

Who, when and how to file VAT returns

Each VAT payer should regularly file its VAT returns. Some file monthly, some file quarterly. But which rules apply?

Who?

In principle each VAT payer should file VAT returns, on the basis of which the VAT due can be calculated. Only two exceptions apply:

- VAT payer without any right to deduct VAT;
- farmers which are subject to the special farmers scheme.

When?

Monthly versus quarterly

The general rule is the monthly VAT return. If the VAT payer wants to derogate, he should be authorized to do so.

Annual turnover below the threshold

Only companies with an annual turnover, exclusive VAT, which does not exceed 1.000.000€, qualify. They should however make an advance payment ultimately the 20th of the second and third month of each quarter. The advance payment equals one third of the VAT due by the company for the previous quarter.

Certain sectors are excluded

In the battle against fraud the legislator decided to exclude some fraud sensitive sectors from the possibility to file quarterly returns.

This applies for the following economic activities:

- supply of mineral oil;
- supply of mobile telecommunication equipment and computers and their peripherals, accessories and parts;
- supply of engine driven vehicles and subject to the registration legislation.

However, if such a company has an annual turnover lower than 200.000€, it can still opt to file quarterly returns.

Intracommunity supplies

Companies making a lot of intracommunity supplies are also excluded from the quarterly returns when the annual amount of the exempt intracommunity supplies exceeds 400.000€.

As from the first month following the quarter in which the threshold of 400.000€ was exceeded, the VAT payer should switch to monthly returns.

How?

Electronic filing

The returns should be filed electronically. This is done through INTERVAT. Only in case of force majeure (e.g. technical problems) the return can be filed on paper.

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