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OECD INTERNATIONAL VAT/GST GUIDELINES

Dear Mr. Battiau,

The Swiss Bankers Association (SBA) is the leading professional organisation of the Swiss financial centre. Its main purpose is to maintain and promote the best possible framework conditions for the Swiss financial centre both at home and abroad. The SBA was founded in 1912 in Basel as a trade association and today has 317 institutional members and approximately 18'500 individual members.

The SBA would like to thank the OECD for the opportunity to comment on the discussion draft on the B2C Guidelines and on the draft supporting provisions. The SBA has been in close contact with BIAC, while it was preparing its comments and can therefore support them.

In addition to the points raised by BIAC the SBA would like to stress the following.

To discussion draft of the B2C Guidelines (draft chapter 3 of the Guidelines)

Taxpayers and tax authorities need legal certainty for the determination of the place of taxation. A limited and small number of indicia should allow the determination of the customer's usual place of residence; these indicia should be recognized by all parties in order to prevent double taxation or non-taxation.

As a consequence, those defined indicia should be considered as sufficient evidence for suppliers and tax authorities to determine the place of the usual residence.

Furthermore, those indicia should be collectable during normal business processes in order to avoid additional administrative burden.

To draft supporting provisions (draft chapter 4 of the Guidelines)

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A key element for taxpayers is the assurance of a uniform and consistent interpretation by the different tax authorities of the proposed VAT guidelines and their rules (e.g. with respect to the above mentioned indicia, to the invoice requirements or to the information required for the VAT returns). Different interpretations of the rules, services or required indicia in different jurisdictions would lead to i) burdensome and costly disputes between taxpayers and tax authorities and ii) high infrastructure cost for taxpayers in order to comply with these different interpretations.

We thank you for taking good care of the remarks we have made and we are ready to provide you with additional explanations if requested.

Yours sincerely,
Swiss Bankers Association



Regula Haefelin



Jean Brunisholz