

European Commission proposes deferral for certain filing deadlines under the Mandatory Disclosure Rules (DAC6)



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On 8 May 2020, the European Commission proposed¹ a three-month extension to the deadlines for filing and exchanging information on cross-border arrangements (DAC 6 or MDR) due to the COVID-19 pandemic.²

Main points of the proposal include:

- ▶ Change the date from 31 August 2020 to 30 November 2020 for the reporting of the "historical" cross-border arrangements (i.e., arrangements that became reportable from 25 June 2018 to 30 June 2020).
- ▶ With respect to arrangements targeted by DAC6 starting 1 July 2020, where a reportable cross-border arrangement is made available for implementation, or is ready for implementation, or where the first step in its implementation³ has been made between 1 July 2020 and 30 September 2020, the period of 30 days for filing information shall begin on 1 October 2020.
- ▶ Change the date for the first exchange of information on reportable cross-border arrangements from 31 October 2020 to 31 January 2021.

The proposal also provides for the possibility of one further extension for filing and exchanging information for a maximum additional three months, but only where the exceptional circumstances of severe risks for public health caused by the COVID-19 pandemic persist and Member States have to implement lockdown measures.

If you have any questions about this article, please contact the authors or your usual partner or manager.

¹ https://ec.europa.eu/taxation_customs/sites/taxation/files/08-05-2020-proposal_for_a_council_directive_amending_directive_201116eu.pdf

² Current version of the draft law implementing DAC6 for Czech purposes can be found here (in Czech) - <https://www.psp.cz/sqw/historie.sqw?o=8&t=572>

³ or aid, assistance or advice provided



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