

eInvoicing Public Meeting  
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# Overview on compliance of electronic invoices

WG 2

Joost Kuipers

Netherlands/Belastingdienst

## The Program for WG 2



- Overview on compliance of electronic invoices  
Joost Kuipers
- Compliance of electronic invoices  
Christiaan van der Valk and Olaf Schrader
- Legal and regulatory inhibitors  
Dave Chambers



→ Compliance of electronic invoice implementations with Council Directive 2001/115/EC and the national legislation as regards electronic invoices

Chair: Joost Kuipers

Technical editor: Mounir El-Khoury

- (VAT) Administrations (Fiscalis): NL, UK, IT, ES, RO
- Trade & Industry, Application Service Providers
- Legal Experts and consultants e-Invoicing
- WG2 : 2 Sub Groups

## Activities, Subgroup 1



- Criteria for certification of service providers and e-invoice solutions
- A framework for tax authorities to audit VAT invoice solutions

### Participants:

Jacqueline Wijnands, Dave Chambers,  
Mounir El-Khoury, Patrick Frijns,  
Danny Kuijper, Joost Kuipers, Olaf Schrader,  
Christian van der Valk, René de Waard

## Activities, Subgroup 2



- Legal requirements in member states as regards cross border exchange of electronic invoices
- Recommendation of changes in the legal environment for electronic invoicing

### Participants:

Dave Chambers, Tony Nisbett, Eloy Ruiz, Olaf Schrader, Greg Gosling, Daniella Cross, Alexandra Sladek, Marina Ferraro, Fabio Cavraro, Franco Ruggieri, Wolfgang Matt, Mounir El-Khoury



- **Joint initiative between CEN and Fiscalis**
  
- Business process analysis (matrix) included a commentary paper:
  - for business (including service providers):
    - to get in control
  - for external auditors (including tax auditors):
    - to be able to verify if a business is in control.
  
- The model is based on trust in companies
  - but verifiable for external audit.

# What about the FPG?





- Develop and stimulate the use of new audit technologies by tax administrations and in particular build on the ongoing developments in the field of e-auditing;
- Steering group (*Belgium, Denmark, Finland, France, Germany, Italy, The Netherlands, Portugal, Sweden and The United Kingdom. Chaired by DG TAXUD*)
- Contact persons in every Member State;
- Brother countries system;

## Fiscalis Project Group on e-audit (2)



- Meetings of the steering group;
- Workshops for the e-audit contact persons;
- Seminars on e-audit;
- Targeted fiscalis exchanges;
- Twinning projects;
- Other exchange of information:
  - CIRCA
- - E-audit European forum

## Guidance papers:



- Guidance papers produced:  
*“E-audit roadmap”, “ERP systems”, “E-commerce”,  
“audit automation”;*
- New activities:  
*“audit of e-invoicing”, “audit of packages”, “remote  
access/audit”, “audit automation”, “promotion of e-  
audit”;*
- What about the use

## Activity “audit of e-invoicing”



- Audit process facilitation:
- Producing of audit standards (guidance paper) for tax auditors. Including verification of the authenticity and integrity of invoice transmissions;
- Produce training standards (requirements) for different target groups;
- Central point (network) for questions.

# Back to Electronic Invoices and Compliance



## The perception of complexity and not clear (VAT-)regulation. UNCERTAINTY



- Corporate e-invoicing users, Service Providers and solution vendors that are taking steps to develop and maintain VAT-compliant services naturally have a desire to have to a concrete yardstick against which to measure and with which to demonstrate their compliance
- Today, most tax administrations do not provide accreditation services or self-assessment programmes to assist e-invoicing users or their Service Providers to ascertain that e-invoicing systems are VAT-compliant.

# A even more joint project?



## So the CWA 'CEN/Fiscalis e-Invoicing Good Practice Guidelines (Guidelines)' covers:



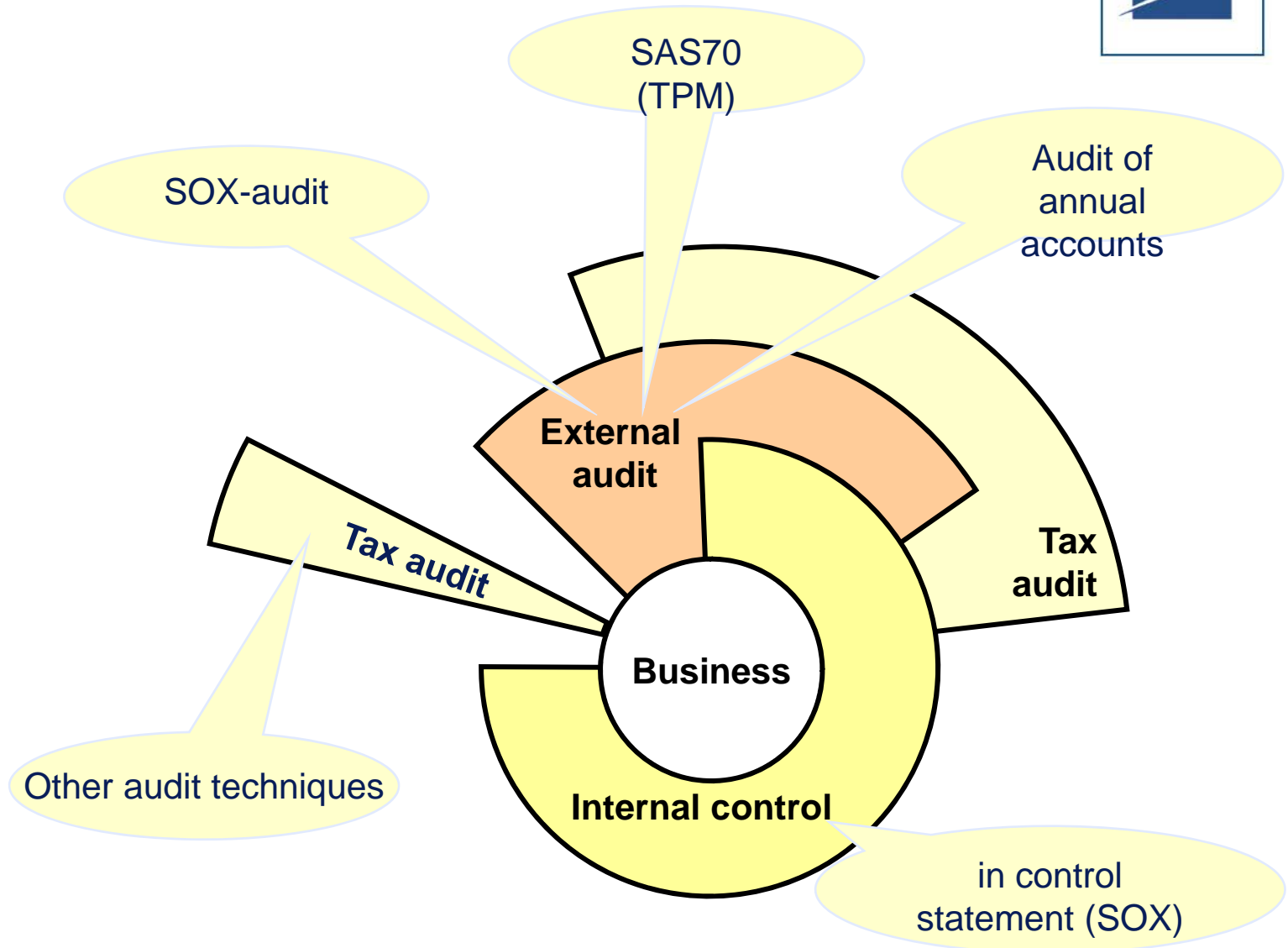
- WG2- Task 1 Development of Good Practices for Service Providers and e-invoicing solutions
- WG2 - Task 2 Development of a framework for tax administrations to audit electronic VAT invoicing solutions
- WG3 - Cost effective authenticity and integrity

## The SCOPE:



- The Guidelines are:
  - A reference tool
  - Basis for EU VAT compliance
- The Guidelines are proposed merely as voluntary self-regulation.

# The layer model:



## Disclaimer

Ohne Gewähr (what are they not):



- They are not specific to a Member State
- Nor are they a substitute for complying with Member States requirements
- But they may assist in clarifying the basics for compliant e-invoicing processes underlying most EU Member States' laws relating to e-invoicing
- In case of conflict between the Guidelines and applicable law, the latter shall always prevail.

## The Guidelines are addressed to:



- Companies engaged in e-invoicing
- Service and solution providers offering e-invoicing functionality.
- Internal and external auditors.
- VAT auditors in tax administrations

## Summary recommendations at the this stage:



- Invite **all** auditors specialising in e-invoicing applications and VAT administrations to review the Guidelines;
- Invite companies, Service Providers, Banks and developers of e-invoicing solutions to assess the applicability;
- Consult the Steering group of the Fiscalis Project Group e-Audit on how to promote the Guidelines;
- Consult DG/TAXUD to ensure as high a level as possible of acceptance in Member States;
- Consult the Commissions Expert Group on E-invoicing.

## And now part II Christiaan and Olaf...

