| **TAX MEMORANDUM** | |
| --- | --- |
| **Title:** | Write the question you are answering/ or the thesis you are proving in the document |
| **To:** | TBD |
| **From:** | TBD |
| **Date:** | TBD |

# Executive summary

## Purpose

Clearly state the purpose of the document, highlighting the thesis or question that you are focusing on. Be specific about what you aim to achieve or demonstrate.

* Example: " This memorandum aims to provide a detailed analysis of the VAT regulations on intra-community acquisitions of goods in Poland and their implications for Polish companies. The focus is on understanding the legal requirements, tax rulings, and court judgments to ensure compliance and avoid potential penalties."

## Scope

Define the boundaries and specific aspects of the topic. Outline what specific areas will be addressed.

* Example: " This memorandum will cover the relevant provisions of the Polish VAT Act, key tax rulings issued by the Director of National Tax Information, and significant court rulings by the Supreme Administrative Court. It will also address the practical implications for companies and provide recommendations for compliance."

## Conclusions

Summarize the key findings and recommendations.

* Example: "The analysis concludes that Polish companies engaged in intra-community acquisitions of goods must adhere to the VAT regulations outlined in Article 9 of the Polish VAT Act. Compliance with these regulations is crucial to avoid penalties and interest charges. It is recommended that companies review their VAT reporting procedures, maintain proper documentation, and seek professional advice to ensure full compliance."

# Background

## Description

Provide a detailed description of the current situation.

* Example: " Polish companies that engage in intra-community acquisitions of goods are required to account for VAT in Poland. This involves self-assessment and reporting of VAT on goods purchased from other EU member states. The Polish VAT Act, along with specific tax rulings and court judgments, provides the legal framework for these transactions."

## Key Issues

Identify and explain the key issues related to the situation.

* Example: "The key issues include ensuring compliance with the VAT regulations on intra-community acquisitions, maintaining proper documentation such as invoices and transport documents, and accurately reporting these transactions in VAT returns. Companies must also be aware of the potential penalties and interest charges for non-compliance."

# Tax & Legal analysis

## Relevant Regulations/ TAX Rulings/ Court Rulings

### Clearly indicate the relevant [Regulations]

* Example: "The key regulations include the Polish VAT Act (Ustawa o podatku od towarów i usług), specifically Article 9, which outlines the rules for intra-community acquisitions of goods."

### Clearly indicate the relevant [TAX Rulings]

* Example: "The key tax rulings include the individual tax ruling issued by the Director of National Tax Information on June 10, 2022 (number 0114-KDIP1-2.4012.123.2022.1.MC), which clarifies the VAT treatment of intra-community acquisitions of goods."

### Clearly indicate the relevant [Court Rulings]

* Example: "The key court rulings include the judgment of the Supreme Administrative Court (NSA) dated March 15, 2021 (case number I FSK 201/20), which confirmed the obligation of Polish companies to account for VAT on intra-community acquisitions of goods."

## Interpretation

Provide an interpretation of how these regulations apply to the current situation.

* Example: " According to Article 9 of the Polish VAT Act, a Polish company acquiring goods from another EU member state must account for VAT in Poland. The individual tax ruling and the Supreme Administrative Court judgment further emphasize the need for proper documentation and self-assessment to ensure compliance with VAT regulations."

## Implications

Discuss the implications of these regulations for the corporation.

* Example: " Failure to comply with the VAT regulations on intra-community acquisitions could result in significant penalties, interest charges, and adjustments to the company's VAT returns. Proper documentation and timely reporting are crucial to avoid these consequences."

# Conclusions

## Summary

Provide a summary of the findings from the legal analysis.

* Example: "The analysis indicates that Polish companies engaged in intra-community acquisitions of goods must adhere to the VAT regulations outlined in Article 9 of the Polish VAT Act. Compliance with these regulations is supported by relevant tax rulings and court judgments."

## [Recommendations]

Provide recommendations based on the analysis.

* Example: "It is recommended that companies review their current VAT reporting procedures for intra-community acquisitions, ensure proper documentation is maintained, and consider seeking advice from tax professionals to ensure full compliance with the regulations."

## [Next Steps]

Outline the next steps that should be taken.

* Example: "The next steps include conducting a thorough review of all intra-community transactions, implementing any necessary changes to VAT reporting processes, and training relevant staff on the importance of compliance with VAT regulations. Additionally, companies should consider periodic audits to ensure ongoing compliance."

# [Appendices]

## [Supporting Documents/Diagrams/Tables]

### Xyz

### Xyz

## [References]

### Xyz

### Xyz