

Lithuania Adopts Rules for Submission of Information on Activities Performed on Platforms

11 January 2023

Report from our correspondent Eglė Burbaitė, Lewben

The Lithuanian tax authority has approved Rules for Submission of Information on Activities Performed on Platforms (the Rules) implementing the [Amending Directive to the 2011 Directive on Administrative Cooperation \(2021/514\) \(DAC7\)](#).

The Rules determine the procedure, scope, exceptions of information collection by reporting platform operators on the sellers, deadlines for registration for platform operators and the procedures performed by the reporting platform operators aimed at identifying reportable sellers.

According to the Rules, from 1 January 2023 reporting platform operators must collect data on the revenues received by the reportable sellers through the platforms and all deducted or added fees or commissions (detailed description of data that must be collected is specified in Point 20 of the Rules).

This data must be submitted to the tax authority in XML (Extensible Mark-up Language) format via the TIES portal every year by 31 January for the previous calendar year in which the seller was identified as a reportable seller (Points 16 and 17 of the Rules). The first data submission must be made by 31 January 2024. Taking into account the short deadline for the platform operators to prepare the relevant data, the tax authority has stated that it will assess the situation flexibly and will consider the objective reasons for which the data reports could not be prepared and submitted on time.

In addition, the Rules provide that before submitting the data to the tax authority, the reporting platform operator must register the platform for identification purposes:

- in the case of a Lithuanian platform operator: by submitting the form FR0791A for the change of data of the structural unit of a legal entity; or
- in the case of a foreign platform operator: by filling out form FR0227 by applying for a foreign legal entity to register in the Register of Taxpayers.

Platform operators from Lithuania or another EU Member State must register (Points 8 and 9 of the Rules) within 5 working days from the start of the platform operator's activities and if the operation starts/continues in January 2023, within 5 working days from 1 February 2023. Foreign platform operators must register within 5 working days from the start of operations in the European Union, and if the operation starts in January 2023, within 5 working days from 1 February 2023 (Point 10 of the Rules).

Chapter IV of the Rules provides for the general due diligence requirements to be performed by the reporting platform operator: to identify reportable sellers (Points 22 and 23 of the Rules); check whether the information received from the sellers is correct and accurate (Points 28-30 of the Rules) and

determine the seller's place of residence (Point 31 of the Rules). These general comprehensive checks must be carried out by the reporting platform operator by 31 December of the reporting period (Points 21 and 33 of the Rules).

Chapter V of the Rules further provides requirements for reporting platform operators. If foreign platform operators do not comply with registration requirements, the Internet access service provider can be issued an order (requires approval of Vilnius Administrative Court) to cancel Internet access to the foreign platform operator's website. If the reporting operator does not fulfil the obligation to provide information about the sellers, after two consecutive reminders (no later than within 90 days, but no earlier than 30 days after the second reminder) the Internet access service provider can be issued an order (requires approval of Vilnius Administrative Court) to cancel Internet access to the reporting platform operator's website. If the seller, after receiving a request from the reporting operator to provide information and being warned two times in a row, does not provide the required information within 60 days of receiving the first warning, the reporting operator must delete the seller's account and prevent the seller from re-registering on the platform or suspend payment of remuneration to the seller until the seller provides the requested information.

The Rules came into effect on 1 January 2023.

The adopted Rules are available [here](#) (in Lithuanian only).

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