЯ HеиК^ынапоаHБи ХайироBбix oTHOинеHHfi) 127381, MocKBa, HerjiHHHaа yn., 23 mnstfinaaloa.ru</td>
</tr>
<tr>
<td>The Great Britain</td>
<td>VAT is refunded</td>
<td>HM Customs and Excise VAT Overseas Repayments Unit Custom House PO BOX 34 Londonderry BT48 7AE Northern Ireland <a href="mailto:enq.oru.nl@hmce.gsi.gov.uk">enq.oru.nl@hmce.gsi.gov.uk</a></td>
</tr>
<tr>
<td>The Republic of Lithuania</td>
<td>VAT is refunded</td>
<td>Lithuanian State Tax Inspectorate Seimuksniu str.4 LT-2600, Vilnius Lithuania</td>
</tr>
<tr>
<td>The Netherlands</td>
<td>VAT is refunded</td>
<td>The Netherlands Tax Service Heerlen unit's coordinates: Tax Office Foreign Individuals/ Businesses</td>
</tr>
<tr>
<td>Country</td>
<td>VAT is refunded</td>
<td>Address</td>
</tr>
<tr>
<td>-----------</td>
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<td>---------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Norway</td>
<td></td>
<td>The Norway’s Tax Service Applications are to be submitted to: Ostfold fylkesskattekontor Postboks 430/Vogts.17 N-1502MOSS Norway</td>
</tr>
<tr>
<td>Poland</td>
<td></td>
<td>II Urzad Skarbowyy Drugi Warszawa Srodmiescie Ul. Lindleja 14 tel+482 28 217 326</td>
</tr>
<tr>
<td>Portugal</td>
<td></td>
<td>VAT Refund Service of Portugal Tax Inspectorate General</td>
</tr>
<tr>
<td>Finland</td>
<td></td>
<td>Uusimaa Tax Bureau of Finland P.O-Box 34 FIN-00052 Verotus Helsinki, Finland</td>
</tr>
<tr>
<td>Country</td>
<td>VAT Refund</td>
<td>Contact Details</td>
</tr>
<tr>
<td>--------------</td>
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<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Slovenia</td>
<td>VAT is refunded</td>
<td>Tax Department of the Ministry of Finance of Slovenia</td>
</tr>
<tr>
<td>Spain</td>
<td>VAT is refunded</td>
<td>Ministry of Foreign Affairs of Spain</td>
</tr>
<tr>
<td>Spain</td>
<td></td>
<td>Spain is refunding VAT based on the principle of reciprocity, and every application is considered individually. The mechanism of refund is not applied to everybody unequivocally (the legal provision is available only in Spanish). The Ministry of Foreign Affairs of Spain explains that the amendments of law presented by Latvia do not ensure the possibility to apply unequivocally the order of VAT to the legal persons that are registered in Latvia.</td>
</tr>
<tr>
<td>The Ukraine</td>
<td>No VAT refund</td>
<td></td>
</tr>
<tr>
<td>Uzbekistan</td>
<td>No VAT refund</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>VAT is refunded, but the Ministry of Foreign Affairs has not received information about the refund system</td>
<td>Bundesamt fur Finanzen, Friedhofstrasse 1 D-53221, Boim For request of information: <a href="mailto:vathotline@bund.de">vathotline@bund.de</a> +49 228 406 2880 Standard forms of application: <a href="http://www.bff-online.de/ust/ustv/uanl.html">www.bff-online.de/ust/ustv/uanl.html</a> The order of VAT refund is regulated by &quot;ACT on Value Added Tax(1994:200) The VAT refund is meant for foreign entrepreneurs who are not registered in Sweden as VAT payer for acquisition of goods and services, if: - VAT refund is related to purchase or import turnover outside Sweden; - Turnover/supply of goods takes place in another EU member state, where VAT is already paid;</td>
</tr>
<tr>
<td>Sweden</td>
<td>VAT is refunded</td>
<td>Swedish Tax Administration's Organisation, Special Tax Division: Special Tax Office, Swedish Tax Administration</td>
</tr>
</tbody>
</table>
- Turnover/supply of goods would be taxed with VAT or it would be VAT refunded in case if the transaction would take place in Sweden; The recipient of goods or services is a VAT payer registered in Sweden.