

# European Commission Opens Infringement Procedure against Germany and Poland over Failure to Communicate Complete Transposition of DAC7

25 January 2024

Report from Andreas Perdelwitz, Principal Associate, IBFD

The European Commission announced on 25 January 2024 that it has decided to open an infringement procedure against Germany and Poland over the failure to communicate the transposition of new rules on joint audits as included in DAC7 before the end of 2023, and that it has sent letters of formal notice to both Member States.

The [Amending Directive to the 2011 Directive on Administrative Cooperation \(2021/514\) \(DAC7\)](#) of 22 March 2021, which amended the [Directive on Administrative Cooperation \(2011/16\) \(DAC\)](#), introduced, as of 1 January 2023, new tax transparency rules for transactions on digital platforms, so that EU Member States can better identify situations where tax should be paid. In addition, DAC7 introduced, as of 1 January 2024, strengthened rules for joint audits between Member States in the area of taxation in general. All Member States had to notify complete transposition of those new rules on joint audits into their national legislation and inform the Commission before the end of 2023. However, Germany and Poland have not yet communicated transposition of those provisions.

Germany and Poland have 2 months to reply to the letters of formal notice and complete their transposition, or the Commission may decide to issue a reasoned opinion.

---

European Union; Germany; Poland - European Commission Opens Infringement Procedure against Germany and Poland over Failure to Communicate Complete Transposition of DAC7 (25 Jan. 2024), News IBFD.

Exported / Printed on 9 Mar. 2024 by hkermadi@deloitte.lu.