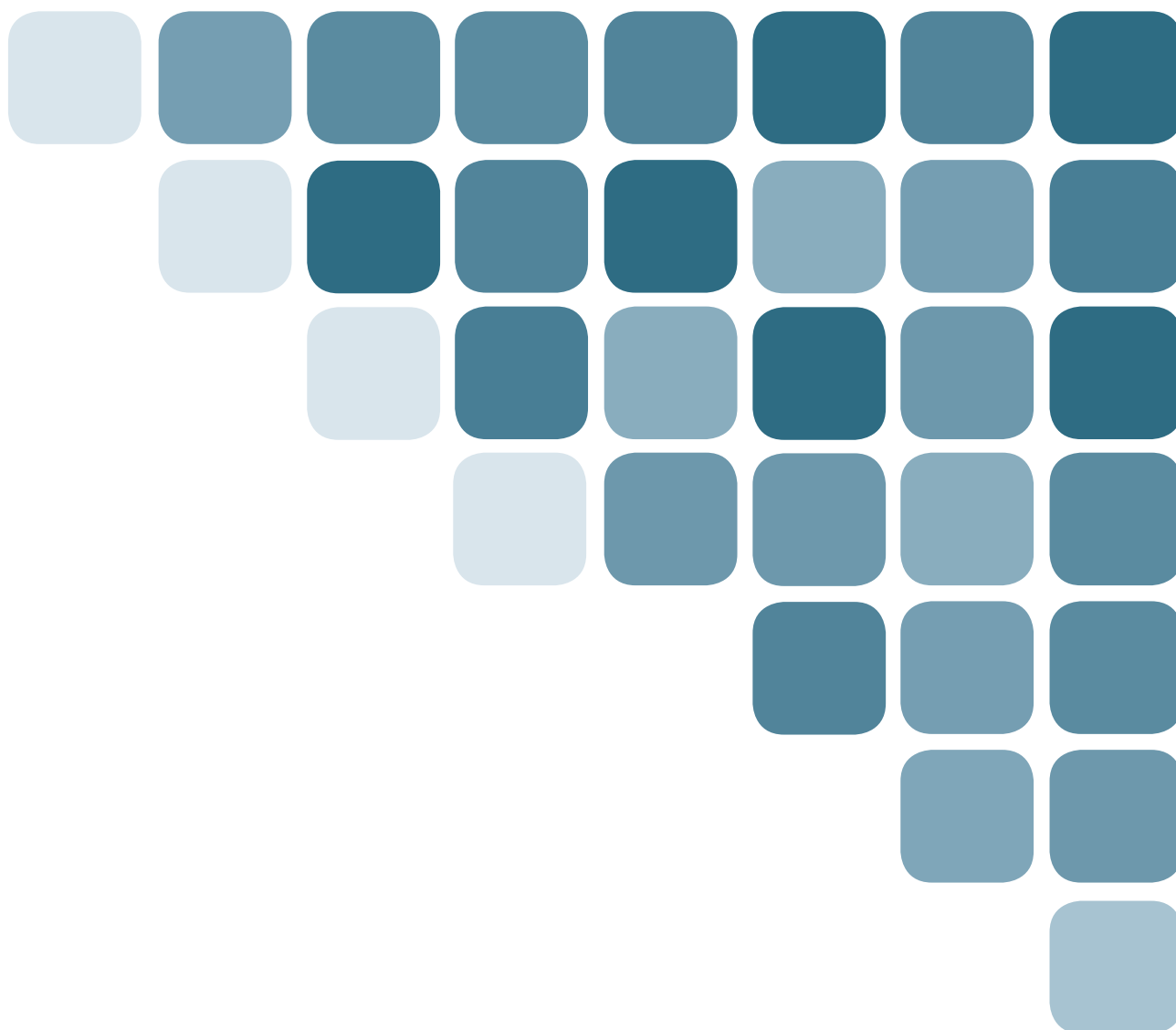


## Indirect Taxation on Insurance Contracts in Europe

May 2010





## CEA member associations that took part in this study

AT	Austria	Verband der Versicherungsunternehmen Österreichs (VVO)
BE	Belgium	Assuralia - Union Professionnelle des Entreprises d'Assurances Assuralia - Beroepsvereniging van Verzekeringsondernemingen
BG	Bulgaria	Association of Bulgarian Insurers (ABZ)
CH	Switzerland	Schweizerischer Versicherungsverband Association Suisse d'Assurances (ASA / SVV)
CY	Cyprus	Insurance Association of Cyprus
CZ	Czech	Republic Česká asociace pojišťoven (ČAP)
DE	Germany	Gesamtverband der Deutschen Versicherungswirtschaft (GDV)
DK	Denmark	Forsikring & Pension (F&P)
EE	Estonia	Eesti Kindlustusseltside Liit
ES	Spain	Unión Española de Entidades Aseguradoras y Reaseguradoras (Unespa)
FI	Finland	Finanssialan Keskusliitto
FR	France	Fédération Française des Sociétés d'Assurances (FFSA)
GB	United Kingdom	The British Insurers' European Committee (BIEC)
GR	Greece	Hellenic Association of Insurance Companies
HR	Croatia	Hrvatski ured za osiguranje
HU	Hungary	Magyar Biztosítók Szövetsége (MABISZ)
IE	Ireland	Irish Insurance Federation (IIF)
IS	Iceland	Samtök Fjármálafyrirtækja (SFF)
IT	Italy	Associazione Nazionale fra le Imprese Assicuratrici (Ania)
LI	Liechtenstein	Liechtensteinischer Versicherungsverband e.V
LT	Lithuania	Lietuvos draudiku asociacija
LU	Luxembourg	Association des Compagnies d'Assurances (ACA)
LV	Latvia	Latvijas Apdrošinātāju asociācija (LAA)
MT	Malta	Malta Insurance Association
NL	Netherlands	Verbond van Verzekeraars (VVN)
NO	Norway	Finansnæringens Hovedorganisasjon (FNH)
PL	Poland	Polska Izba Ubezpieczeń (PIU)
PT	Portugal	Associação Portuguesa de Seguradores (APS)
RO	Romania	Uniunea Națională a Societăților de Asigurare și Reasigurare (UNSAR)
SE	Sweden	Sveriges Försäkringsförbund
SI	Slovenia	Slovensko Zavarovalno Združenje (SZZ)
SK	Slovakia	Slovenská asociácia poisťovní
TR	Turkey	Türkiye Sigorta ve Reasürans Sirketleri Birliği

Changes to the 2009 brochure appear in **water green and bold** for the following countries: Belgium, Switzerland, Croatia, Denmark, Germany, Finland, France, Hungary, Iceland, Ireland, Italy, Luxembourg, Malta and Spain

## Fiscal and parafiscal taxes on insurance premiums in EEA Member States (and Croatia and Switzerland)

A table of fiscal and parafiscal taxes on premiums in each of the countries in the European Economic Area (and Croatia and Switzerland) is shown. Only risks covered by specific fiscal or parafiscal taxation are mentioned; other risks are subject to the basic regime shown in the "Other classes" heading at the end of the table. There is also a description of the tax return and payment procedures for contracts taken out by way of freedom of services (FOS) according to the provisions of the European directives on insurance (1). Whatever law applies to contracts, insurance contracts are subject to indirect taxes and parafiscal charges on insurance premiums in the State in which the risk is situated (see Art. 9NL and 50L of the CEA Codification of European Insurance Directives). Each Member State is free to determine the person responsible for collecting taxes and the method of recovery. They may require insurance undertakings, for supervisory purposes, to designate a tax representative, established on their territory, or to submit a detailed list of contracts taken out by way of FOS.

With special focus on the issue of the appointment of a fiscal representative, attention is drawn to the recent European Court of justice case C-522/04, Commission vs. Belgium, where the Court decided that by requiring foreign insurers who have no place of business in Belgium to obtain authorisation, before providing their services in Belgium, for a representative residing in Belgium, who must personally assume, in writing, responsibility towards the State for paying the annual tax on insurance contracts, interest and fines which may be due in respect of contracts relating to risks situated in Belgium, the Kingdom of Belgium had failed to fulfil its obligations under Articles 18 EC, 39 EC, 43 EC and 49 of the European Community Treaty.

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See "CEA Codification of European Insurance Directives", CEA 1994

## Austria (AT)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES Fire Brigade Tax
Life	4% / 11% <sup>(1)</sup>	
Occupational group insurance and supplementary annuity insurance	2.5% <sup>(2)</sup>	
Old-age provision	0% <sup>(3)</sup>	
Health	1%	
Accident	4%	
Motor Liability	11% + vehicle insurance tax <sup>(4)</sup>	
Hail (including destruction of glasshouses and forcing frames in market gardening and horticulture)	0.2‰ per sum insured per year	
Fire	11%	8% <sup>(5)</sup>
Other insurance for damage to goods	11% <sup>(6)</sup>	<sup>(7)</sup>
Cross-frontier goods in transit	Exempt <sup>(8)</sup>	
Export credit	Exempt	
Reinsurance	Exempt	
Other classes	11%	

- (1) Insurance Premium Tax (IPT) is 11% for capital assurance (as opposed to annuities) including unit-linked life insurance, excluding term insurance, if the maximum duration is less than 10 years and a single premium is paid. In all other cases IPT is 4%.

For single premium payment, IPT increases to 11% when the policy is surrendered within 10 years (for capital and annuity insurance) as well as for annuity insurance that is converted into a lump sum settlement, if the beginning of annuity payments was agreed within 10 years of the date of conclusion of the contract.

- (2) Since 23 September 2005 it has been possible to arrange occupational group insurance, which is treated in the same way as pension fund products for tax purposes.

Supplementary annuity insurance is subject to the specific provisions of Article 108b of the income tax act 1988. This insurance was state aided from 1 January 2000 to 31 December 2003.

- (3) State-aided retirement provision has been available since 1 January 2003. It is subject to the provisions of Article 108g of the income tax act 1988 and is tax exempt at all stages under certain conditions.

- (4) Motor vehicles registered in Austria whose gross vehicle weight rating does not exceed 3.5 tons are subject to motor-related tax (except some kinds of tractors). This tax has to be paid in addition to IPT in connection with motor liability insurance.

The monthly tax amount is (in the case of yearly paid premium):

- for motorcycles €0.022 per cubic centimetre (cubic capacity);
- for other vehicles, engine power in kilowatt (kW) - minus 24 kW - multiplied by €0.55. Minimum €5.50, maximum €60 for motor vehicles other than passenger and estate cars.

When the premium is paid half-yearly, quarterly or monthly, the motor-related tax increases by 6%, 8% or 10%.

Motor-related tax increases by 20% for vehicles which were registered in Austria for the first time before 1 January 1987 and which do not meet certain emission limits.

However some exemptions are envisaged: ambulances, fire engines; hire cars, taxis; electric cars; motorcycles under 100 cubic centimetres; vehicles registered to physically handicapped persons; etc.

- (5) Insurers are entitled to claim the tax from the insured separately in addition to payment of up to 4% of the premium. E.g.: for the payment of an €100 premium, the abovementioned rule means that:- if tax at 8% is applied to the payment of the premium, total tax would be €8 - the share of the tax sought directly from the insured would be equal to 4% of the insurance premium, i.e. €4,- the insurer will therefore ask the insured for a premium of €100 plus the amount of tax which he may claim directly from the policyholder, i.e. €4,- he will pay to the Austrian State €8 and therefore cash in €96.

- (6) Insurance premiums for livestock from small farms are tax-exempt if the sum insured does not exceed €3,650.

- (7) *Where the insurance contract also covers fire risks and the premium is not broken down between the different components, the calculation of Fire Brigade Tax must be made on the fire element of the total premium.*
- (8) *Exempt since 1 June 1996.*

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium tax and fire brigade tax

The total amount of the premium paid by the insured (including brokers' and agents' commission).

The sum insured – in case of hail insurance.

#### 1.2. Vehicle insurance tax

Engine power respectively cubic capacity – see above note 4.

### 2. INFORMING THE POLICYHOLDER

Taxes are not shown separately from the premium, only vehicle insurance tax has to be shown separately.

## Special rules applicable depending on the method of establishment of the insurance company

### 3. INSURER ESTABLISHED IN AUSTRIA

#### 3.1. Person liable to tax

The insurer is liable for all taxes.

If there is a nominated agent, he becomes also liable.

#### 3.2. Keeping accounting and tax documents

In connection with the establishment of the tax and the basis of its calculation, the insurer or his agent must keep significant accounting documentation.

#### 3.3. Frequency of payment

The event generating tax is the premium cashed in by the insurer. Consequently, it is the effective payment of the premium which is decisive.

Taxes are payable monthly.

The insurer or the agent must calculate the tax amount on the basis of premium income for one month (declaration period). Taxes have to be paid no later than the maturity date which is the 15<sup>th</sup> day of the second-following month after the declaration period (e.g. 15 March for the declaration period January).

(If premium income cannot be established, the taxable basis is the probable amount of premium income. If the difference between the amount of tax paid in due course and the amount of tax due on premiums written is no greater than 1 %, this difference shall not give rise to payment of interest.)

The insurer or the agent must provide the appropriate tax authority with an annual tax declaration for the past year by 30 April at the latest.

On 15 December of each year at the latest, the insurer or the agent must calculate and make a special advance tax payment equivalent to one twelfth of all taxation amounts calculated by the person liable and declared to the tax

authorities for the 12 latest declaration periods directly preceding the November declaration period as well as tax amounts laid down in the tax notice. The advance payment must be taken into account when calculating the fiscal debt for the November declaration period of the current year (deadline 15 January of the following year). There is no obligation to pay the special advance when the tax for the November declaration period is calculated and paid by the person liable by the 15 December following at the latest (this rule is applicable since 31 October 1999 and does not concern the fire brigade tax).

**3.4. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Finanzamt für Gebühren und Verkehrsteuern Wien  
A-1030 Wien,  
Vordere Zollamtsstraße 5  
Tel: +43 1 711 25  
Fax: +43 1 711 25 - 5703

**4. INSURER NOT ESTABLISHED IN AUSTRIA AND NOT ESTABLISHED IN THE EEA**

**4.1. Person liable to tax**

**4.1.1. Premium tax and vehicle insurance tax**

If the insurer has nominated an agent, he must pay the tax.

If not, tax must be paid by the policyholder.

**4.1.2. Fire brigade tax**

If the insurer has nominated an agent, he must pay the tax.

If not, tax must be paid by the insurer.

**4.2. Keeping accounting and tax documents**

Foreign insurers covering risks situated in Austria must keep and provide, upon request from the relevant tax authority (Finanzamt für Gebühren und Verkehrsteuern) in Vienna (see 3.4.) a complete list of insurance contracts and all information required to calculate the tax. This obligation applies even if the insurer considers that the requisite conditions relating to liability to tax or duty to pay tax have not been met.

**4.3. Frequency of payments**

Payments made by the insurer or his agent – see 3.3.

If the policyholder has to pay the tax, the payment must be made on a monthly basis within 10 days after the “premium payment month” (e.g. 10 February for a premium payment made in January). Like the authorised agent or insurer, the policyholder must calculate the tax amount himself and submit a monthly tax return for the previous month to the competent tax authority.

**4.4. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Same as 3.4.

**5. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

**5.1. Person liable to tax**

The insurer is liable to all taxes.

However, the policyholder is jointly and severally liable for the payment of premium tax and vehicle insurance tax.

Since 1 January 1997, any insurer with his head office within the EEA who concludes FOS contracts in

Austria will be obliged to nominate a tax representative. His name must be communicated to the Vienna tax authority (see 3.4.). Only lawyers, notaries, accountants or Austrian insurance companies may be nominated as tax representatives.

**5.2. Keeping accounting and tax documents**

Same as 4.2.

**5.3. Frequency of payments**

Payments made by the insurer or his agent – see 3.3.

If the policyholder who is jointly and severally liable to payment makes the payment – see 4.3.

**5.4. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Same as 3.4.



## Belgium (BE)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES			
		National Institute for Health Disability (INAMI)		Belgian Red Cross	Security Fund for Fire and Explosion
<b>Life</b>					
- individual <sup>(2)</sup> (2a)	1.1 %				
- other than individual <sup>(3)</sup> (3a) (3b)	4.4%				
<b>Liability (RC)</b>	9.25%				3% <sup>(4)</sup>
<b>Motor liability</b>					
- cars / 2-wheeled vehicles	9.25%	10%	7.5% <sup>(1)</sup>	0.35% <sup>(6)</sup>	
- authorised taxis, vehicles used solely for hire with chauffeur, buses, coaches and their trailers <sup>(9)</sup>	1.4%	5%	7.5% <sup>(1)</sup>	0.35% <sup>(6)</sup>	
- motor vehicles of a minimum of 3.5 tonnes and less than 12 tonnes <sup>(5)</sup> <sup>(9)</sup>	1.4%	5%	7.5% <sup>(1)</sup>	0.35% <sup>(6)</sup>	
- motor vehicles or vehicles with trailers of at least 12 tonnes <sup>(5)</sup> <sup>(9)</sup>	Exempt	5%	7.5% <sup>(1)</sup>	0.35% <sup>(6)</sup>	
<b>Motor insurance supplementary accidental</b>					
- cars / 2-wheeled vehicles	9.25%	10%	7.5% <sup>(1)</sup>		
- authorised taxis, vehicles used solely for hire with chauffeur; buses, coaches and their trailers <sup>(9)</sup>	1.4%	5%	7.5% <sup>(1)</sup>		
- motor vehicles of a minimum of 3.5 tonnes and less than 12 tonnes <sup>(5)</sup> <sup>(9)</sup>	1.4%	5%	7.5% <sup>(1)</sup>		
- motor vehicles or vehicles with trailers of at least 12 tonnes <sup>(5)</sup> <sup>(9)</sup>	Exempt	5%	7.5% <sup>(1)</sup>		
<b>Motor legal expenses</b>	9.25%		7.5% <sup>(1)</sup>		
<b>Legal expenses</b> <sup>(6b)</sup>	Exempt				
<b>Fire</b>	9.25%		6.5% <sup>(1)</sup>		
<b>Accident / health</b>	9.25%				
- hospitalisation costs	9.25%	10%			
- accident at work <sup>(7)</sup>	Exempt		4.97% <sup>(1)</sup>		
- group industrial disablement	4.4%				
<b>Credit insurance</b>	<b>Exempt</b> <sup>(8)</sup>				

### Unofficial translation:

Impôt sur cotisations:

Premium Tax

Institut National d'Assurance Maladie-Invalidité (INAMI):

National Institute for Health/Disability

Croix Rouge de Belgique:

Belgian Red Cross

Fonds de Sécurité contre l'Incendie et l'Explosion:

Security Fund for Fire and Explosion

(1) + 0.06% payable by the insurer. The FRSH (National Fund for the Reclassification of Handicapped Persons) contribution has been taken over by INAMI since the FRSH was abolished.

(2) Supplementary insurance follows the principal form.

(2a) The tax is due on premiums and contributions which are due for payment from 1 January 2006. The savings insurance taken out within the framework of pension savings and the insurance taken out within the framework of optional supplementary pensions for self-employed workers are exempt.

(3) A special contribution of 8.86% on employers' premiums is envisaged for group insurance and pension funds (paid to the National Social Security Office - ONSS).

(3a) When the insurance contract falls within the framework of a supplementary pension scheme with multiple benefits (endowment - whole life/ industrial disablement/ medical expenses), additional conditions are applicable in order to obtain the reduced rate under penalty of the full rate of 9.25% being applied.

- (3b) Social schemes benefit from exemption from the annual tax. The main characteristic of these schemes is that they include, along with the pension commitments, "solidarity" benefits which are defined by the Royal Decree of 14 November 2003.
- (4) On premiums relating to the operator's compulsory strict liability insurance for fire or explosion in premises open to the public.
- (5) These vehicles must be exclusively intended for transporting goods by road.
- (6a) The law of 22 February 1998 on social provisions empowers the King to lower or raise this tax by a maximum of 1%. A Royal Order of 18 June 1998 increased the supplementary amount for the Belgian Red Cross from 0.25% to 0.35%.
- (6b) The exemption is only applicable to the legal expenses insurance contracts complying with the conditions foreseen in a Royal Order (which has not come into force yet). The above mentioned conditions must be complied with, otherwise the full rate of 9.25% would be applied.
- (7) Insurance taken out in the framework of the legislation relating to compensation for damage resulting from accidents at work and on the way to and from work and annuities set up under this same legislation are tax exempt.

**(8) Exemption only applicable to credit insurance covering commercial risks, country risks or both.**

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES		
		National Institute for Health Disability (INAMI)	Belgian Red Cross	Security Fund for Fire and Explosion
<b>Goods in transit</b>				
- carriers' liability, goods, freight				
. marine <sup>(9)</sup>	1.4%			
. inland waterways <sup>(9)</sup>	1.4%			
. land <sup>(9)</sup>	1.4%			
. air <sup>(9)</sup>	1.4%			
<b>Marine (hull)</b>				
- inland navigation	Exempt			
- sea	Exempt			
- shipbuilding risk	Exempt			
<b>Aviation (hull) <sup>(8)</sup></b>	9.25%			
<b>Reinsurance</b>	Exempt			
<b>Other classes</b>	9.25%			

(8) Only aircraft-hull registered in Belgium, used principally for international public transport, as well as hulls and liability for aircraft registered outside Belgium, are tax exempt.

(9) Law of 22 April 2003, Moniteur Belge of 14 May 2003.

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

Tax is calculated on total premium to be paid by the insured over the tax year, plus any costs borne by the latter. The tax basis is therefore the commercial premium which includes commission and collection charges when the premium is payable to the company.

On the other hand, costs and expenditure devolving on the insured, such as policy and receipt costs and collection charges where the premium is payable by the insured by virtue of a contractual stipulation are not included in the taxable basis.

#### 1.2. Premium used to calculate parafiscal taxes

The amount used to calculate these taxes does not include premium tax. Generally speaking, it can be said that the basis is the (commercial) premium written (10).

## 2. INFORMING THE POLICYHOLDER

Taxes and parafiscal taxes are shown separately from the premium in motor insurance (cf. Art. 14 of the RO of 3 February 1992). There are no specific provisions for other classes. Assuralia has however recommended that a breakdown be shown (11).

## 3. FREQUENCY OF PAYMENT

### 3.1. Premium tax

Annually, and no later than the last working day of the month following that during which a premium, an employer's contribution or a personal contribution falls due. On the other hand, foreign undertakings with neither a branch, agency or head office in Belgium must pay the tax on the last working day of the second month following that during which a premium or contribution falls due.

### 3.2. National Institute for Health/Disability (INAMI)

Red Cross contribution.

#### 3.2.1. The additional premium of 10% or 5% in motor liability and material damage is levied on premiums written.

This additional amount is paid by insurers to INAMI on the first day of each month in the form of a provisional payment. A final settlement is made at the close of each year and by no later than 31 March of the following year.

The additional premium in supplementary motor accident insurance of 10% or 5% is levied by insurers at the premium due date or when the policy comes up for renewal with premiums relating to the additions.

Additional amounts are paid by insurers to INAMI on the first of each month, in the form of a provisional payment. A final settlement is made at the close of the year and by no later than 31 March of the following year.

#### 3.2.2. The 10% rate on commercial premiums, in the case of "hospital expenses", is paid to INAMI. An automatic levy by each institution makes it possible to take out or subscribe additional insurance in the event of hospitalisation. Amounts are paid to INAMI at the end of the six-month period in which the premium was paid.

(10) The terminology of the regulations concerning parafiscal taxes is not always the same.

(11) Union professionnelle des Entreprises d'Assurances

#### 3.2.3. The rates of 7.5%, 6.5% and 0.35% are calculated per calendar year. Provisional payments are made to the INAMI every month.

#### 3.2.4. The rate of 5.5% is calculated quarterly. Payments are made within two months following the end of the quarter.

### 3.3. Security Fund for Fire and Explosion

- Insurance undertakings pay on the first day of each quarter a provisional payment of 3% on a quarter of total premiums, net of total or partial cancellations and rebates, written by them during the previous year. The final settlement is made at the close of each year and by no later than 31 March of the following year.
- Insurance undertakings which begin to cover risks referred to in the law of 30 July 1979, make payment to the Treasury within 15 days of the end of the quarter. This is done until the insurance undertaking's activities with regard to the risk have covered a complete year.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN BELGIUM

#### 4.1. Person liable to tax

##### 4.1.1. All taxes

Annual premium tax must be paid by all insurers with their principal establishment, agency, branch, representative or office of any sort for business in Belgium. Those insurers must in addition deposit a “declaration of profession” at the registration office designated for this.

#### 4.2. Nomination of a representative

Foreign insurers who have a branch, agency or office of any sort in Belgium are no longer obliged to designate a representative residing in Belgium.

#### 4.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

##### 4.3.1. Premium tax

###### 4.3.1.1. Information

*Administration de la TVA, de l'enregistrement et des domaines*  
Avenue Albert II, 33  
BE - 1030 BRUSSELS  
Tel.: +32 (0)2 336 29 16  
Tel.: +32 (0)2 336 27 67  
Fax: +32 (0)2 336 27 40

###### 4.3.1.2. Payment

*Bureau des recettes domaniales et amendes pénales d'Arlon*  
Place des Fusillés  
BE - 6700 ARLON  
Tel.: +32 63 24 43 55  
PRK/CCP: 679-2003094-44

*Bureau des recettes domaniales d'Anvers*  
*Financiecentrum*  
Italiëlei, 4  
BE - 2000 ANTWERPEN  
Tel.: +32 3 203 21 14  
PKR/CCP: 679-2003075-25  
Contact: M. Dirk Gijzen

*Bureau des recettes domaniales et amendes pénales de Mons*  
C.A.E. Chemin de l'Inquiétude  
BE - 7000 MONS  
Tel.: +32 65 34 13 30  
PRK/CCP: 679-2003356-15

*Bureau des recettes domaniales et amendes pénales de Bruges*

Boninvest, 3  
BE - 8000 BRUGGE  
Tel.: +32 50 33 17 50  
PRK/CCP: 679-2003124-74

*Premier bureau des recettes domaniales de Bruxelles*

Cantersteen, 47  
BE - 1000 BRUSSELS  
Tel.: +32 (0)2 551 59 12  
PRK: 679-2003555-20  
Contact: M. Frank Van Gijsegem

*Bureau des recettes domaniales de Gand*

Zwijnaardsesteenweg, 314  
BE - 9000 GENT  
Tel.: +32 9 321 79 70  
PRK/CCP: 679-2003240-93  
Contact: Ms C. De Handschutter

*Bureau des recettes domaniales et amendes pénales de Hasselt*

Kolonel Dusartplein, 36  
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Tel.: +32 11 23 05 50  
PRK/CCP: 679-2003269-25

*Bureau des recettes domaniales de Liège*

C.A.E. rue de Fragnée, 40  
BE - 4000 LIEGE  
Tel.: +32 4 254 87 87  
PRK/CCP: 679-2003321-77

*Bureau des recettes domaniales et amendes pénales à Namur*

C.A.E. rue des Bourgeois, 7  
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BE - 5000 NAMUR  
Tel.: +32 81 24 72 15  
PRK/CCP: 679-2003395-54

*Bureau des recettes domaniales et amendes pénales à Vilvoorde*

Financiecentrum  
Groenstraat, 51-57  
BE - 1800 VILVOORDE  
Tel.: +32 2 255 67 26  
PRK/CCP: 679-2003223-76

#### 4.3.2. Parafiscal taxes

*Institut national d'Assurance Maladie-Invalidité (INAMI)*

St-Michielscollegestraat, 17 bus 8

BE - 1150 BRUSSELS

Tel.: +32 (0)2 739 79 25 (French)

Tel.: +32 (0)2 739 79 23 (Dutch)

*Croix-Rouge de Belgique*

Chaussée de Vleurgat, 98B

BE - 1050 BRUSSELS

*Office national de la Sécurité sociale (ONSS)*

Boulevard de Waterloo, 76

BE - 1000 BRUSSELS

*Fonds de Sécurité contre l'Incendie et l'Explosion*

Avenue de Cortenbergh, 61

BE - 1000 BRUSSELS

## 5. INSURER NOT ESTABLISHED IN BELGIUM AND NOT ESTABLISHED IN THE EEA

### 5.1. Nomination of a tax representative

Insurance undertakings implicitly covered by the Royal Order of 30 July 1994 are those established in the EEA operating in Belgium by way of FOS.

Insurers not established in the EEA may not in principle operate on the Belgian market without having obtained authorisation to open a branch in Belgium.

Tax legislation is applicable to all.

In order to be authorised, the tax representative must:

- be resident in Belgium;
- personally undertake in writing vis-à-vis the Belgian State to pay the tax and, where appropriate, interest and fines which may be due on contracts relating to risks situated in Belgium, for the insurance undertaking represented;
- be publicly solvent.

Undertakings do not have to seek authorisation for their representative when they only offer contracts which are exempt from annual premium tax (e.g., when a foreign undertaking only offers individual life insurance contracts).

### 5.2. Person liable to tax

- Brokers and other intermediaries residing in Belgium who are involved in concluding contracts relating to risks situated in Belgium.
- The tax representative of the abovementioned foreign insurer whose authorisation is compulsory if the insurer concludes the same contracts without the intervention of a broker or other intermediary residing in Belgium.
- Insurance undertakings not established in Belgium, which do not have a representative who is liable for tax and which are involved in concluding insurance operations relating to risks situated in Belgium, without using intermediaries residing in Belgium.
- The policyholder in the absence of authorisation for a tax representative or in the absence of a broker or

any other intermediary residing in Belgium and when the insurer not established in Belgium has failed to pay the tax.

**5.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

**5.3.1. Information**

See point 4.3.1.

**5.3.2. Payment**

See point 4.3.1.2.

**6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

**6.1. Nomination of a tax representative**

Insurance undertakings may arrange for authorisation of a representative who is liable for tax but it is not obligatory.

In order to be authorised, the tax representative must:

- be resident in Belgium;
- personally undertake in writing vis-à-vis the Belgian State to pay the tax and, where appropriate, interest and fines which may be due on contracts relating to risks situated in Belgium, for the insurance undertaking represented;
- be publicly solvent.

**6.2. Person liable to tax**

- Brokers and other intermediaries residing in Belgium, who are involved in concluding contracts relating to risks situated in Belgium.
- The tax representative of the abovementioned foreign insurer whose authorisation is possible if the insurer concludes the same contracts without the intervention of a broker or other intermediary residing in Belgium.
- Insurance undertakings not established in Belgium, which do not have a representative who is liable for tax and which are involved in concluding insurance operations relating to risks situated in Belgium, without using intermediaries residing in Belgium.
- The policyholder in the absence of authorisation for a tax representative or in the absence of a broker or any other intermediary residing in Belgium and when the insurer not established in Belgium has failed to pay the tax.

**6.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

**6.3.1. Information**

See point 4.3.1.

**6.3.2. Payment**

*Premier bureau des recettes domaniales de Bruxelles*  
Cantersteen, 47  
BE - 1000 BRUSSELS  
Tel.: +32 (0)2 551 59 12  
Post Office account (CCP): 000-2003555-20

## **Bulgaria (BG)**

There is no indirect taxation (IPT or fire brigade tax) on insurance contracts in Bulgaria.



## Switzerland (CH)

CLASS OF INSURANCE	STAMP DUTY
<b>Life</b> (no surrender)	Exempt
<b>Life</b> (with surrender, and periodical premium payment)	Exempt
<b>Life</b> (tied private provision)	Exempt
<b>Life</b> (occupational pensions)	Exempt
<b>Life</b> (policyholder domiciled abroad)	Exempt
<b>Other life insurance</b>	2.5%
<b>Health and disability</b>	Exempt
<b>Accident</b>	Exempt
<b>Unemployment</b>	Exempt
<b>Transport</b>	Exempt
<b>Basic damage to crops</b>	Exempt
<b>Hail</b>	Exempt
<b>Livestock</b>	Exempt
<b>Multirisk aircraft/ship hull for professional transport abroad</b>	Exempt
<b>Fire, plateglass, theft, water damage, credit, machinery, jewellery, for goods insured abroad</b>	Exempt
<b>Reinsurance</b>	Exempt
<b>Other classes</b>	2.5%

## General rules applicable to all insurance companies

### 1. TAX BASIS

Stamp duty is calculated on net premium.

### 2. INFORMING THE POLICYHOLDER

Tax is not shown separately from the premium in liability and multirisk motor insurance. For the other classes, it is shown separately from the premium.

### 3. FREQUENCY OF PAYMENT

The tax liability arises when the insurance premium is paid. Payment is quarterly and should be made to the tax authorities on an official form within 30 days of the end of the quarter in which the tax liability arose, without receipt of a demand for payment.

The rate of interest levied on late payments is 5%.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN SWITZERLAND

#### 4.1. Person liable

The insurer is liable to stamp duty and makes the payment.

If he does not pay, no other person is jointly and severally responsible for the payment.

**4.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

*Eidgenössische Steuerverwaltung  
Hauptabteilung, Direkte Bundessteuer,  
Verrechnungssteuer, Stempelabgaben  
Eigerstrasse 65  
CH - 3003 BERN  
Tel.: +41 31 322 21 11  
E-mail: [dvs@estv.admin.ch](mailto:dvs@estv.admin.ch)  
Homepage: [www.estv.admin.ch](http://www.estv.admin.ch)*

**5. INSURER NOT ESTABLISHED IN SWITZERLAND**

**5.1. Person liable**

If the insurance contract is taken out directly with a foreign insurer not subject to Swiss control, the insured must pay the stamp duty.

When the contract is concluded with a general representative established in Switzerland and subject to Swiss control, the representative is liable to stamp duty.

There are no rules on solidarity in the case of non-payment by the insured.

**5.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Same as 4.2.

**6. PRINCIPALITY OF LIECHTENSTEIN**

The Swiss federal law on stamp duty is also applicable in the principality of Liechtenstein by virtue of the 1923 agreement on a customs union. The principality is therefore regarded as part of Switzerland for the purposes of stamp duty.

## Cyprus (CY)

### At policy issue or renewal

CLASS OF INSURANCE	STAMP DUTY <sup>(3)</sup>	PREMIUM TAX <sup>(3)</sup>	PARAFISCAL TAXES <sup>(3)</sup>	
			Fire Brigade Tax	Motor Guarantee Fund
<b>Life</b>		1.5% <sup>(1)</sup>		
- if sum assured < € 854.30	€ 1.71			
- if € 854.30 < sum assured < € 1.708.60	€ 3.42			
- if € 1.708.60 < sum assured < € 8.543.01	€ 6.83			
- if sum assured > € 8.543.01	€ 17.09			
<b>Health</b>	€ 1.71			
<b>Accident</b>	€ 1.71			
<b>Motor Liability</b>	€ 1.71			5% <sup>(2)</sup>
<b>Hail (including destruction of glasshouses and forcing frames in market gardening and horticulture)</b>	€ 1.71			
<b>Fire</b>				
- if sum assured < € 1.708.60	€ 0.85			
- if sum assured ≥ € 1.708.60	€ 1.71			
<b>Other insurance for damage to goods</b>	€ 1.71			
<b>Cross-frontier goods in transit</b>	€ 1.71			
<b>Marine hull</b>				
- if sum assured < € 341.72	€ 0.85			
- if sum assured ≥ € 341.72	€ 1.71			
<b>Other classes</b>	€ 1.71			

At payment of premium (policy issue, renewal, endorsement etc.)

ALL CLASSES OF INSURANCE	STAMP DUTY <sup>(3)</sup>
- if € 3.42 < premium < € 34.17	€ 0.03
- if premium > € 34.17	€ 0.06

NB: Taxes and financial deductions when settling a motor claim:

VAT is applicable to repair and towing costs (the insurer does not pay VAT to a claimant who is entitled to recover it).

- (1) Income tax law states that life insurance companies' gross premiums are subject to a minimum tax of 1.5% of gross premium income, if the corporation tax rate applicable on operating profits amounts to a lower sum.

The basis of assessment of premium tax is total premium to be paid by the insured.

- (2) The Motor Insurers' Fund of Cyprus collects the 5% premium surcharge every quarter through insurance companies. The surcharge is paid by the insured.

Further information can be obtained from:

Motor Insurers' Fund of Cyprus:  
23, Zenon Sozos Street  
P.O. Box 22030  
CY – 1516 NICOSIA  
Tel.: +357 227 63 913  
Fax: +357 227 61 007

- (3) Insurers operating by way of FOS in Cyprus are required to nominate a tax representative.

Further information can be obtained from:

Ministry of Finance  
Inland Revenue Department  
CY - 1472 NICOSIA  
Ms Irene Danou, Senior Principal Assessor  
Tel.: +357 224 07 811  
E-mail: idanou@ird.mof.gov.cy

## Czech Republic (CZ)

There is no indirect taxation (IPT or fire brigade tax) on insurance contracts in the Czech Republic.

## Germany (DE)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES
		<b>Fire Brigade Tax <sup>(3)</sup></b>
<b>Life</b>	Exempt	
<b>Fire and fire business interruption</b>	14% (since 1 July 2010: 22% from 60% of the premium)	8% (since 1 July 2010: 22% from 40% of the premium)
<b>Hail</b> (including destruction of glasshouses and forcing frames in market gardening and horticulture)	0.2‰ of sum insured for each year of the insurance contract	
<b>Buildings insurance</b> (since 1 July 2010: limited to residential buildings) (of which a part of the premium is paid for fire cover)	17.75% (since 1 July 2010: 19% from 86% of the premium)	2% (8% from 25% of the premium) (since 1 July 2010: 19% from 14% of the premium)
<b>Householders' all risks</b> (of which a part of the premium is paid for fire cover)	18% (since 1 July 2010: 19% from 85% of the premium)	1.6% (8% from 20% of the premium) (since 1.7.2010: 19% from 15% of the premium)
<b>Individual accident</b>	19%	
- with premium return	3.8%	
<b>Health</b>	Exempt	
<b>Marine hull</b>	3%	
<b>Goods in transit</b>		
- in Germany	19%	
- international	Exempt	
<b>Livestock</b>	19% <sup>(1)</sup>	
<b>Reinsurance <sup>(2)</sup></b>	Exempt	
<b>Other classes</b>	19%	

(1) Premiums for livestock insurance are tax exempt if the sum insured is under €4,000.

- (2) Fiscal authorities view the reinsurance of guarantee business as primary insurance and therefore taxable at 19%
- (3) At 1 July 2010 the Fire Brigade Tax Law will become amended broadly. This affects also the insurance premium tax for fire insurance contracts in a broad sense. The new set of regulations is applicable on premiums with payment dated from 1 July 2010 onwards

### Unofficial translation:

Versicherungsteuer

Feuerschutzsteuer

Seeschiffskaskoversicherung

**Versicherungsteuergesetz (VersStG)**

**Feuerschutzsteuergesetz (FeuerschStG)**

**Abgabenordnung (AO)**

**Bundeszentralamt für Steuern**

Premium Tax

Fire Brigade Tax

Marine Hull

**Insurance Premium Tax Law**

**Fire Brigade Tax Law**

**General Tax Code**

**Central Federal Tax Office**

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate premium tax

The basis of assessment of premium tax is the premium which must be paid to the insurer to obtain the insurance cover. Advances, additional payments, charges, policy drafting fees, other ancillary costs **and – if the risk fire is insured – the fire brigade tax** are also included in the premium. The premium tax is levied in addition to the actual premium and invoiced to the policyholder.

#### 1.2. Premium used to calculate fire brigade tax

The basis of assessment for the fire brigade tax is identical to the basis of assessment for premium tax (cf. section 1.1.). However, the tax amount is not levied in addition to the actual premium but is calculated from the amount. The tax must be borne by the insurer on a declaratory basis and cannot therefore be requested in addition from the policyholder, as is the case with premium tax.

### 2. INFORMING THE POLICYHOLDER

#### 2.1. Premium tax

There is no legal obligation for the insurer to separately display the premium tax, **the tax rate or tax amount** on the invoice. However, the insurer can voluntarily display **or merely refer to the fact that the statutory premium tax is included in the invoice amount.**

#### 2.2. Fire brigade tax

**Even after 1 July 2010 the tax does not need to be displayed in the premium invoices (i.e. separately from the cost of the insurance). It is also not standard practice to refer to it in the premium invoice yet but this might become changes eventually in the future.**

### 3. FREQUENCY OF PAYMENT

#### 3.1. Premium tax

Monthly, payable within 15 days following the end of the month.

Quarterly, (for declaration and payment) if tax for the preceding year was under €3,000. In this case, payment should be made within 15 days following the end of the quarter.

If the tax office is unable to determine the basis for taxation or can only do so with a disproportionate amount of expenditure, the calculation and payment may be permitted on a flat-rate basis.

#### 3.2. Fire brigade tax

In principle monthly, payable within 15 days following the end of the month.

Payment can be made within 15 days of the end of a quarter, if the tax for the preceding calendar year was under €1200.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN GERMANY

#### 4.1. Event generating tax

##### 4.1.1. Premium tax (cf. Art. 1 VersStG)

Premium tax is levied on the payment of premiums for insurance contracts. The obligation to pay the tax to the German tax authorities relates to risks situated in Germany. The situation of the risk is determined by article 1 VersStG in accordance with the definition in article 2(d) in liaison with article 25 sub-para. 2 of the 2nd Non-life FOS Directive (88/357/EEC) (OJEC No. L 172/1 of 4.7.1988); and article 46 sub-para. 2 of the 3rd Single Licence Directive (92/49/EEC) (OJEC No. L 228 of 11.8.1992).

##### 4.1.2. Fire brigade tax (cf. Art. 1 FeuerschStG)

Fire brigade tax is subject to the receipt of the insurance payments from the insurance policies specified in section 1 of the Fire Brigade Tax Law (Feuerschutzsteuergesetz; FeuerschStG). This includes fire insurance policies (including fire/business interruption insurance) and insurance of buildings (**since 1 July 2010 limited to residential buildings**) and household contents, if part of the insurance payment is allocated to risks which are the subject of fire insurance (homeowner's comprehensive insurance, householder's comprehensive insurance). The items insured must be located within the territory of the country when the insurance payment is received.

##### 4.2.1. Premium tax

The policyholder is liable for the tax. Insurers with their head office or a branch in Germany must themselves or by means of a paying-in agent receive it, declare it to the relevant tax authorities and pay it on behalf of the policyholder (art. 7 par. 1, art. 8 par. 1 VersStG).

##### 4.2.2. Fire brigade tax

In principle the insurer is liable for tax and must pay it; for operations by way of establishment in Germany, it is the establishment (art. 5 FeuerschStG).

#### 4.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

The tax office in whose area an insurer has its management, head office, domicile or permanent establishment - where there are several permanent establishments, the one which is most important in economic terms - has local responsibility in this respect. If the insurer has transferred the payment of taxes to an authorised agent, then the finance office in whose area the authorised agent has his management, head office or domicile has responsibility in this respect.

**Since 1 July 2010 the Central Federal Tax Office will be responsible exclusive (further information is not available at presence).**

#### 4.4. Return of declarations - Payment of tax

*Insurers established in Germany must complete and submit the declaration form to the relevant tax authorities and pay the tax by no later than 15 days after the end of the month (declaration period). The declaration period is always the calendar month.*

*If total tax for the previous year did not exceed €3,000 - €1,200 for fire brigade tax - declaration and payment may be quarterly.*

The declaration must be submitted every month or every quarter even if the insurer has not received premiums

during the period in question.

Payment of the tax can be made by direct debit, cheque or bank transfer. Payments by cheque are only deemed to have been paid three days after receipt. Tax must be paid in euros.

#### **4.5. Legal obligations to keep records**

§ 10 VersStG and § 9 FeuerschStG require insurers and duly authorised agents to keep extensive records of the tax determined and the basis for its calculation.

A Federal Ministry of Finance letter dated 27.11.2003 provides further details of the rules governing insurance tax and the identical decrees of the "Länder" dated 30.1.2004 provide details of the fire brigade tax (can be obtained from: [www.bundesfinanzministerium.de](http://www.bundesfinanzministerium.de), **unter Wirtschaft und Verwaltung / Steuern / Veröffentlichungen zu Steuerarten /Versicherung-/Feuerschutzsteuer**)).

The tax offices can also provide information in this respect (see section 6.3.).

#### **4.6. Keeping accounting and tax documents**

The insurer/establishment must retain documents used for declaring tax for the usual periods (art. 147 Tax Code [Abgabeordnung]) i.e. books, records and accounting vouchers, etc for a period of 10 years; correspondence received and sent and other documents only relevant to taxation for a period of 6 years.

#### **4.7. Sanctions envisaged in the event of non-payment of taxes**

If the insurer does not fulfil his statutory obligation to notify and pay the tax, surcharges can be levied for the failure to pay or for delay in payment and the tax can be estimated (sections 152, 162, 240 General tax code).

The interest due on payments of tax arrears (§ 233a of the General Tax Code [Abgabenordnung]) cannot be deducted as business expenses (§ 10 No. 2 of the Corporation Tax Law [Körperschaftsteuergesetz]). If the tax claim insurer, it is possible to claim against the insured as being jointly and severally liable for the insurance tax alongside the insurer.

### **5. INSURER NOT ESTABLISHED IN GERMANY AND NOT ESTABLISHED IN THE EEA**

#### **5.1. Event generating the tax**

##### **5.1.1. Premium tax**

Premium tax is levied on premiums for insurance contracts (art. 1(1) VersStG). The tax obligation arises (art. 1(4) VersStG) from the fact that the policyholder has his head office/habitual residence in Germany or where the insurance covers an object located in Germany when the contract was concluded.

##### **5.1.2. Fire brigade tax**

See 4.1.2.

#### **5.2. Person liable to tax**

##### **5.2.1. Premium tax (art. 7 VersStG)**

The person liable to tax is the policyholder. If the insurer has nominated an agent on the territory of EEA signatory States to collect premiums (premium agent/ Inkasso-bevollmächtigter), the latter must declare and remit the tax (section 7 VersStG). For premium agents residing in Germany, the relevant tax authority is that of their head office. Premium agents residing in another EEA signatory State must declare and remit the tax to the relevant central tax authority for that State (see point 6.3.).

If the insurer has not designated a premium agent, tax must be declared and remitted by the policyholder to the relevant tax authority for the place of his head office or his residence.



### **5.2.2. Fire brigade tax (art. 5 (2) FeuerschStG)**

If the insurer has designated a premium agent in Germany, the latter is liable for tax. He must declare and remit the tax (art. 8 (1) FeuerschStG). In cases to the contrary, the person liable for the tax is the policyholder (art. 5 (2) FeuerschStG). In this case, he must declare and submit the tax (art. 8 (4) FeuerschStG).

The relevant tax authority is that of the district in which the premium agent/ policyholder has his head office (art. 10 FeuerschStG).

**Since 1 July 2010 the Central Federal Tax Office will be responsible exclusive (further information is not available at presence).**

### **5.3. Keeping accounting and tax documents**

See 4.6.

### **5.4. Sanctions envisaged in the event of non-payment of taxes**

See 4.7.

### **5.5. Legal obligations to keep records**

4.5. applies accordingly to duly authorised agents.

## **6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

### **6.1. Event generating tax**

See 4.1.

### **6.2. Person liable to tax**

The insurer pays the premium tax and fire brigade tax (sections 7, 8 (1) VersStG; sections 5, 8 (1) FeuerschStG). If an agent authorised to receive premium is responsible for the tax (art. 7 (1) VersStG), the nomination of a tax representative is not required.

### **6.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Premium tax and fire brigade tax which must be declared and paid according to Article 8, (1) VersStG or Article 8, (1) FeuerschStG, by insurers not established in Germany but established on the territory of other member states of the European Union or other signatory States of the agreement on the European Economic Area come under the territorial competence of the following offices **(up until 30 June 2010)**:

#### **6.3.1. Insurers established in Belgium or the Netherlands**

*Finanzamt Köln-Altstadt*

*Am Weidenbach 2-4*

*DE - 50676 KÖLN*

*Tel.: +49 (0)22 12 02 60*

**Fax: +49 (0)22 12 02 1200**

*E-Mail: Service@FA-5214.fin-nrw.de*

*Deutsche Bundesbank Filiale Köln*

*Account Nr. 370 015 01*

*Bank Code 370 000 00*

*IBAN: DE93 3700 0000 0037 0015 01*

*BIC: MARKDEF1370*

### 6.3.2. Insurers established in Denmark, Finland, Iceland, Norway or Sweden

Finanzamt Kiel-Nord  
Holtenauer Straße 183  
DE - 24118 KIEL  
Tel.: +49 (0)431 8819 0  
Fax: +49 (0)431 8819 200  
E-Mail: [poststelle@fa-kiel-nord.landsh.de](mailto:poststelle@fa-kiel-nord.landsh.de)

Deutsche Bundesbank Filiale Kiel  
Account Nr. 210 015 01  
Bank Code 210 000 00  
IBAN: DE32 2100 0000 0021 001501  
BIC: MARKDEF1210

HSH Nordbank HH, Kiel  
Account Nr. 520 015 00  
Bank Code 210 500 00  
IBAN: DE24 2105 0000 0052 0015 00  
BIC: HSHNDEHHXXX

### 6.3.3. Insurers established in France

Finanzamt Koblenz  
Ferdinand-Sauerbruch-Straße 19  
DE - 56073 KOBLENZ  
Tel.: +49 (0)26 14 93 0  
**Fax: +49 (0)26 14 93 200 90**  
E-Mail: [Poststelle@fa-ko.fin-rlp.de](mailto:Poststelle@fa-ko.fin-rlp.de)

LRP GZ Mainz  
Account Nr. 00 000 908  
Bank Code 550 500 00  
IBAN: DE67 5505 0000 0000 0009 08  
**BIC: MALADE55**

### 6.3.4. Insurers established in Greece

Finanzamt Heidelberg  
Kurfürstenanlage 15-17  
DE - 69115 HEIDELBERG  
Tel.: +49 (0)62 21 59 0  
**Fax: +49 (0)62 21 7365 190**  
E-Mail: [poststelle@fa-heidelberg.fv.bwl.de](mailto:poststelle@fa-heidelberg.fv.bwl.de)

Deutsche Bundesbank Filiale Mannheim  
Account Nr. 670 015 10  
Bank Code 670 000 00  
IBAN: DE25 6700 0000 0067 0015 10  
**BIC: MARKDEF1670**

BW-Bank/LBBW Stuttgart  
Account Nr. 742 150 016 8

Bank Code 600 501 01  
IBAN: DE30 6005 0101 7421 5001 68  
BIC: SOLA DE ST

#### **6.3.5. Insurers established in Austria, Italy and Liechtenstein**

Finanzamt München für Körperschaften  
**Körperschaftsteuer**  
**Meiser-Straße 4**  
DE - 80333 MÜNCHEN  
Tel.: +49 (0)89 12 52 0  
Fax: +49 (0)89 59 95 77 77  
E-Mail: [poststelle@fa-m-koe.bayern.de](mailto:poststelle@fa-m-koe.bayern.de)

Deutsche Bundesbank Filiale München  
Account Nr. 700 015 06  
Bank Code 700 000 00  
IBAN: DE05 7000 0000 0070 0015 06  
BIC: MARKDEF1700

Bayern LB München  
Account Nr. 249 62  
Bank Code 700 500 00  
IBAN: DE37 7005 0000 0000 0249 62  
BIC: BYLA DE MM

#### **6.3.6. Insurers established in Luxembourg**

Finanzamt Saarbrücken-Mainzer Str.  
Mainzer Straße 109-111  
DE - 66121 SAARBRÜCKEN  
Tel.: +49 (0)68 13 00 00  
Fax: +49 (0)68 13 00 07 62  
E-Mail: [poststelle@fasbm.saarland.de](mailto:poststelle@fasbm.saarland.de)

Deutsche Bundesbank Filiale Saarbrücken  
Account Nr. 590 015 02  
Bank Code 590 000 00  
IBAN: DE65 5900 0000 0059 0015 02  
BIC: MARKDEF1590

Postbank Saarbrücken  
Account Nr. 776 666 3  
Bank Code 590 100 66  
IBAN: DE56 5901 0066 0007 7666 63  
BIC: PBNKDEFF

#### **6.3.7. Insurers established in Spain or Portugal**

Finanzamt Frankfurt am Main III  
Gutleutstraße 120  
DE - 60327 FRANKFURT AM MAIN  
Tel.: +49 (0)69 25 45 03

Fax: +49 (0)69 25 45 39 99

E-Mail: [poststelle@Finanzamt-Frankfurt-3.de](mailto:poststelle@Finanzamt-Frankfurt-3.de)

*Deutsche Bundesbank Filiale Frankfurt am Main*

*Account Nr. 500 015 04*

*Bank Code 500 000 00*

*IBAN: DE07 5000 0000 0050 0015 04*

*BIC: MARKDEF1500*

*LD BK HESS-THUER GZ FFM*

*Account Nr. 10 002 31*

*Bank Code 500 500 00*

*IBAN: DE88 5005 0000 0001 0002 31*

*BIC: HELADEF1*

#### **6.3.8. Insurers established in the United Kingdom or Ireland**

*Finanzamt Hannover-Nord*

*Vahrenwalder Straße 206*

*DE - 30165 HANNOVER*

*Tel.: +49 (0)51 16 79 00*

*Fax: +49 (0)51 16 79 060 90*

*E-Mail: [Poststelle@fa-h-no.niedersachsen.de](mailto:Poststelle@fa-h-no.niedersachsen.de)*

*Deutsche Bundesbank Filiale Hannover*

*Account Nr. 250 015 14*

*Bank Code 250 000 00*

*IBAN: DE60 2500 0000 0025 0015 14*

*BIC: MARKDEF1250*

*Norddeutsche Landesbank Hannover*

*Account Nr. 101 342 426*

*Bank Code 250 500 00*

*IBAN: DE63 2505 0000 0101 3424 26*

*BIC: NOLADE2H*

#### **6.3.9. Insurers established in the following States:**

*Bulgaria, Estonia, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia, the Czech Republic, Hungary, Republic of Cyprus*

*Finanzamt Berlin für Körperschaften I*

*Bredtschneiderstraße 5*

*DE - 14057 BERLIN*

*Tel.: +49 (0)30 90 24 270*

*Fax: +49 (0)30 90 24 27 900*

*E-Mail: [poststelle@fa-koerperschaften-I.verwalt-berlin.de](mailto:poststelle@fa-koerperschaften-I.verwalt-berlin.de)*

**Postbank Berlin**

**Account Nr. 691 555 100**

**Bank Code 100 100 10**

**IBAN: DE09 1001 001 00691 5551 00**

**BIC: PBNKDEFF**

**Landesbank Berliner SPK**

**Account Nr. 660 004 646 3**

**Bank Code 100 500 00**

**IBAN: DE94 1005 0000 6600 0464 63**

**BIC: BRLADEBEXX**

**Since 1 July 2010 the Central Federal Tax Office will be responsible exclusive (further information is not currently available).**

#### **6.3.10. General Information**

*Central Federal Tax Office [Bundeszentralamt für Steuern] (new name from 2006 onwards; previously: Federal Tax Office [Bundesamt für Finanzen])*

Friedhofstraße 1

DE - 53225 BONN

Tel.: +49 (0)228 40 60

Fax: +49 (0)228 40 62 661

This rule applies mutatis mutandis to agents who have their management, their head office or their domicile on the territory of the EEC or other signatory States of the agreement on the European Economic Area outside the Federal Republic of Germany covered by Article 7, (2) VersStG.

#### **6.4. Tax return – Tax payment**

The rules outlined above in 4.4. apply correspondingly to insurers established in another EEA signatory State.

#### **6.5. Legal obligations to keep records**

Insurers not established in Germany must provide the Central Federal Tax Office with a complete list in writing of the insurance relationships relating to risks located in Germany if so requested. Section 4.5. is applicable in this respect.

#### **6.6. Legal obligations to preserve records**

See 4.6.

#### **6.7. Sanctions envisaged in the event of non-payment of taxes**

See 4.7.

## Denmark (DK)

CLASS OF INSURANCE	PREMIUM TAX	STAMP DUTY <sup>(1)</sup>	PARAFISCAL TAXES
			<b>Contribution to flood damage and to replanting woods on private areas with forest preservations</b>
<b>Life</b>	Exempt	Exempt	
<b>Motor liability</b> - lorries (haulage contractors)	Exempt	DKK0.29 per DKK5,000 sum insured, or 14% of the premium <sup>(2)</sup> Max DKK8 <sup>(3)</sup>	
- buses	34.4% <sup>(4)</sup>	DKK0.29 per DKK5,000 sum insured, or 14% of the premium <sup>(2)</sup> Max DKK8 <sup>(3)</sup>	
- mopeds	DKK230 (annual)	DKK0.29 per DKK5,000 sum insured, or 14% of the premium <sup>(2)</sup> Max DKK8 <sup>(3)</sup>	
- other vehicles	42.9% <sup>(5)</sup>	DKK0.29 per DKK5,000 sum insured, or 14% of the premium <sup>(2)</sup> Max DKK8 <sup>(3)</sup>	
<b>Fire</b>	Exempt	DKK0.29 per DKK5,000 sum insured, or 14% of the premium <sup>(2)</sup>	DKK20 per contract per year
<b>Yachts - Hull</b> (home port Denmark)	1 % (on sum insured)	Exempt	
<b>Mortgage guarantees</b>	Exempt	Exempt	
<b>Reinsurance</b>	Exempt	DKK50	
<b>Other classes</b>	Exempt	DKK0.29 per DKK5,000 sum insured, or 14% of the premium <sup>(2)</sup>	

(1) All non-life insurance contracts include stamp duty except:

- contracts issued by mutuals which are not subject to supervision,
- contracts for accidents at work,
- marine, aviation and transport insurance,
- credit insurance and guarantee insurance,
- all contracts whose sums insured are less than DKK12,000.

A tax of DKK60 is levied on motor insurance contracts as a contribution to environmental protection to cover costs relating to the expense of scrapping cars.

This tax only covers:

- vehicles used for the transport of up to 9 people (including the driver),
- vehicles used for the transport of up to 3,500kgs of merchandise.

(2) The insurer is free to choose the least expensive solution.

(3) Only applies to compulsory 3rd party motor insurance according to the Road Traffic Act.

(4) The minimum legal tax threshold must be equal to at least 37.8% of indemnities.

(5) The minimum legal tax threshold must be equal to at least 47.2% of indemnities.

**Unofficial translation:**

Præmieafgift: *Premium Tax*

Stempelafgift: *Stamp Duty*

Erstatning for skader forårsaget af stormflod og tilskud til genplantning med robust skov på private fredsskovarealer:  
*Contribution to flood damage and contribution to replanting woods on private areas with forest preservations.*

## **General rules applicable to all insurance companies**

### **1. TAX BASIS**

#### **1.1. Premium used to calculate tax**

The tax basis does not include brokers' or agents' commission.

#### **1.2. Premium used to calculate stamp duty**

The sum insured or the premium depending on the case.

#### **1.3. Premium used to calculate parafiscal taxes**

The amount used to calculate tax does not include premium tax.

### **2. INFORMING THE POLICYHOLDER**

The tax is shown separately from the premium.

### **3. FREQUENCY OF PAYMENT**

#### **3.1. Premium Tax**

Monthly.

#### **3.2. Stamp Duty**

Payable at inception of the policy and upon any subsequent increase in the sum insured. Therefore, the person liable to stamp duty must pay irrespective of whether the premium has been received. No duty is payable at renewal (unless the sum insured increases).

Stamp duty may be paid by buying stamps which must be affixed to the policy or by paying a monthly amount on account equalling one twelfth of the policy stamp charge or by remitting the previous month's balance. At the end of the year and by no later than one month after the year in question, a statement of the amount payable for one accounting year, certified by an external auditor, must be submitted to the Regional Office and the final settlement must be made in accordance with this.

#### **3.3. Contribution to annual flood damage**

Monthly to the Flood Damage Board.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN DENMARK

#### 4.1. Person liable to tax

##### 4.1.1. Stamp Duty

The insurer is liable for tax. The insured is however jointly and severally responsible for payment.

##### 4.1.2. Other taxes

Insurer.

#### 4.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

##### 4.2.1. Stamp Duty

*Skattecenter Høje-Taastrup*  
Helgeshøj Allé 9  
DK - 2630 TAASTRUP  
Tel.: +45 72 22 18 18

##### 4.2.2. Premium Taxes

**Skattecenter København**  
**Sluseholmen 8B**  
**DK - 2450 KØBENHAVN SV**  
**Tel.: +45 72 22 18 18**

##### 4.2.3. Contribution to Flood Damage and to replanting woods on private areas with forest preservations

**Stormrådet**  
**Philip Heymans Allé 1**  
**DK - 2900 Hellerup**  
**Tel.: +45 91 91 91**  
**E-mail: [Fp@forsikringogpension.dk](mailto:Fp@forsikringogpension.dk)**

##### 4.2.4. Other taxes - Tax Centers (Skattecentre)

*Skattecenter Aalborg*  
Skibsbyggerivej 5  
DK - 9000 AALBORG  
Tel.: +45 72 22 18 18

*Skattecenter Århus*  
**Lyseng Allé 1**  
**DK - 8270 HØJBJERG**  
**Tel.: +45 72 22 18 18**

**Skattecenter Ballerup**  
**Lautrupvang 1A**  
**DK - 2750 BALLERUP**  
**Tel.: +45 72 22 18 18**



*Skattecenter Billund*

Kløvermarken 16

DK - 7190 BILLUND

Tel.: +45 72 22 18 18

**Skattecenter Bornholm**

**Munch Petersens Vej 8**

**DK - 3700 RØNNE**

**Tel.: +45 72 22 18 18**

*Skattecenter Esbjerg*

Adgangsvejen 3

DK - 6700 ESBJERG

Tel.: +45 72 22 18 18

*Skattecenter Fredensborg*

Kratbjerg 236

DK - 3480 FREDENSBORG

Tel.: +45 72 22 18 18

*Skattecenter Frederikssund*

**Kilde Allé 16**

DK - 3600 FREDERIKSSUND

Tel.: +45 72 22 18 18

*Skattecenter Grenaa*

**Bredstrupvej 40**

DK - 8500 GRENAA

Tel.: +45 72 22 18 18

*Skattecenter Haderslev*

**Christian X's Vej 22**

DK - 6100 HADERSLEV

Tel.: +45 72 22 18 18

*Skattecenter Herning*

Brændgårdvej 10

DK - 7400 HERNING

Tel.: +45 72 22 18 18

*Skattecenter Hjørring*

**Parallelvej 11**

DK - 9800 HJØRRING

Tel.: +45 72 22 18 18

*Skattecenter Høje-Taastrup*

Helgeshøj Allé 9

DK - 2630 TAASTRUP

Tel.: +45 72 22 18 18

*Skattecenter Holbæk*

Jernbanevej 6

DK - 4300 HOLBÆK

Tel.: +45 72 22 18 18

*Skattecenter Horsens*

Løvenørnsgade 25

DK - 8700 HORSSENS

Tel.: +45 72 22 18 18

*Skattecenter København*

**Sluseholmen 8B**

**DK - 2450 KØBENHAVN SV**

Tel.: +45 72 22 18 18

*Skattecenter Køge*

**Gymnasievej 21**

**DK - 4600 KØGE**

Tel.: +45 72 22 18 18

*Skattecenter Korsør*

Storebælt Erhvervspark 3

DK - 4220 KORSØR

Tel.: +45 72 22 18 18

*Skattecenter Maribo*

Brovejen 15 A

DK - 4930 MARIBO

Tel.: +45 72 22 18 18

*Skattecenter Middelfart*

**Teglgårdsparken 19**

DK - 5500 MIDDELFART

Tel.: +45 72 22 18 18

*Skattecenter Nærum*

Rundforbivej 303

DK - 2850 NÆRUM

Tel.: +45 72 22 18 18

*Skattecenter Næstved*

Toldbuen 2

DK - 4700 NÆSTVED

Tel.: +45 72 22 18 18

**Skattecenter Odense**

**Lerchesgade 35**

**DK - 5000 ØDENSE**

**Tel.: +45 72 22 18 18**

*Skattecenter Randers*

Toldbodgade 3

**DK - 8900 RANDERS C**

Tel.: +45 72 22 18 18

*Skattecenter Roskilde*

Universitetsvej 2  
DK - 4000 ROSKILDE  
Tel.: +45 72 22 18 18

*Skattecenter Skive*  
Sdr. Boulevard 14  
DK - 7800 SKIVE  
Tel.: +45 72 22 18 18

*Skattecenter Struer*  
Frabriksvej 13  
DK - 7600 STRUER  
Tel.: +45 72 22 18 18

*Skattecenter Svendborg*  
Bryghusvej 30  
DK - 5700 SVENDBORG  
Tel.: +45 72 22 18 18

*Skattecenter Thisted*  
Thisted Kystvej 4  
DK - 7700 THISTED  
Tel.: +45 72 22 18 18

*Skattecenter Tønder*  
**Pionér Alle 1**  
DK - 6270 TØNDER  
Tel.: +45 72 22 18 18

## 5. INSURER NOT ESTABLISHED IN DENMARK AND NOT ESTABLISHED IN THE EEA

### 5.1. Person liable to tax

#### 5.1.1. Stamp duty

See 6.1. to 6.3.

#### 5.1.2. Premium taxes

See 6.1. to 6.3.

### 5.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

**See 4.2.1 (stamp duty); 4.2.2 (premium taxes)..**

## 6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS

### 6.1. Person liable to tax

Payment is carried out by a tax representative.

### 6.2. Appointment of a tax representative

A tax representative - who may be a natural person or a legal entity - must be appointed by the insurance undertaking. His nomination must be notified to the relevant tax authority **(see 4.2.1 (stamp duty); 4.2.2 (premium taxes)).**

### **6.3. Return of tax declaration**

The tax representative must complete and return to the tax authorities the nominative, computerised declaration form which he will have received from them and remit taxes and stamp duty.

### **6.4. Name and address of the tax authorities to which the appointment of the tax representative must be notified, to which taxes must be remitted and from which further information can be obtained if necessary:**

**6.4.1. The appointment of the tax representative must be notified to:**

**See 4.2.1 (stamp duty); 4.2.2 (premium taxes).**

**6.4.2. Taxes should be paid to:**

**See 4.2.1; (stamp duty); 4.2.2 (premium taxes).**

## **Estonia (EE)**

There is no indirect taxation (IPT or fire brigade tax) on insurance contracts in Estonia.

## Spain (ES)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES			
		Fire Brigade Tax <sup>(1)</sup>	Fund for the Winding up of Insurance Companies	National Guarantee Fund	Fund for the Insurance of Extraordinary Risks
Life	Exempt				
Capitalisation (actuarial technique)	Exempt				
Group pensions	Exempt				
Hunting (liability) (compulsory)	6%		0.15%	3%	
Motor <sup>(3)</sup>					
- compulsory liability	6%		0.15%	2%	
- voluntary liability	6%		0.15%		
- material damage	6%		0.15%		(2)
Fire	6%	5%	0.15%		(2)
Combined fire/theft	6%	2.5%	0.15%		(2)
Householders' all risks	6%	2.5%	0.15%		(2)
Accident	6%		0.15%		(2)
Health	Exempt <sup>(4)</sup>		0.15%		(2)
Compulsory social insurance	Exempt				
Compulsory travel insurance	6%		0.15%	10%	5%
International goods in transit and passengers	Exempt		0.15%		
Hull (aviation or marine) <sup>(5)</sup>	Exempt		0.15%		
Agricultural insurance	Exempt		0.15%		
Suretyship insurance	Exempt		0.15%		
Export credit	Exempt				
Reinsurance	Exempt				
Other classes	6%		0.15%		

(1) Fire brigade tax is paid to the authorities for towns with more than 20,000 inhabitants. For towns with less than 20,000 inhabitants, General Councils and Autonomous Communities are responsible for fire brigade services.

(2) Special fund for the insurance of extraordinary risks:

Taxes intended for this body apply to the following classes: see table.

(3) Insurers have to pay a contribution of €0.07 per motor contract to finance the Spanish National Bureau.

(4) Since 1 January 1999.

(5) For international transport with the exception of pleasure craft.

### Unofficial translation:

Fondo del Consorcio de Compensación de Seguros para la liquidación de Entidades Aseguradoras:

Fund for the Winding-up of Insurance Companies

Arbitrio Municipal Bomberos: Municipal Fire Brigades

Fondo Nacional de Garantía: National Guarantee Fund

Consorcio de compensación Seguros para riesgos extraordinarios: Special Fund for the Insurance of Extraordinary Risks  
**Sistema de valoración de los daños a las personas en accidentes: Legal system for the assessment of bodily Injuries**

Note (2)

## DAMAGE TO GOODS

The rates vary depending on the insured object and the sum insured as follows:

	Sum insured up to €600,000,000	Sum insured over €600,000,000
Dwellings	<b>0.08‰</b>	<b>0.06‰</b>
Offices	<b>0.12‰</b>	<b>0.08‰</b>
Shops and small industries	0.18‰	0.14‰
Industrial risks	<b>0.21‰</b>	<b>0.18‰</b>

Public works between **0.28‰ and 1.63‰** according to the type of risk.

MOTOR (rates expressed as fixed amounts)

Cars	€3.50
Lorries	€17.60
Industrial vehicles	€14.60
Tractors	€10.00
Coaches	€26.60
Caravans	€8.50
Mopeds	€0.60
Motorcycles ( <i>more than 75 cc</i> )	€2.30

## INSURANCE OF THE PERSON

### INDIVIDUAL RISKS

The annual rate is 0.005 for each €1,000 sum insured. The amount taken into account to calculate the tax is the highest of the sums insured in the policy (death or permanent disability).

### Passenger liability policies

**if the Legal system for the assessment of bodily Injuries is used to calculate the insured sum: €3.00 per insured.**

### ASSISTANCE

The applicable rate in case of travel assistance insurance is 0.00042 for each €1,000 sum insured.

### BUSINESS INCOME EXPOSURE

Dwellings: 0.005‰ sum insured.

Other goods: 0.25‰ sum insured.

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Fund for the insurance of extraordinary risks

- Motor: fixed amounts (see above note 2);
- Individual accident: sum insured;
- Other classes concerned by this fund (see above note 2): value of the insured object.

#### 1.2. Other taxes

The total amount of the premium to be paid by the insured.

### 2. INFORMING THE POLICYHOLDER

Tax is shown separately from the premium.

### 3. FREQUENCY OF PAYMENT

#### 3.1. Premium tax

Monthly.

### 3.2. Fire brigade tax

Annually to municipal authorities via UNESPA<sup>1</sup> which calculates the tax amount on written premiums and seeks payment from insurance undertakings.

### 3.3. Fund for the Winding-up of Insurance Companies

Quarterly.

### 3.4. National Guarantee Fund

Monthly.

### 3.5. Fund for the insurance of extraordinary risks

Monthly.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN SPAIN

#### 4.1. Person liable to tax

The insurer is liable to all taxes.

#### 4.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

##### 4.2.1. Premium tax

*Agencia Estatal de Administración Tributaria*  
Infanta Mercedes, 37  
ES - 28020 MADRID  
Tel.: +34 91 583 70 00

##### 4.2.2. Fire brigade tax

*Gestora de conciertos para la contribución a los servicios de extinción de incendios, AIE*  
Núñez de Balboa, 101  
ES - 28006 MADRID  
Tel.: +34 91 745 15 30  
**E-mail: [gestora.conciertos@unespa.es](mailto:gestora.conciertos@unespa.es)**

##### 4.2.3. Other taxes

***Consorcio de Compensación de Seguros***  
**Tel.: +34 91 339 57 01**  
**E-mail [recaudación@consorseguros.es](mailto:recaudación@consorseguros.es)**

**Departamento de Recaudación**  
**Mail**

**Departamento de Recaudación, Consorcio de Compensación de Seguros.**  
**Pº de la Castellana nº 32,**  
**28046-MADRID, ESPAÑA**

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<sup>1</sup> UNESPA (the Spanish association of insurance companies) is not a tax authority. It serves as an intermediary between insurance companies and the municipal authorities, General Councils and Autonomous Communities to whom the tax must be paid.



## 5. INSURER NOT ESTABLISHED IN SPAIN AND NOT ESTABLISHED IN THE EEA

### 5.1. Person liable to tax

See 4.1.

### 5.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

See 4.2.

## 6. INSURER ESTABLISHED IN THE EEA AND OPERATING BY WAY OF FOS

### 6.1. Person liable to tax

Tax is paid by the tax representative.

### 6.2. Nomination of a tax representative

Services companies must nominate a tax representative. This may be a physical person or an entity residing in Spain.

### 6.3. Return of tax declarations

The tax representative must complete declarations and send them with payment to the relevant tax authorities.

### 6.4. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

See 4.2.1. and 4.2.2.

Payment can be made to Banks which have an arrangement with the “Agencia Estatal de Administración Tributaria” or “Consortio de Compensación de Seguros”.

## Finland (FI)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES
		<b>Fire Brigade Charge</b>
Life and pensions	Exempt	
Accident/health	Exempt	
Patient insurance <sup>(1)</sup>	Exempt	
Credit insurance	Exempt	
Reinsurance	Exempt	
International Transport	Exempt	
Fire	22 % <sup>(2)</sup>	3 %
Motor liability	22 % <sup>(2)</sup>	
Other classes	22 % <sup>(2)</sup>	

(1) Compulsory insurance which must be taken out by hospitals to cover bodily injuries suffered by patients in connection with either medical treatment or care.

(2) **23% starting as from 1 July, 2010.**

Further information:

*Parafiscal charge levied on Motor liability insurance*

*Traffic Safety charge*

*This charge is set annually by the Ministry of Social Affairs and Health to finance the promotion of road safety. Every motor insurance company (established or operating by way of FOS) is liable to this charge. For 2009, **€ 7.5 million** will be collected from motor insurers according to their share of motor insurance premium income. The charge is collected by the Motor Insurers' Centre, which all motor insurers have to join before writing motor liability insurance in Finland.*

*Further information can be obtained from the Finnish Motor Insurers' Centre:*

*Liikennevakuutuskeskus  
Bulevardi 28  
FI - 00120 HELSINKI  
Tel.: +358 9 680 401  
Fax: +358 9 680 40 391*

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

The tax basis includes the broker's or agent's commission unless the amount of the brokers' commission is invoiced separately.

#### 1.2. Premium used to calculate fire brigade charge

The amount used for calculating the fire brigade tax is the gross amount of the fire premium. For comprehensive policies (such as householders' all risks), the tax is calculated on the portion of the premium corresponding to the fire risk.

### 2. INFORMING THE POLICYHOLDER

Premiums are inclusive of premium tax and fire brigade charge. The insurer is not obliged to indicate the charge

amount separately but it is common practice to indicate the amount of premium tax included in the premium.

### 3. FREQUENCY OF PAYMENT

#### 3.1. Premium Tax

Payable monthly. Premium tax is paid and declared monthly not later than the **12<sup>th</sup>** day of the calendar month following the month of the declaration. If tax is not paid within this period, penalties for late payment apply. Payments are made by bank transfer using the transfer order form attached to the monthly declaration.

#### 3.2. Fire brigade charge

Annual. The date is chosen by the competent authority (Provincial State Office of Southern Finland).

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN FINLAND

#### 4.1. Person liable to tax

The insurer is liable to premium tax and fire brigade tax.

#### 4.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

##### 4.2.1. Premium tax

*Uusimaa Regional Tax Office*

*(Uudenmaan verovirasto)*

Opastinsilta 12

**PO Box 1**

**FI - 00052 VERO**

Tel.: +358 20 **697014**

Fax: +358 97 31 14 792

##### 4.2.2. Fire brigade tax

*Regional State Administrative Agency of Southern Finland*

*(Etelä-Suomen aluehallintovirasto)*

Ratapihantie 9, PO BOX 110

FI - 00521 HELSINKI

Tel.: +358 20 **636 1040**

Fax: +358 20 51 63 297

### 5. INSURER NOT ESTABLISHED IN FINLAND AND NOT ESTABLISHED IN THE EEA

#### 5.1. Person liable to tax

##### 5.1.1. Premium tax

Insured.

##### 5.1.2. Fire brigade charge

Insured and broker.

#### 5.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

Same as in 4.2.

## **6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

### **6.1. Premium tax**

#### **6.1.1. Person liable to tax**

Insurer.

#### **6.1.2. Appointment of a tax representative**

Insurance undertakings not established in Finland but authorised to operate by way of FOS must designate a tax representative established or domiciled in Finland, responsible for declaring premium tax. The tax representative must be approved by the appropriate tax authority (Uusimaa Regional Tax Office). The tax representative has to be a Finnish company entered in the Trade Register and has to have sufficient skill and expertise to perform the functions of a representative.

#### **6.1.3. Registration**

*The insurer is required to notify the Uusimaa Regional Tax Office before starting FOS business. The notification should be made on the form "start-up notification" Y1, Y2 or Y3 ([www.ytj.fi](http://www.ytj.fi)).*

#### **6.1.4. Keeping records and accounts**

The tax representative must keep, for a duration of 5 years following the FOS operation, all documents essential for determining and calculating the tax.

### **6.2. Fire brigade charge**

#### **6.2.1. Person liable to tax**

Insurer.

#### **6.2.2. Appointment of a tax representative**

*The insurer is obliged to nominate a tax representative domiciled or established in Finland responsible for declaring fire brigade charge.*

#### **6.2.3. Registration**

Before any FOS operation in Finland, the name and address of the tax representative must be given to the Insurance Supervision Authority.

#### **6.2.4. Return of declarations**

Having received the names of insurers operating by way of FOS and their representatives from the Ministry of Social Affairs and Health, the Provincial State Office of Southern Finland will - in July of each year - ask the representatives for the information necessary to determine the correct amount of the fire brigade charge. The information must be submitted before 15 September.

### **6.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Same as 4.2.

## France (FR)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES		
		Specific contribution of motor insureds	National Guarantee Fund (motor/hunting)	National Agricultural Catastrophe Fund
<b>Life or annuities</b>	Exempt <sup>(1)</sup>			
<b>Construction</b>				
- craftsmen and constructors' 10 year guarantee	9%			
- works damage	9% <sup>(2) (3) (4)</sup>			
- single site policy	9% <sup>(2) (4)</sup>			
<b>Hunting (liability)</b>	9%		€0.02 per person covered	
<b>Carriers' liability</b>	Exempt			
<b>Agricultural damage</b>	Exempt			11% <sup>(5)</sup>
- frost, storm, affecting crops	Exempt			Exempt
<b>Motor</b>	18%			
- <i>liability</i>	18%	15%	0.6%	
. utility farm vehicles	Exempt	15%	0.6%	11% <sup>(5)</sup>
. motor vehicles with a weight exceeding 3.5 t.	Exempt	15%	0.6%	
- <i>accidental damage, aid of vehicles</i>	18% <sup>(2) (4)</sup>			
. utility farm vehicles	Exempt <sup>(2) (4)</sup>			11% <sup>(5)</sup>
. motor vehicles with a weight exceeding 3.5 t.	Exempt <sup>(2) (4)</sup>			
- <i>Legal protection for drivers, aid of persons</i>	9%			
<b>Fire</b>				
- normal rate	30% <sup>(2) (4)</sup>			
- goods related to craft, business and industrial activities and non-exempt farm goods	7% <sup>(2) (4)</sup>			
- related business interruption	7% <sup>(2) (4)</sup>			
- agricultural risks	Exempt <sup>(2) (4)</sup>			11% <sup>(5)</sup>
- "caisses départementales" <sup>(6)</sup>	24% <sup>(2) (4)</sup>			
<b>Goods in transit</b>	Exempt <sup>(2)</sup>			
<b>Marine</b>				
- sport, pleasure	19% <sup>(2)</sup>			
- fishing, commercial craft	Exempt <sup>(2)</sup>			
<b>Aircraft</b>	Exempt <sup>(2)</sup>			
<b>Export credit insurance</b>	Exempt			
<b>Health</b>				
- <i>indemnities and reimbursement included in health insurance</i>				
. Joint and responsible contracts <sup>(7)</sup>	Exempt <sup>(8) (9)</sup>			
. Other contracts	7% <sup>(8) (9)</sup>			
- <i>agricultural operators</i>				
. supplementary health insurance	Exempt <sup>(8) (9)</sup>			
. occupational illness	Exempt <sup>(8) (9)</sup>			
<b>Long-term care insurance</b>	Exempt			
<b>Reinsurance</b>	Exempt			
<b>Other classes</b>	9% <sup>(2) (4)</sup>			

- (1) *This exemption does not concern supplementary insurance taken out at the same time as a life contract and guaranteeing the insured against permanent or temporary disability following an accident or an illness or the doubling of the capital sum in the event of death following an accident.*
- (2) *Tax has had to be paid to the "Common Fund for Victims of Terrorism" on property insurance contracts. In 2010 the rate is €3.3 per contract, as in 2009.*
- (3) *Premiums are exempt when the cover applies to buildings used for agricultural purposes.*
- (4) *Law 95-101 (article 13) du 2 February 1995 established a deduction based on additional premiums relating to cover for natural catastrophe risks on behalf of the "Major Risk Prevention Fund". **Until March 21, 2009, the rate was 8%.** The rate is **12%** for the premiums issued from that date onwards.*
- (5) *Since 1 January 2001, the contribution rate for the "Fonds national de garantie des calamités agricoles" has been standardised and raised to 11%. In addition, with regard to agricultural loss or damage, it only applies to contracts covering loss or damage to buildings and (dead) livestock belonging to agricultural operations.*
- (6) *Survival of charity institutions from the "Ancien Régime", the "Bureau des Incendiés"; rate applicable to insurance policies taken out by these funds.*
- (7) *A contract is said to be joint and several if the premium is not fixed in the light of the state of health of the insured. For individual or optional group contracts, it is in addition required that the insurer does not collect medical information from the insured under the contract or from persons wishing to benefit from cover. A contract is defined as responsible when it provides both the guarantees and exclusion of expenses foreseen in the social security code. The law of 19 December 2007 for financing social security for 2008 completes the list of exclusions.*
- (8) *The insurance entities have to pay a contribution calculated on their health turnover – medical expenses guaranties – for the "couverture médicale universelle complémentaire". **From 1 January 2009, the contribution rate is 5,9%.***
- (9) ***Just in 2010, the insurance entities have to pay a complementary contribution in order to finance certain health measures.***

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

Tax is levied on the amount of the stipulated sums benefiting the insurer and all associated additional charges from which he benefits directly or indirectly because of the insured (General Tax Code, art. 991, 2nd sub-paragraph).

This very broad wording makes it possible to include, in addition to premiums and increases, all sums or advantages which can be monetarily assessed and from which the insurer benefits by virtue of general or special clauses in contracts or riders.

Commission for agents responsible for recovery, which insurance companies may add to the premium, is an associated additional charge to it and liable to tax. On the other hand, commission paid directly by the insured to the agents of certain companies or to brokers and which is not included in the insurer's books is not taxable.

#### 1.2. Premium used to calculate parafiscal taxes

The tax basis is the same as that defined under 1.1. It does not therefore include premium tax payable by law and not by stipulation of the parties and which does not directly or indirectly benefit the insurer.

### 2. INFORMING THE POLICYHOLDER

No legal or statutory provision obliges insurance companies to indicate explicitly the parafiscal taxes levied or their amount. Company practice differs.

### 3. FREQUENCY OF PAYMENT

#### 3.1. All taxes

The event generating tax is the premium renewal date.

Payment is monthly, within 15 days following the end of the month when the premium was issued.

The penalties which apply for delayed or non-payment of premium or parafiscal taxes are 0.4% (from the 1st January 2006) 0.75% (before this date) for delay per month to which is also added an increase of 5% of the amount whose payment has been deferred.

When this sum exceeds €1,500, payment must be by direct transfer to a Bank of France treasury account and is subject to fine. The total of the fine is 0.2% of the sum due.

#### 3.2. Absence or delay in submitting the declaration

A monthly tax declaration must be made on form n° 2787. Failure to do so or delay in payment shall be penalised by interest for delayed payment and an increase of 10%.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN FRANCE

#### 4.1. Person liable to tax

The insurer is liable to tax. However, the insurer, intermediary or policyholder are jointly and severally liable for payment of the tax where appropriate.

#### 4.2. Tax returns

**In the first fortnight of each month, the insurer must indicate the tax due on premiums issued the previous month.**

**The tax is paid by the insurer to the tax office of the place of his principal establishment or for some insurers, to the “Direction des grandes entreprises” (DGE).**

### 5. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS

#### 5.1. Person liable to tax

**The insurer is liable to tax. However, the insurer, intermediary or policyholder are jointly and severally liable for payment of the tax where appropriate.**

**The rectificative law of finance for 2009, referenced 2009-1674 and dated from 30 december 2009, abolished the obligation for foreign insurers established in the EEA to designate a French representative personally liable for the tax or any penalties.**

**When due on policies concluded with foreign insurers established in the EEA with no establishment, agency or branch in France and concluded via a broker or any other intermediary residing in France, the tax is payable by the intermediary.**

**The policyholder can be liable for the payment of the tax.**

#### 5.2. Keeping accounting and tax documents

**When the foreign insurer established in the EEA has no establishment, agency or branch in France, the**

intermediary must keep a list established under the conditions laid down in Art. 1002 of the General Tax Code and enter all insurance operations concluded by the foreign insurers established in the EEA. An extract from this list must be made quarterly and deposited with the tax services receiving payment.

### 5.3. Tax returns

The rules should be the same than the ones for the insurer established in France. Due to the reform provided by the rectificative law of finance for 2009, some new information are expected from the fiscal administration.

## 6. INSURER NOT ESTABLISHED IN FRANCE AND NOT ESTABLISHED IN THE EEA

### 6.1. Person liable to tax

Payment of taxes on insurance contracts and their associated additional charges is made by a tax representative.

### 6.2. Appointment of a tax representative

Insurance undertakings not established in France **and not established in the EEA** must appoint a representative. The representative - resident in France - may be a physical person or a legal entity; it may also be an establishment which the services undertaking has in France.

The appointment of the representative is made in the form of a simple, signed and dated letter from a person qualified to commit the foreign undertaking.

The representative must undertake to pay all duties and penalties.

### 6.3. Tax returns

**In the first fortnight of each month, the representative must indicate the tax due on premiums stipulated for the foreign insurer and issued the previous month and pay this tax within the same period to the tax office of his domicile.**



## United Kingdom (GB)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES
		<b>Fire Brigade Charge</b>
<b>Life and pensions</b>	Exempt <sup>(1)</sup>	Exempt <sup>(1)</sup>
<b>Fire</b>	5%	GBP35 per GBP1 million of the gross value of goods insured <sup>(2) (3)</sup>
<b>Private medical insurance</b>	5%	Exempt
<b>Travel and certain extended warranty and mechanical breakdown</b>	17.5% <sup>(4)</sup>	Exempt
<b>Marine, Aviation and Transport</b>	Exempt <sup>(5)</sup>	Exempt <sup>(6)</sup>
<b>Export credit</b>	Exempt	Exempt
<b>Reinsurance</b>	Exempt <sup>(7)</sup>	Exempt
<b>Other classes</b>	5% <sup>(7)</sup>	Exempt

- (1) The exemption for life insurance also applies to most other types of long-term insurance business as defined by the Interim Prudential Sourcebook for Insurers Volume One: Chapter II Annex 11.1. The classes of insurance business within this definition are essentially the same as those described in Article 1 of Directive 79/267/EEC. An exception is private medical insurance written as long term business.
- (2) Fire brigade charges are imposed by the Metropolitan Fire Brigade Act 1865, London Government Act 1966 and London Government Act 1985. They apply to every insurance company writing fire insurance on property in the Inner London Boroughs of the Greater London Area. This comprises the Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth, Westminster and the City of London.
- (3) Property risks insured against fire to be included comprise: goods in transit, motor vehicles, buildings and contents, short-term risks, contractors' all risks (CAR) policies (including those relating to property in the course of erection), ships, boats, trains and aircraft, and terrorism cover.
- (4) A higher rate of 17.5% IPT (equal to the VAT rate) applies where insurance is sold either by a supplier (or someone connected to a supplier) of motor cars, small vans or motorcycles or a supplier of domestic appliances.
- (5) The exemption for MAT business applies only to commercial ships of at least 15.24 tonnes gross tonnage and commercial aircraft weighing at least 8 tonnes, lifeboats, foreign or international railway rolling stock, loss/damage to goods in international transit.
- (6) Fire brigade tax applies to MAT insofar as this class of insurance includes fire risks within the specified Inner London Area (see 2).
- (7) Following a court decision, neither the surety bonds nor the reinsurance of surety bonds are subject to IPT at 5%

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

The premium for the purposes of IPT includes the risk insured, administration costs charged to policy holders, brokers' and agents' commission, any charge for credit. In respect of insurance liable to the 17.5% rate, additional fees charged by intermediaries (taxable intermediaries) for arranging the insurance are also liable to 17.5% IPT.

#### 1.2. Premium used to calculate parafiscal taxes

The fire brigade charge is calculated by reference to the gross value of the property insured and not the premium.

### 2. INFORMING THE POLICYHOLDER

Premiums are inclusive of premium tax. There is no obligation for the insurer to identify the amount of tax separately to the policyholder.

### 3. FREQUENCY OF PAYMENT

#### 3.1. Fire brigade charges

Quarterly, in advance commencing on 1 January of each year.

#### 3.2. Premium Tax

Quarterly, in arrears.

The event generating a liability to account for tax is the receipt by the insurer (or another person acting on behalf of the insurer) of premium relating to a taxable insurance contract. Taxable intermediaries are liable to account for tax when they receive a fee.

The vast majority of insurers in the UK, however, account for tax by reference to the date at which they write the premium into their accounts rather than the date of receiving the cash. The insurer has the option to choose which of these two accounting bases, "cash receipt" or "written premium", it uses but must then operate its choice on a consistent basis and get approval from the tax authorities if it wishes to change basis.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN THE UNITED KINGDOM

#### 4.1. Person liable to tax

##### 4.1.1. Fire brigade charges

Insurer.

A form is sent to him by the London Fire Brigade. Every year insurance companies owing this tax must make a declaration to the London Fire and Emergency Planning Authority (LFEPA) which calculates the amount owed.

Payments may be made by cheque, cash, postal order, credit transfer under the Bankers Automatic Clearing System (BACS), the Clearing House Automated Payment System (CHAPS) or Bank Giro. Payment cannot be made by direct debit. Penalties can be levied for non-submission of returns. Failure to comply with inspection process can result in summary conviction leading to penalties.

##### 4.1.2. Premium tax

Insurer / Taxable intermediary.

Form IPT 100 must be returned to HM Revenue & Customs (HMRC), together with the tax due, by one month after the end of the quarterly period to which the form relates. The address for HMRC is on the payslip attached to the return form.

Payment may be made by cheque, cash, postal order, direct debit, credit transfer (BACS, CHAPS or Bank Giro).

The law provides for the insurer or taxable intermediary to be liable for a penalty if it either fails to submit a tax return or pay tax by the due date. This penalty is equal to 5% of the tax due, or GBP 250 (whichever is greater) plus a daily penalty of GBP 20 for each day after the due date that the failure to pay or failure to make the return continues.

#### 4.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

*HM Revenue & Customs  
IPT Central Collection Unit*

*Alexander House, 21 Victoria Avenue,  
GB - SOUTHEND ON SEA X, SS99 1AA  
Tel: 0845 010 9000 (National Advice Service)*

#### **4.2.1. Fire brigade charges**

London Fire and Emergency Planning Authority (LFEPA)  
Directorate of Resources, Finance Department, third floor  
169 Union Street  
LONDON  
SE1 0LL'  
Tel.: +44 20 85 55 12 00  
Contact: Mr G. Jones

#### **4.2.2. Premium tax**

The tax is administered by *HM Customs & Excise*.  
*HM Revenue & Customs*  
*VAT Policy Group, Liability & IPT Division*  
*Finance and Insurance Team*  
3<sup>rd</sup> Floor East  
1 Parliament Street  
GB - LONDON SW1A 2BQ  
Tel.: +44 207 147 0000

### **5. INSURER (OR TAXABLE INTERMEDIARY) NOT ESTABLISHED IN THE UNITED KINGDOM AND NOT ESTABLISHED IN THE EEA**

#### **5.1. Person liable to tax**

##### **5.1.1. Fire brigade charges**

The procedures are the same as set in 4.1.1. for insurers established in the UK.

##### **5.1.2. Premium tax**

Premium tax is paid by the insurer (or taxable intermediary) who must appoint a tax representative. The insurer (or taxable intermediary) and tax representative are jointly and severally responsible for payment. The procedures are the same as for an insurer established in the EEA.

#### **5.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Same as 4.2.

### **6. INSURER (OR TAXABLE INTERMEDIARY) ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

#### **6.1. Person liable to tax**

##### **6.1.1. Fire brigade charges**

The procedures are the same as set out in 4.1.1.

##### **6.1.2. Premium tax**

Premium tax is paid by the insurer (or taxable intermediary) who must appoint a tax representative. The insurer (or taxable intermediary) and tax representative are jointly and severally responsible for payment.

#### **6.2. Appointment of a tax representative**

A tax representative must be appointed by an insurer (or taxable intermediary) writing the services business.

If the insurer (or taxable intermediary) does not do this, then HMRC may direct that any person who is an agent of the insurer (or taxable intermediary) to be the tax representative. HMRC also have the power to withdraw their approval for an existing representative and to require the appointment of a new one.

If the insurer already has a general representative in the UK, that person may be nominated as his tax representative.

If there is no general representative or the general representative does not wish to act in relation to IPT, the insurer (or taxable intermediary) must nominate someone else in the UK to act as his tax representative and ask HMRC to approve that person. This request can be made on the "IPT 1" application form.

The tax representative is responsible for ensuring that all obligations are met and that all liabilities in relation to insurance premium tax are discharged.

If the insurer (or taxable intermediary) fails to meet these requirements, the tax representative will be held personally responsible, as if all obligations and liability were imposed jointly and severally on both the insurer (or taxable intermediary) and the tax representative. However, notification of liability to register on the "IPT 1" application form is the sole responsibility of the insurer.

### **6.3. Registration**

The insurer (or taxable intermediary) is required to notify HMRC within 30 days if, he forms (or has already formed) the intention to receive premiums in the course of a taxable business. This notification should be made on the "IPT 1" tax form. The effective date of registration will be the date on which the first premium is received.

The insurer (or taxable intermediary) should receive a certificate of registration and registration number within 3 weeks of sending in his form.

### **6.4. Keeping records and accounts**

The insurer (or taxable intermediary) must keep records of all business transactions affecting the amount of IPT he has to pay. These include, for example, policy documents, cover notes, endorsements, copy invoices and renewal notices, credit and debit notes and any summaries that have been prepared showing premium income received or written and IPT tax due. If the insurer (or taxable intermediary) intends to keep the IPT records on computer, he has to inform HMRC.

The records must be preserved for 6 years unless prior agreement has been obtained from HMRC that some records can be kept for a shorter period. When asked to do so, the insurer (or taxable intermediary) must produce the records for inspection so that it can be confirmed that the correct amount of IPT has been paid.

#### **Fire Brigade Charges**

Insurers should keep full supporting records for their returns for six years. The LFEPA has inspection rights to review insurers' records and periodically exercise these rights.

### **6.5. Submitting IPT returns**

Every 3 months, the insurer (or taxable intermediary) will receive an IPT return (form IPT 100). He must complete this form to account for the tax due on taxable premiums received.

### **6.6. Making IPT payments**

- **Direct Debit**

The Direct Debit mandate enclosed in the registration pack should be completed and sent in with the IPT

returns by the date indicated. The amount due is debited 7 days later. An extra 7 days is allowed for paying by direct debit but the tax return IPT 100 must still be sent in by one month after the end of the quarterly period.

- Credit Transfer

IPT returns should be sent in by the date indicated. An extra 7 days are given to make the payment.

- Cheque

IPT returns should be sent in - by the due date - with a crossed cheque made payable to "HM Revenue & Customs".

**6.7. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

*HM Revenue & Customs*

*IPT Central Collection Unit*

*Alexander House, 21 Victoria Avenue*

*GB - SOUTHEAST ON SEA X, SS99 1AA*

*Tel: 0845 010 9000 (National Advice Service)*

## Greece (GR)

CLASS OF INSURANCE	PREMIUM TAX <sup>(1)</sup>		PARAFISCAL TAXES	
	[ex FKE]	TEO (Road Tax) <sup>(8)</sup>	Pension Funds <sup>(2)</sup>	Motor Guarantee Fund
<b>Life</b> <sup>(3)</sup>				
- contracts less than 10 years	4%		5% <sup>(4)</sup>	
- contracts more than 10 years	Exempt		5% <sup>(4)</sup>	
<b>Liability</b>	10%		2%	
<b>Motor</b>				
- all risks excluding fire	10%	1%	2%	
- fire	20% <sup>(5)</sup>	1%	2%	
- liability	10%	1%	2%	5% <sup>(7)</sup>
<b>Fire</b>				
- normal tariff (excluding earthquake and terrorism)	20% <sup>(5)</sup>		2%	
- damage caused by strikes, earthquakes, explosion, terrorism	10%		2%	
- tobacco growing	15%		2%	
<b>Health</b>	10%		1%	
<b>Accident</b>	10%		2%	
<b>Marine/Aviation</b>				
- hull/construction	Exempt		Exempt	
<b>Goods in transit</b>				
- in Greece	10%		1%	
- international	Exempt		1%	
<b>Reinsurance</b>	Exempt		<sup>(6)</sup>	
<b>State export credit</b>	Exempt		Exempt	
<b>Other classes</b>	10%		1%	

- (1) By law 3492/2006, turnover tax (FKE) has been renamed as premium tax, which continues to be imposed under the same preconditions and on the same transactions, as ex FKE. The concerned alteration was rather more of a typical character than affecting substantially the existing legislative context.
- (2) Contributions to the Employees' Pension Fund for the insurance industry (TEAA). The insured is not subject to this tax which is paid directly by the insurers. From 1 January 1993, and only for employees employed after that date, in addition to the contribution calculated as a percentage of premiums, there is an additional 6% contribution to the Fund based on the employee's total wages. This contribution is financed half by the insurer and half by the employee. This additional contribution calculated on the employee's total wages is not applicable to F.O.S. policies.
- (3) All additional clauses are subject to a tax of 10% per year.
- (4) The tax is only due on premiums for the first year.
- (5) Under pre-mentioned law 3492/2006, premium tax rate on fire insurance class is now set at 20%. This tax rate resulted from assimilating the previous fire brigade tax paid with FKE to the pre-existing rate of turnover tax on fire insurance class. As a total, a 20% premium tax rate is now paid to the State.
- (6) The contribution to the Fund is paid at the level of direct insurance.
- (7) Contribution to the Motor Guarantee Fund, calculated on pure premium for the motor liability class (class N° 10, Annex A, 73/239/EEC). 70% is financed by the insurer and 30% by the insured. The tax rate was increased from 2% to 5% by a Ministerial Decision on 8 January 1996 (OJ of 11.01.96).
- (8) Following a ministerial decision of 26 November 1998 (K3-11475), 60% of the Road Tax must be paid directly to the Guarantee Fund. Frequency of payment remains the same but insurers must pay 60% of the Road Tax to the Motor Guarantee Fund.

Pursuant to law 3746/09, stamp duty has been annulled from 1.1.2009 on both life and non life premiums.

*(9) Pursuant to law 3746/09, stamp duty has been annulled from 1.1.2009 on a) both life and non life premiums, b) surrender value of life insurance policies and c) interest arising out of insurance indemnities. However, pursuant to an interpretative decision of the Ministry of Economic and Finance published after law 3746/09 entered into force, it was provided that premiums of legal expenses insurance are excluded from the scope of the specific fiscal regulation. Due to this arbitrary interpretation, the H.A.I.C. has launched into a long series of actions to persuade fiscal authorities for its withdrawal but until today with no success. It should also be noted that national fiscal system is at the present time in the process of reformation carried out by current Government and extensive changes are expected, some of which may affect insurance field. The H.A.I.C will keep the CEA informed of these developments, as soon as fiscal reformation is finalized.*

**Unofficial translation:**

FOROS ASFALISTRON (ex FOROS KYKLOY ERGASSION): *Premium Tax (ex Turnover Tax-FKE)*

TELI HARTOSSIMOU: *Stamp Duty*

TAMIO ETHNIKIS ODOPIAS: *Road Tax (TEO)*

TAMIO EPIKOYRIKIS ASFALISSEOS ASFALISTON: *Pension Fund*

FOROS YPER PYROSVESTIKIS YPIRESSIAS: *Fire Brigade Tax*

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium tax (ex Turnover tax-FKE)

Object of premium tax is all premiums written in a quarter plus policy duties<sup>2</sup>, less premiums corresponding to cancelled contracts for the same quarter and policy duties for these cancelled contracts.

Basis for the calculation: premiums + policy duties.

#### 1.2. Road tax

The amount used to calculate road tax is premium (including the intermediary's commission).

#### 1.3. Pension Fund

##### 1.3.1. Premium-based

See 1.2. and note (2).

##### 1.3.2. Wage-based

6% of employee's total wages, half financed by the employer and half by the employee.

#### 1.4. Motor Guarantee Fund Tax

See 1.2.

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<sup>2</sup> The "policy duty" is a percentage of the premium which is returned to the insurance company. For the motor, fire and life classes, the policy duty is determined by Ministerial decision. In other cases, the amount is fixed at the discretion of the insurance company.

## 2. INFORMING THE POLICYHOLDER

All insurance contracts include an analysis of premiums so that the insured knows the amount of tax imposed.

## 3. FREQUENCY OF PAYMENT

### 3.1. Premium tax (ex Turnover tax-FKE)

Payable quarterly within 90 days of the end of the quarter by cheque. In June for the premiums for January, February, March; in September for the premiums for April, May, June; in December for the premiums for July, August, September; in March for the premiums for October, November, December.

### 3.2. Road tax

Payable quarterly within 30 days of the end of the quarter by cheque.

### 3.3. Pension Fund

#### 3.3.1. Premium-based

Payable monthly within the 4 months following the end of the month.

#### 3.3.2. Wage-based

Payable monthly within the 30 days following the end of the month.

### 3.4. Motor Guarantee Fund

Every two months within 15 days of the end of the two-month period.

## 4. PENALTY PAYMENTS IF TAX IS NOT DULY PAID

Various fines in the form of an additional tax levied per month of delay, as follows:

- 1.5% of the tax in the case of delayed statement
- 3% of the tax in the case of inaccurate statement
- 3.5% of the tax in the case of no statement

## Special rules applicable depending on the method of establishment of the insurance company

## 5. INSURER ESTABLISHED IN GREECE

### 5.1. Person liable to tax

The insurer is liable to all taxes. In the event of non-payment of the tax by the insurer, no one else is jointly and severally liable for payment.

### 5.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

#### 5.2.1. Premium tax

DOY / DIMOSSIA IKONOMIKI YPIRESSIA  
(Athens company department)  
Thisseos 55  
GR - 17671 KALIPTEA



#### 5.2.2. Road tax

*ETHNIKI TRAPEZA ELLADOS*  
National Bank of Greece  
Account n° 507007 44

#### 5.2.3. Pension Fund

*ETHNIKI TRAPEZA ELLADOS*  
National Bank of Greece  
Account n° 545033 07

#### 5.2.4. Motor Guarantee Fund

*ETHNIKI TRAPEZA ELLADOS*  
National Bank of Greece  
Constitution Square Agency (Syndagma)  
Account n° 104 480411 28

### 5.3. Deposit of declarations

The tax representative - when depositing the declaration of payment of premium tax for the last quarter of the previous year - must submit to the Athens taxation department for limited companies (DOY) the complete list of all insurance contracts issued by the insurance company which he represents and whose premiums are subject to indirect taxation in accordance with existing Greek legislation.

In this list, drafted in Greek, must be shown the references of the undertaking represented, the references of insureds and the amounts of premiums for the previous year.

### 5.4. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

Same as in 5.2.

## 6. INSURER NOT ESTABLISHED IN GREECE AND NOT ESTABLISHED IN THE EEA

There are no tax provisions for non-established insurers except for insurers established in the EEA and operating by way of FOS (see 7).

## 7. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS

### 7.1. Person liable to tax

The tax representative is liable for all taxes. The representative and the insurance undertaking are jointly and solidly liable for the application of the provisions relating to premium tax.

### 7.2. Nomination of a tax representative

Any insurance undertaking established in another EEA Member State must nominate a tax representative in accordance with the provisions of **article 36 paragraph 4d of law 2859/2000 (ex article 29 paragraph 4d of law 1642/86)**. A tax representative may be any natural person or legal entity with the head office of his professional activity or permanent domicile in Greece.

The nomination must be made before the conclusion of any insurance contract, by depositing a copy of the relevant deed with the head of the Athens taxation department for limited companies (DOY) competent for the taxation of the representative's income. This copy must be written in or translated into Greek and certified by the consular authority of the head office country of the insurance undertaking.

Once the nomination has been deposited, the tax representative receives a registration number which remains the same for the company represented even if the person of the representative changes.

The tax representative has the same tax obligations and rights as insurance undertakings established in Greece.

### **7.3. Deposit of declarations**

The tax representative - when depositing the declaration of payment of premium tax for the last quarter of the previous year - must submit to the Athens taxation department for limited companies (DOY) the complete list of all insurance contracts issued by the insurance company which he represents and whose premiums are subject to indirect taxation in accordance with existing Greek legislation.

In this list, drafted in Greek, must be shown the references of the undertaking represented, the references of insureds and the amounts of premiums for the previous year.

### **7.4. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Same as in 5.2.

## Croatia (HR)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES
<b>Motor</b>		
- liability	15%	7% <sup>(2)</sup>
- hull	10%	5% <sup>(1)</sup>
<b>Fire</b>		5% <sup>(1)</sup>
<b>Other insurance for damage to goods</b>		5% <sup>(1)</sup>
<b>Marine/Aviation hull</b>		5% <sup>(1)</sup>
<b>Other classes</b>		5% <sup>(1)</sup>

(1) Only for insurance contracts which also cover fire risks

(2) 7% of the MTPL risk premium income (paid premium less administrative loading) to cover costs of the Croatian Institute for Health Insurance related to traffic accidents caused by insured motorists.

Introduced by the Law on Obligatory Health Insurance that entered into force on 1<sup>st</sup> January 2009 (Official Gazette "Narodne novine" No. 150/08) - for insurance contracts concluded as from 1<sup>st</sup> January 2009 - and amended by the Law on Amendments to the Obligatory Health Insurance Law (Official Gazette "Narodne novine" No. 94/09) lowering the applicable rate from 10% to 7% as from 1<sup>st</sup> August 2009.

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

Tax is calculated on written premium to be paid by the insured.

### 2. INFORMING THE POLICYHOLDER

#### 2.1. Premium tax

Premium tax is shown separately from the premium.

#### 2.2. Fire brigade tax

There are no specific provisions about informing the policyholder.

### 3. FREQUENCY OF PAYMENT

#### 3.1. Premium tax

Monthly, payable within 15 days following the end of the month.

#### 3.2. Fire brigade tax

Monthly, payable within 15 days following the end of the month.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN CROATIA

#### 4.1.1. Premium Tax

Tax is levied on the payment of premiums for insurance contracts concluded in Croatia. Until the accession of the Republic of Croatia to the EU insurance companies transacting business in the territory of the Republic of Croatia must be established as Croatian insurance companies in compliance with the Croatian Insurance Act Official

Gazette – Narodne Novine 151/05.

#### **4.1.2. Fire Brigade Tax**

Tax is levied on the payment of premiums for insurance contracts concluded in Croatia

#### **4.2. Person liable to tax**

The insurer is liable for all taxes.

##### **4.2.1. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Tax in its total is a revenue of the National Budget.

Premium tax must be remitted to the tax authority (Porezna Uprava at the Ministry of Finance) of the district in which the insurer has his head office. The head office of the tax authority is:

MINISTARSTVO FINANCIJA  
POREZNA UPRAVA  
Katančičeva 5  
HR-10000 ZAGREB  
tel. 00385 1 4591 333  
fax. 00385 1 4591 238  
HRVATSKA VATROGASNA ZAJEDNICA (CROATIAN FIRE BRIGADE)

Insurance companies pay a fire service levy of 5% of their premium income. These funds are shared out as follows: 30% to a special bank account of the Croatian Fire Brigade, 30% to the special bank account of the County Fire Brigades and of the Fire Brigade of the City of Zagreb and 40% to the account of the local Fire Brigade i.e. the regional Fire Brigade where the insured property is situated.

The head office of the Croatian Fire Brigade is:

HRVATSKA VATROGASNA ZAJEDNICA  
Našička 14  
HR – 10000 ZAGREB  
tel. 00385 1 3689 160  
fax. 00385 1 3025 026  
E-mail: hvz@hvz.hr

#### **4.4. Return of declarations - Payment of tax**

##### **4.4.1. Premium tax**

Insurers established in Croatia must complete and submit the declaration form to the relevant tax authorities and pay the tax by no later than 15 days after the end of the month (declaration period). The declaration period is the calendar month.

##### **4.4.2. Fire brigade tax**

Payment is made within 15 days after the end of the month. Insurers are not obliged to submit the declaration form. However, the fulfilment of these commitments is supervised by the competent local tax authorities.

#### **4.5. Keeping accounting and tax documents**

In compliance with the Croatian Accounting Act.

#### **4.6. Sanctions envisaged in the event of non-payment of taxes**

If the insurer does not declare and remit the tax, the relevant authority may impose a fine and undertake an assessment of the tax.

**Notes:**

**1. In addition to the quoted taxes and fire service levies insurance companies (and other entrepreneurs) pay the following contributions from their corporate income:**

**1.1. Contribution for useful forest function to 0.07% - quarterly – 30 days following the end of the accounting period. Contact details:**

HRVATSKE ŠUME d.o.o.  
DIEKCIJA  
Ljudevita Farkaša Vukotinovića 2  
HR – 10000 ZAGREB  
tel.: 00385 1 4804 111  
fax. 00385 1 4808 101  
E-mail: [direkcija@hrsume.hr](mailto:direkcija@hrsume.hr)

**1.2. Contribution to the Croatian Chamber of Economy**

The contribution rate and the base rate for the calculation of the contribution for every year is being established by the Assembly of the Chamber.

The contribution consists of membership dues categorized in 3 groups according to their realized corporate income:

I. 55.00 HRK

II. 1500.00 HRK

III. 5500.00 HRK

and of an annual financial commitment which in 2008 was 0.01% of the members' corporate income in 2006.

The contribution is paid on a monthly basis 1/12, on the last date in the month for the current month.

Contact details:

HRVATSKA GOSPODARSKA KOMORA  
Rooseveltov trg 2  
HR – 10000 ZAGREB  
tel.: 00385 1 4561 555  
fax. 00385 1 4828 380  
E-mail: [hgk@hgk.hr](mailto:hgk@hgk.hr)

**2. Premiums for Life insurance with a savings component, for supplementary health and private health insurance, or for voluntary private pension insurance paid within a fiscal year by the insured person – policyholder may be used as his/her personal tax deduction.**

## Hungary (HU)

CLASS OF INSURANCE	PREMIUM TAX *	PARAFISCAL TAXES
		<b>Fire Brigade Tax</b>
<b>Life</b>	Exempt	
<b>Health</b>	Exempt	
<b>Accident</b>	Exempt	
<b>Motor Liability</b>	Exempt	1.5% of premiums paid
<b>Hail</b> (including destruction of glasshouses and forcing frames in market gardening and horticulture)	Exempt	1.5% of premiums paid
<b>Fire</b>	Exempt	1.5% of premiums paid
<b>Other insurance for damage to goods</b>	Exempt	1.5% of premiums paid
<b>Cross-frontier goods in transit</b>	Exempt	1.5% of premiums paid
<b>Marine hull</b>	Exempt	1.5% of premiums paid
<b>Export credit</b>	Exempt	
<b>Livestock</b>	Exempt	1.5% of premiums paid
<b>Reinsurance</b>	Exempt	
<b>Other classes</b>	Exempt	

\* In Hungary there is not currently any insurance tax in the life or non-life classes.

There is a payment similar to fire brigade tax for the various classes of non-life insurance which is as follows:

First Non-Life Directive

Annex 1 A. Classification of risks according to classes of insurance

3. Land vehicles (other than railway rolling stock)
4. Railway rolling stock
5. Aircraft
6. Ships (sea, lake and river and canal vessels)\*
7. Goods in transit (including merchandise, baggage and all other goods)
8. Fire and natural forces
9. Other damage to property
10. Motor vehicle liability
11. Aircraft liability

\* The tax only covers damage to or loss of river ships.

## General rules applicable to all insurance companies

Since 1 May 2004 EEA companies have also been able to operate in Hungary under freedom to provide services. So far approximately 280 companies have registered with the supervisory authority.

The rules for fire brigade tax also apply to branch offices from the EEA and other countries and to services provided under FOS if the risk is situated in Hungary.

### 1. PREMIUM USED TO CALCULATE FIRE BRIGADE TAX

The basis for tax assessment is the premium paid in the classes concerned.

The tax rate is 1.5% for each class from 1 January 2007.

## 2. INFORMING THE POLICYHOLDER

No information about the fire brigade tax is provided in the receipt for the insured.

## 3. PAYMENT PROCEDURES

### 3.1. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

The payment is made into an account of the Ministry for Self-Regulations.

**ÖM** Pénzügyi Erőforrásgazdálkodási Főosztály

József A. u. 2-4

HU - 1051 BUDAPEST

Tel.: +36 1 441 11 23

**FAX: +36 1 441 18 35**

**E-mail: [penzugyi.fo@otm.gov.hu](mailto:penzugyi.fo@otm.gov.hu)**

Account No: 10023002-01009349-50000005

BIC/SWIFT Code: MANEHUHB

IBAN: HU42 1002300 201009349 500000 05

It is used for the development of equipment used by the fire protection authority.

### 3.2. Payment of Fire Brigade tax

The payment must be made on a quarterly basis, by 30th of the month following. A final annual settlement must be made by 30th day after acceptance of the annual balance sheet.

**Foreign insurance companies are selling in Hungary services by FOS (cross border), that are subject to the fire brigade taxpaying have to send once a year a letter to the Ministry Department. In the letter the Ministry must be informed about the relevant activity of the insurance company in Hungary and data for the calculation of the fire brigade taxpaying must be also enclosed in a form of excel file. It is no obligation to appoint a tax representative in Hungary. The Ministry send a notification about the income of the remittance**

## Ireland (IE)

CLASS OF INSURANCE	GOVERNMENT LEVY	STAMP DUTY
Life	1%	Exempt
Non-life	3%	€1 per new contract
Marine, aviation and transport	Exempt	Exempt

### General rules applicable to all insurance companies

#### 1. TAX BASIS

##### 1.1. Government levy

###### Life insurance

The **1% tax** is levied on each insurer's "assessable amount" of premium income. The "assessable amount" is the gross amount of premiums received in respect of business in Ireland but excluding pensions business (as defined in the Irish tax legislation).

###### Non-life insurance

The **3%** levy is levied on each insurer's "assessable amount" of premium income rather than attaching specifically to individual policies. The "assessable amount" is the gross amount of premiums received by the insurer in respect of business in Ireland, excluding reinsurance and MAT premiums. The gross amount includes commission payable to intermediaries

##### 1.2. Stamp duty

Stamp Duty is payable on all new non-life policies written. As all renewal business is exempt from this charge, the total stamp duty payable is quite low. Life policies are exempt from stamp duty since 1 January 2001.

#### 2. INFORMING THE POLICYHOLDER

The Insurance Act 2000 signed in December 2000 contains provisions for the amount of the tax deduction to be notified separately to the insured.

#### 3. FREQUENCY OF PAYMENT

##### 3.1. All taxes

Quarterly. It must be made by cheque accompanied by the declaration within 30 days following the end of each quarter. After this date, a sanction of 12% per annum is added to the amount owed. In the case of non-payment, the Revenue Commissioners may ask the courts for the company to be wound up.

### Special rules applicable depending on the method of establishment of the insurance company

#### 4. INSURER ESTABLISHED IN IRELAND

##### 4.1. Person liable to tax

The insurer is liable to all taxes.

##### 4.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

Revenue Commissioners



Capital Taxes Branch  
Companies Capital Duty  
Dublin Castle  
IE - DUBLIN 2  
Tel.: +353 1 679 27 77  
Fax: +353 1 679 32 61  
E-mail: [captax@revenue.ie](mailto:captax@revenue.ie)

## **5. INSURER NOT ESTABLISHED IN IRELAND AND NOT ESTABLISHED IN THE EEA**

To operate in Ireland, the insurer must have a branch in Ireland which will be liable to taxes (see 4.).

## **6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

### **6.1. Person liable to tax**

The tax authorities do not require the nomination of a tax representative but contact the non-established insurer directly with regard to the remittance of taxes.

### **6.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Same as 4.2.

## Iceland (IS)

CLASS OF INSURANCE	STAMP DUTY <sup>(1)</sup>	PARAFISCAL TAXES		
		Fire Prevention Tax	Fire Valuation Fee	Prevention Tax (Avalanche and Landslide)
<b>Pension</b> (capitalisation)	ISK2.40 per ISK1,000 sum insured			
<b>Fire</b>	ISK0.60 per ISK1,000 sum insured	0.0045% sum insured		
- real estate (excluding ships and aircraft)	Exempt	0.0045% sum insured	<b>0.00021% <sup>(2)</sup> sum insured</b>	0.03% sum insured
<b>Household and property multirisk</b>	ISK0.60 per ISK1,000 sum insured		<b>-0.00021% <sup>(2)</sup> sum insured</b>	
<b>Motor</b>	ISK0.60 per ISK1,000 sum insured			
<b>Compulsory third party</b>	Exempt			
<b>Marine &amp; Transport</b>	ISK0.24 per ISK1,000 sum insured			
<b>Livestock</b>	ISK0.24 per ISK1,000 sum insured			
<b>Accident, health, travel</b>	4%			
<b>Reinsurance</b>	Exempt			
<b>Other classes</b>	8%			

(1) All insurance policies carry Stamp Duty with the following exceptions:

- fire insurance on dwellings,
- accidents at work,
- compulsory third party aviation insurance,
- compulsory third party motor insurance,
- compulsory insurance for small fishing vessels (under 100 tonnes),
- insurance related to fishing and agricultural products,
- insurance related to the transport of goods between Iceland and other countries.

(2) Since 1 August 2008

### Unofficial translation:

Stimpilgjald:	Stamp Duty
Brunavarnagjald:	Fire Prevention Tax
Umsysluggjald:	House Valuation Tax
Gjald til Ofanflodasjods:	Prevention Tax (Avalanche and Landslide)

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

The basis of the tax includes brokers' and agents' commission.

#### 1.2. Premium used to calculate the fire prevention tax

The amount taken into account for the calculation of the tax does not include stamp duty.

### 2. INFORMING THE POLICYHOLDER

Taxes are indicated separately from the amount of the premium.

### 3. FREQUENCY OF PAYMENT

#### 3.1. Stamp Duty

Stamp Duty may be paid by buying a special stamp which is subsequently affixed to the policies or by paying monthly (on the 10th of each month) in accordance with the actual amount of the duty the month before. Duty is not paid on renewals.

#### 3.2. Fire Prevention Tax

Quarterly.

#### 3.3. House Valuation Tax

Monthly.

#### 3.4. Prevention Tax (Avalanche and Landslide)

Monthly.

### 4. PERSON LIABLE TO TAX

The insurer is liable to all taxes.

### 5. NAME AND ADDRESS OF THE TAX AUTHORITIES TO WHICH TAXES MUST BE REMITTED AND FROM WHICH FURTHER INFORMATION CAN BE OBTAINED IF NECESSARY

#### 5.1. Stamp Duty

*Ríkisfjárhirsla*  
Sölvhólgata 7  
IS - 150 REYKJAVÍK  
Tel.: +354 560 92 70  
Fax: +354 562 36 75

#### 5.2. Fire Prevention Tax

*Brunamálastofnun*  
*ríkisins* Laugavegur 59  
IS - 101 REYKJAVÍK  
Tel.: +354 552 53 50  
Fax: +354 552 54 13

### **5.3. House Valuation Tax**

*Fasteignamat ríkisins*

Borgartúni 21

IS - 105 REYKJAVÍK

Tel.: +354 561 42 11

Fax: +354 561 46 36

### **5.4. Prevention Tax (Avalanche and Landslide)**

*Viðlagatrygging Íslands*

Laugavegi 162

IS - 105 REYKJAVÍK

Tel.: +354 552 96 77

Fax: +354 562 96 75

## Italy (IT)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES			
		Solidarity Fund for Victims of Extortion and Usury <sup>(1)</sup>	Contribution for Emergency Treatment	Road Accident Victims' Fund	Hunting Accident Victims' Fund
<b>Life</b>	Exempt <sup>(2)</sup>				
<b>Liability</b>	21.25%	1%			
- hunting liability	21.25%	1%			5% (of 93.9% of the premium)
- travel operators <sup>(3)</sup>	21.25%	1%			
<b>Civil nuclear energy</b>	2.5%	1%			
<b>Motor (all elements of cover)</b>	12.5%	1%			
- motor liability (including third party cover for pleasure boats)	12.5%		10.5%	2.5% (of 93.9% of the premium)	
<b>Fire</b>	21.25%	1%			
<b>Theft</b>	21.25%	1%			
<b>Personal accident/health</b>	2.5% <sup>(4)</sup>				
<b>Transport</b>					
- sea/air	7.5% <sup>(5)</sup>				
- rail/road	12.5% <sup>(5)</sup>				
<b>Agricultural risks</b>					
- crops (damage caused by weather)	2.5%				
- livestock	2.5%				
- liability	12.5%	1%			
- fire	12.5%	1%			
<b>Credit/suretyship</b>	12.5%				
<b>Assistance</b>	10%				
<b>Reinsurance</b>	Exempt				
<b>Export credit</b>	<sup>(6)</sup>				
<b>Other classes</b>	21.25%				

(1) Decree law n° 419 of 31 December 1991, converted to Law n° 172 of 18 February 1992, introduced an additional charge of 1% on premiums for contracts covering fire, general liability, miscellaneous motor risks and theft to finance a Solidarity Fund for Victims of Extortion and Usury.

(2) The exemption applies to contracts taken out since 1 January 2001; contracts concluded before that date remain subject to 2.5% premium tax.

(3) Compulsory tour operators' liability insurance is also subject to 2% contribution for the "Package Holiday Consumers Fund", paid monthly to the Provincial Treasury during the first 2 weeks of the month which follows that of the payment of the premium.

(4) If employers' liability cover for accidents at work is included, the tax rate is 4.38%. The tax rate is also applicable to carriers' liability cover and insurance cover for ships and aircraft hulls and goods in transit. The 7.5% rate is reduced to 0.05% for ships registered in Italy.

(5) The tax rate is also applicable to carriers' liability cover and insurance cover for ships and aircraft hulls and goods in transit. The 7.5% rate is reduced to 0.05% for ships registered in Italy.

(6) Export credit insurance is exempt only when it covers a risk guaranteed by the Italian State.

### Unofficial translation:

Fondo di sostegno per le vittime di richieste estorsive e dell'usura: Solidarity Fund for Victims of Extortion and Usury

Contributo al Servizio Sanitario nazionale: Contribution for Emergency Treatment

Fondo di garanzia per le vittime della strada: Road Accident Victims' Fund

Fondo di garanzia per le vittime della caccia: Hunting Accident Victims' Fund

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

The amount used to calculate tax is made up of the premium, without deductions, and all additional amounts so as to include all sums paid to the insurer. The amount also takes into account the contributions to Package Holiday Consumers Fund (compulsory tour operators liability), Road Accident Victims' Fund (motor liability) and Hunting Accident Victims' Fund (compulsory hunting liability).

#### 1.2. Contribution in favour of the Solidarity Fund for Victims of Extortion and Usury

Premium tax is not included in the amount used to calculate the contribution.

#### 1.3. Contribution for Emergency Treatment

The contribution is based on 100% of premiums and levied on the motor liability element. Premium tax is not included in the amount used to calculate tax.

#### 1.4. Contribution to the Road Accident Victims' Fund

The contribution is based on **93.9%** of premiums collected in the year in the motor liability class. The rate is determined each year by decree. Premium tax is not included in the amount used to calculate tax.

#### 1.5. Contribution to the Hunting Accident Victims' Fund

The contribution is based on **93.9%** of premiums collected in the year in the compulsory hunting liability class. The rate is determined each year by decree. Premium tax is not included in the amount used to calculate tax.

### 2. INFORMING THE POLICYHOLDER

Premium tax is always indicated separately from taxable premium. The same applies to the contribution to the Solidarity Fund for Victims of Extortion and Usury and the contribution for Emergency Treatment, as increases in premium tax rates.

Note number 5

## Special rules applicable depending on the method of establishment of the insurance company

### 3. INSURER ESTABLISHED IN ITALY

#### 3.1. Person liable to tax

The insurer is liable to all taxes and contributions.

#### 3.2. Frequency of payments

##### 3.2.1. Premium tax

Monthly, at the end of each month, for premiums collected during the previous month. Adjustments allowed for the second preceding month under certain circumstances. A pre-payment of the tax for the following year is

requested on 30 November each year. This payment amounts to 30% in 2009 and to 40% onwards, of the tax assessed for the previous year (net of IPT applied on compulsory motor liability). The pre-payment is offset by the monthly payments from February onwards.

On 20 December, an advance payment of the taxes is requested for premiums collected in November.

### **3.2.2. Solidarity Fund for Victims of Extortion and Usury**

See 3.2.1.

### **3.2.3. Emergency Treatment**

See 3.2.1.

### **3.2.4. Road Accident Victims' Fund**

Anticipated payment on 31 January, balance on 30 September of the following year.

### **3.2.5. Hunting Accident Victims' Fund**

Anticipated payment on 15 March, balance on 15 September of the following year.

### **3.2.6. xxx**

There is a 30% penalty on the tax for delayed payment. In addition, non-submission of a declaration is penalised by a sum equivalent to 1 to 2 times the total tax. Penalties are applied to the established insurer, the tax representative and, where appropriate, the insured. In the latter case, the law states that premiums may not be deducted from the insured's benefits when the insured is a company (see 4.1.).

## **3.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

### **3.3.1. Premium tax**

Taxes are collected by the tax authorities (Uffici del Registro, Bollo, Radio e Assicurazioni or Uffici delle Entrate) in the insurer's head office town, through banks responsible for collecting tax.

The 12.5% tax on motor liability premiums (with the exception of motorcycles) paid since January 1999 must be paid through banks responsible for collecting tax in favour of the province of registration of the vehicle.

### **3.3.2. Solidarity Fund for Victims of Extortion and Usury**

*CONSAP S.p.A.*

*(Concessionaria di servizi assicurativi pubblici) (1)*

*Gestione autonoma del fondo di sostegno per le vittime di richieste estorsive e dell'usura*

Largo G. Tartini, 3/4

IT - 00198 ROMA

Taxes are collected by Registration Offices through banks responsible for collecting tax.

### **3.3.3. Emergency Treatment**

Contributions for emergency treatment are remitted to the Registration Office or Ufficio delle Entrate of the town of the insurer's head office, through banks responsible for collecting tax.

### **3.3.4. Road Accident Victims' Fund**

*CONSAP S.p.A.*

*(Concessionaria di servizi assicurativi pubblici) (1)*

*Gestione autonoma del fondo di garanzia per le vittime della strada*

Largo G. Tartini, 3/4  
IT - 00198 ROMA

CONSAP receives payments through the Provincial Treasury.

#### **3.3.5. Hunting Accident Victims' Fund**

CONSAP S.p.A  
(Concessionaria di servizi assicurativi pubblici)<sup>3</sup>  
Gestione autonoma del fondo di garanzia per le vittime della caccia  
Largo G Tartini, 3/4  
IT - 00198 ROMA

CONSAP receives payments through the Provincial Treasury.

#### **3.3.6. Information**

AGENZIA DELLE ENTRATE  
v. Cristoforo Colombo 426  
00145 ROMA

### **4. INSURER NOT ESTABLISHED IN ITALY AND NOT ESTABLISHED IN THE EEA**

#### **4.1. Person liable to tax**

The insured is liable for the payment of taxes and related amounts.

#### **4.2. Frequency of payments**

Payment must be made within one month from the date of payment of the premium.

#### **4.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Registration Office or *Ufficio delle Entrate* of the town of the head office or the domicile of the insured.

### **5. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

#### **5.1. Person liable to tax**

*Following an infringement procedure against Italy, law decree n. 135 of 25 September 2009 has abolished the obligation for the insurance companies operating in FOS regime to appoint a tax representative for IPT purposes.*

*The rule has come into effect on 26 September 2009.*

*Although the tax administration has not provided any instruction concerning the alternative modalities for collecting the tax - from the insured or from the company itself - it is common understanding that the EU insurer not established in Italy may either opt for appointing a tax representative or keeping the existing tax representative on a voluntary basis.*

#### **5.2. Nomination of a tax representative**

Undertakings operating on Italian territory by way of FOS can opt for appointing a tax representative for the formalities related to the application, indication and payment of taxes.

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<sup>3</sup> The CONSAP is not a tax authority.



The tax representative - who must be resident in Italy - may be an establishment of the services undertaking in Italy.

The nomination of the tax representative must be communicated to the Rome Registration Office and to ISVAP (insurance supervisory authority). The tax representative must classify contracts in chronological order (premium payment date) indicating the insured's details, the number of contracts, dates of start and close of contracts, the risk insured, the premium amount, the rate and amount of the tax. The tax representative must also keep a copy of each contract.

### **5.3. Return of declarations**

The tax representative must submit a monthly declaration of premium income for the previous month (see 5.5.) to the tax authorities indicating separately the premiums to which the different taxes apply. He must simultaneously pay taxes and contributions due (see 3.2.1., 3.2.2. and 3.2.3.) to *Ufficio Unico delle Entrate - Roma VI* by delegation to a bank.

In the same declaration, the tax representative must indicate separately the premiums for classes to which the rate increase of 1 % applies and the relevant payment data.

### **5.4. Frequency of payments**

Payment is monthly (see 3.2.1. for the pre-payment).

### **5.5. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

*Ufficio Unico delle Entrate*  
Roma VI - EUR  
V. Canton 10/20  
IT - 00144 ROMA

## Liechtenstein (LI)

CLASS OF INSURANCE	STAMP DUTY
Life (no surrender)	Exempt
Life (with surrender, and periodical premium payment)	Exempt
Life (occupational pensions)	Exempt
Life (policyholder domiciled abroad)	Exempt
Other life insurance	2.5%
Health and disability	Exempt
Accident	Exempt
Unemployment	Exempt
Transport	Exempt
Basic damage to crops	Exempt
Hail	Exempt
Livestock	Exempt
Multirisk aircraft/ship hull for professional transport abroad	Exempt
Fire, plateglass, theft, water damage, credit, machinery, jewellery, for goods insured abroad	Exempt
Reinsurance	Exempt
Other classes	5%

Articles 21 to 26 and 34 (2) of the Swiss Federal Law on Stamp Duty apply to Liechtenstein.

### General rules applicable to all insurance companies

#### 1. TAX BASIS

Stamp duty is calculated on net premium.

#### 2. INFORMING THE POLICYHOLDER

Tax is not shown separately from the premium in liability and multirisk motor insurance. For the other classes, it is shown separately from the premium.

#### 3. FREQUENCY OF PAYMENT

The tax liability arises when the insurance premium is paid. Payment is quarterly and should be made to the tax authorities on an official form within 30 days of the end of the quarter in which the tax liability arose, without receipt of a demand for payment.

The rate of interest levied on late payments is 5%.

### Special rules applicable depending on the method of establishment of the insurance company

#### 4. INSURER ESTABLISHED IN LIECHTENSTEIN AND/OR IN SWITZERLAND

##### 4.1. Person liable

The insurer is liable to stamp duty and makes the payment.

If he does not pay, no other person is jointly and severally responsible for the payment.

##### 4.2. Name and address of the tax authorities to which taxes must be remitted and from which further

**information can be obtained if necessary:**

*Liechtensteinische Steuerverwaltung*  
Lettstrasse 37  
FL - 9490 VADUZ  
Tel.: +423 236 68 17

As the Swiss federal law on stamp duty is also applicable in Liechtenstein, by virtue of the 1923 agreement on a customs union, the Swiss Tax Authority should also be listed as competent:

*Eidgenössische Steuerverwaltung*  
*Hauptabteilung, Direkte Bundessteuer,*  
*Verrechnungssteuer, Stempelabgaben*  
Eigerstrasse 65  
CH - 3003 BERN  
Tel.: +41 31 322 21 11  
E-mail: [dvs@estv.admin.ch](mailto:dvs@estv.admin.ch)  
Homepage: [www.estv.admin.ch](http://www.estv.admin.ch)

## **5. INSURER NOT ESTABLISHED IN LIECHTENSTEIN OR IN SWITZERLAND**

### **5.1. Person liable**

If the insurance contract is taken out directly with a foreign insurer not subject to Liechtenstein or Swiss control, the insured must pay the stamp duty.

When the contract is concluded with a general representative established in Liechtenstein and/or in Switzerland and subject to Liechtenstein or Swiss control, the representative is liable to stamp duty.

There are no rules on solidarity in the case of non-payment by the insured.

### **5.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

*Eidgenössische Steuerverwaltung*  
*Hauptabteilung, Direkte Bundessteuer,*  
*Verrechnungssteuer, Stempelabgaben*  
CH - 3003 BERN  
Tel.: +41 1 322 72 11  
Fax: +41 1 322 78 70

## Lithuania (LT)

Insurers operating by way of FOS in Lithuania are not liable to taxes and contributions paid by local insurers (see below for information)\*.

A 0.47% supervision commission levy is payable to the Lithuanian Insurance Supervisory Commission. Compulsory insurance is exempt from this levy.

Insurance Supervisory Commission of the Republic of Lithuania

Ukmergės g. 222  
LT - 07157 VILNIUS  
Tel.: +370 5 243 13 70  
Fax: +370 5 272 36 89  
E-mail: dpk@dpk.lt

15% stamp duty charged on insurance companies providing vehicle liability insurance in Lithuania is payable to the Lithuanian Motor Insurers' Bureau (change in legislation expected in the near future).

Motor Insurers' Bureau of the Republic of Lithuania

Algirdo g.38  
LT - 03606 VILNIUS  
Tel.: +370 5 216 2860  
Fax: +370 5 216 2859  
E-mail: biuras@cab.lt

\*Source: Summary of Indirect Taxation on Insurance Contracts in Europe 2005  
(IUA - International Underwriting Association)

## Luxembourg (LU)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES
		Fire Brigade Tax
Life, pensions, disability, capitalisation	Exempt	Exempt
Fire	4%	6%
Livestock	4% <sup>(1)</sup>	Exempt
Other classes	4% <sup>(2)</sup>	Exempt

(1) There is no premium tax on policies where the insured risk is valued at less than €375.

(2) Marine policies for commercial marine hull and associated ships liability risks have been exempt from Premium Tax since 1 September 2009

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

The tax basis includes costs and commission.

#### 1.2. Premium used to calculate parafiscal taxes

The tax basis does not include premium tax.

### 2. INFORMING THE POLICYHOLDER

The tax is shown specifically on written proposals and renewal notices.

### 3. FREQUENCY OF PAYMENT

Insurance companies have to submit the insurance tax deduction document for each quarter, by the 15th of the subsequent month at the latest. Payment is made at the latest within 2 weeks of the date of the declaration. Derogations cannot be granted by the tax authorities. The event generating the tax is the issue of the premium. In the case of late payment, a supplement will be charged.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN LUXEMBOURG

#### 4.1. Person liable to tax

Insurer.

#### 4.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

##### 4.2.1. Administration de l'enregistrement et des domaines

Bureau d'imposition n° 4

7, rue du Plébiscite

LU - 2341 LUXEMBOURG

Tel.: +352 44 905-1

Postal address:

B.P. 31

LU - 2010 LUXEMBOURG

The balance due is to be transferred to the following postal account:

IBAN : LU65 1111 0002 4753 0000

BIC: CCPLLULL

#### **4.2.2. Service d'enregistrement et de recettes**

*Bureau des actes civils*

Plateau Saint Esprit

LU - 1475 LUXEMBOURG

Tel.: +352 44 905-1

### **5. INSURER NOT ESTABLISHED IN LUXEMBOURG AND NOT ESTABLISHED IN THE EEA**

#### **5.1. Person liable to tax**

Insurer.

If the insurer is wound up, the tax representative and, in the final analysis, the policyholder, become liable for tax; in fire insurance, however, it is only the tax representative who is liable for tax. The insurer is liable for fire brigade tax and not the policyholder (who is liable for premium tax).

#### **5.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Same as 4.2.

### **6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

#### **6.1. Person liable to tax**

Insurer.

#### **6.2. Nomination of a tax representative**

A tax representative must be appointed. His nomination must be notified by letter from the insurer to the tax authorities.

#### **6.3. Return of tax declarations**

In the two weeks following the date of payment of the premium by the policyholder, the tax representative (informed beforehand by the insurer) must submit the following information to the tax authority:

- the number of policies written;
- the amount of premium income;
- the tax rate;
- the tax amount;
- the supplementary amount due as fire brigade tax.

There is no need subsequently to submit a declaration to the "Service d'enregistrement de recettes" if no business has been written under FOS.

#### **6.4. Name and address of the tax authorities to which the nomination of a tax representative must be notified, to which the tax declarations must be sent, to which taxes must be remitted, and from which further information can be obtained if necessary:**

The nomination of a tax representative must be notified to the:

*Commissariat aux Assurances*

7, boulevard Royal - BP 669

LU - 2016 LUXEMBOURG

l'Administration de l'enregistrement et des domaines

(same as 4.2.2.).

The tax representative must submit information and tax returns to the Service d'enregistrement et de recettes (see 4.2.2.).

## Latvia (LV)

There is no indirect taxation (IPT or fire brigade tax) on insurance contracts in Latvia.



## Malta (MT)

CLASS OF INSURANCE	STAMP DUTY	PARAFISCAL TAXES
		<b>Fire Brigade Tax</b>
<b>Life<sup>(1)</sup></b>		
<b>Supplementary annuity insurance</b>	10%	N/A
<b>Health</b>	Exempt	N/A
<b>Accident</b>	10%	N/A
<b>Motor Liability</b>	10%	N/A
<b>Hail</b> (including destruction of glasshouses and forcing frames in market gardening and horticulture)	10%	N/A
<b>Fire</b>	10%	N/A
<b>Other insurance for damage to goods</b>	10%	N/A
<b>Cross-frontier goods in transit</b>	10%	N/A
<b>Marine hull</b>	Exempt	N/A
<b>Export credit</b>	Exempt	N/A
<b>Livestock</b>	10%	N/A
<b>Reinsurance</b>	Exempt	N/A

N/A = not applicable to operations by way of FOS

**(1) for all life policies not renewed annually, the rate of stamp duty is 0.1% of the sum assured. However for all other life policies, i.e. those renewed annually, the rules outlined for non-life policies apply for calculating the tax due.**

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

For life insurance, the rate of 0.1% is calculated on the sum insured.

For non-life business the rate of 10% is calculated on the annual premium.

### 2. INFORMING THE POLICYHOLDER

The insured is informed of document duty by a note on the receipt.

### 3. FREQUENCY OF PAYMENT

Every 3 months.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN MALTA

#### 4.1. Event generating tax

##### 4.1.1. Stamp duty

Document Duty is levied on the making out of a policy of insurance or endorsement thereunder.

#### 4.2. Person liable to tax

##### 4.2.1. Stamp duty

Insurer's liability on behalf of the policyholder.

**4.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

Capital Transfer Duty  
Monti di Pieta Buildings  
Merchants Street  
Valletta  
MT - MALTA

**4.4. Return of declarations - Payment of tax**

Every 3 months upon payment.

**4.5. Keeping accounting and tax documents**

At least 4 years.

**4.6. Sanctions envisaged in the event of non-payment of taxes**

The authorities may seek a penalty for the delay in addition to the duty. Moreover, the insurance policy will not be executable.

**5. INSURER NOT ESTABLISHED IN MALTA AND NOT ESTABLISHED IN THE EEA**

**With respect to insurers not established in Malta the same taxation regime will only apply for policies covering risks which are situated in Malta.**

**6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

There are provisions for the nomination of fiscal representatives in respect of foreign insurers transacting business in Malta under passporting rules, which require the fiscal representative to comply with all tax obligations in Malta.

## The Netherlands (NL)

CLASS OF INSURANCE	PREMIUM TAX
Life	Exempt
Marine insurance	Exempt <sup>(1)</sup>
Any vehicle registered in another EU country	Exempt
Aircraft principally (at least 70.00%) used for international public transport or registered in another EU country	Exempt
Goods in transit	Exempt
Health insurance/individual accident	Exempt
Travel insurance	Exempt <sup>(2)</sup>
Export credit insurance	Exempt
Reinsurance	Exempt
Other classes	7.5%

(1) With the exception of pleasure craft, freight and inland waterway hulls, if a boat is registered in the Netherlands or in a non-EC country.

(2) With the exception of cancellation cover if applicable.

## General rules applicable to all insurance companies

### 1. TAX BASIS

Total amount of premium charged to the insured.

### 2. INFORMING THE POLICYHOLDER

The tax is shown separately from the premium.

### 3. FREQUENCY OF PAYMENT

*The event generating tax is the premium maturity date.*

Declaration and payment is quarterly and must be carried out within a month from the end of the period (quarter) allowed for declaration.

*A tax declaration must be made quarterly even if no tax is due for the period.*

In exceptional cases, payment and declaration is:

- on an annual basis: by agreement with the tax authorities;
- on a monthly basis: at the demand of the tax authorities.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN THE NETHERLANDS

#### 4.1. Person liable to tax

The tax is paid by the underwriting agent if the contract was concluded by his intermediation.

If however a registered intermediary collects the premium or if the policy he issued is covered by more than one insurer, this registered intermediary pays the tax. If the contract was not concluded through a underwriting agent

or a registered intermediary, the insurer pays the tax. If neither the underwriting agent, nor the registered broker nor the insurer pays the tax, the tax is levied from the policyholder.

**4.2. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

*Belastingdienst / Amsterdam*  
*Unit 8, afdeling Assurantiebelasting*  
Kingsfordweg 1  
NL - 1043 GN AMSTERDAM  
PO Box 58944  
NL - 1040 EE AMSTERDAM  
Tel.: +31 (0)20 687 6881  
Fax: +31 (0)20 687 7161

**5. INSURER NOT ESTABLISHED IN THE NETHERLANDS AND NOT ESTABLISHED IN THE EEA**

**5.1. Person liable to tax**

The tax is paid by the insurer's legal representative, his underwriting agent or any other intermediary involved in concluding the contract. If there is no such agent or intermediary, the insurer is obliged to appoint a tax representative who will pay the tax. If there is no tax representative, the tax is levied from the policyholder.

**5.2. Nomination of a tax representative**

An insurer who covers risks situated in The Netherlands without intermediation, is obliged to appoint a tax representative. A tax representative is domiciled or established in The Netherlands. He must be authorised by the tax inspector.

To obtain an authorisation, the applicant must produce:

- a mandate issued by the insurer;
- his name, address and domicile or place of establishment;
- the date on which the tax representation becomes effective;
- the name, address and place of establishment of the insurer.

**5.3. Name and address of the tax authorities to whom taxes must be paid and from whom information may be obtained if necessary:**

Same as 4.2

**6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

**6.1. Person liable to tax**

Same as 5.1.

**6.2. Nomination of a tax representative**

Same as 5.2.

**6.3. Name and address of the tax authorities to which taxes must be remitted and by which compliance by the tax representative with the obligations is verified and from which further information can be obtained if necessary:**

Same as 4.2

## Norway (NO)

Since 1 January 2004 there have been no indirect taxes on insurance in Norway.

## Poland (PL)

CLASS OF INSURANCE	PREMIUM TAX <sup>(1)</sup>	PARAFISCAL TAXES <sup>(4)</sup>
		<b>Fire Brigade Tax</b>
Life	Exempt	
Health	Exempt	
Accident	Exempt	
Motor Liability	Exempt <sup>(2)</sup>	Exempt
Hail (including destruction of glasshouses and forcing frames in market gardening and horticulture)	Exempt	
Fire	Exempt	10% <sup>(3)</sup>
Other insurance for damage to goods	Exempt	
Cross-frontier goods in transit	Exempt	
Marine hull	Exempt	
Export credit	Exempt	
Livestock	Exempt	
Reinsurance	Exempt	
Other classes	Exempt	

- (1) Poland does not charge IPT. There is only general income taxation for legal persons (currently 19% of income).
- (2) Stamp duty €1 on motor third party liability policies (for Central Register of vehicles and drivers) (art. 30.1 Compulsory Insurance Act).
- (3) Fire Brigade Tax applies to compulsory insurance of agricultural buildings premium only (art. 38.1 Fire Prevention Act).
- (4) Other parafiscal taxes are contributions for insurance institutions (not applicable to insurance companies operating under freedom of services):
- a. for supervisory authority KNF – 0.14% of premium (art. 14.1 Insurance and Pension Supervision Act),
  - b. for Insured Ombudsman – 0.01% of premium (art. 22.1 Insurance and Pension Supervision Act),
  - c. for Polish Chamber of Insurance PIU – 0.026% of premium (art. 223.3 Insurance Activity Act),
  - d. 12% of MPTL for the Polish National Health Fund (NFZ) was abolished since 1 January 2009

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate tax

Poland does not charge IPT. There is only general income taxation (19%) for legal persons which include insurance companies and intermediaries, whereas mutual insurance companies are excluded from this tax.

#### 1.2. Premium used to calculate fire brigade tax

The basis of assessment for the fire brigade tax is the premium which must be paid to the insurer to obtain insurance cover for compulsory agricultural building policies.

#### 1.3. Stamp duty for motor third party liability

€1 from each third party liability contract (art. 30.1 of Act from 22 May 2003 on compulsory insurance, Insurance Guarantee Fund and Polish Office of Motor Insurers).

#### 1.4. Premium used to calculate contributions for insurance institutions

The basis of assessment for contributions for insurance institutions is the premium which must be paid to the insurer to obtain the insurance cover.

## 2. INFORMING THE POLICYHOLDER

### 2.1. Premium tax

No information needed because of 1.1.

### 2.2. Fire brigade tax

Tax is not shown separately from the premium. It is not necessary to refer to it in the premium invoice.

### 2.3. Stamp duty for motor liability

Stamp duty is not shown separately from the premium. It is not necessary to refer to it in the premium invoice.

### 2.4. Contributions for insurance institutions

Contributions are not shown separately from the premium. It is not necessary to refer to them in the premium invoice.

## 3. FREQUENCY OF PAYMENT

### 3.1. Premium tax

See 1.1.

### 3.2. Fire brigade tax

Quarterly.

### 3.3. Stamp duty for motor liability

Monthly.

### 3.4. Contributions for insurance institutions

- contribution for supervisory authority (KNF) – monthly,
- contribution for Insured Ombudsman – monthly,
- contribution for Polish Chamber of Insurance (PIU) - twice a year.

## Special rules applicable depending on the method of establishment of the insurance company

## 4. INSURER ESTABLISHED IN POLAND

### 4.1. Event generating tax

#### 4.1.1. Premium tax

See 1.1.

#### 4.1.2. Fire brigade tax

Fire brigade tax is levied upon receipt of the insurance premium due for the compulsory insurance of agricultural buildings.

#### 4.1.3. Stamp duty for motor liability

Stamp duty is levied upon receipt of the insurance premium due for the compulsory insurance of third party motor liability.

#### 4.1.4. Contributions for insurance institutions

Contributions for insurance institutions are levied upon receipt of the insurance premium. Contributions for the

current period are counted on the basis of the premium gathered in previous periods.

## **4.2. Person liable to tax**

### **4.2.1. Premium tax**

See 1.1.

### **4.2.2. Fire brigade tax**

The insurer is liable for tax and must pay it.

### **4.2.3. Stamp duty for motor liability**

The insurer is liable for stamp duty and must pay it.

### **4.2.4. Contributions for insurance institutions**

The insurer is liable for contributions and must pay them.

## **4.3. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary**

Stamp duty and fire brigade tax must be remitted to the tax authority (*Izba Skarbowa*) specified according to the Finance Ministry regulation of 23 September 2003. Contributions must be remitted to the respective offices according to the region in which the insurer has its head office.

~~Contribution for NFZ must be remitted to the Central Office of National Health Fund (Centrala Narodowego Funduszu Zdrowia).~~

## **4.4. Return of declarations - Payment of tax**

In case of stamp duty and fire brigade tax, the insurer must complete and submit the declaration form to the relevant tax authorities and pay by no later than the 20<sup>th</sup> day after the end of the month (declaration period).

In case of contributions, the insurer must submit to the supervision an authority annual report stating the premium. Payments for the supervisory authority and Ombudsman of Insured must be made according execution to the administrative proceedings.

~~In case of contribution on NFZ the insurer must submit the information on premium levied from MPTL to Central Office of National Health Fund (Centrala Narodowego Funduszu Zdrowia).~~

## **4.5. Keeping accounting and tax documents**

The insurer is obliged to keep records of the insurance contract for 5 years from the date the contract expires. Documents needed for the tax declaration must be retained for the 5 years.

## **4.6. Sanctions envisaged in the event of non-payment of taxes**

If the tax payer do not declare and remit the tax in accordance to regulations, the relevant authority may demand delayed interest and undertake an assessment of the tax. The court can award in such cases a penalty fee and/or imprisonment up to 3 years for the company management (Fiscal Penalty Code from 10 September 1999).

## **5. INSURER NOT ESTABLISHED IN POLAND AND NOT ESTABLISHED IN THE EEA**

Same as for 4.

## **6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

### **6.1. Event generating tax**



See point 4.1, but no contributions to supervisory authority and Insured Ombudsman.

#### **6.2. Person liable to tax**

See 4.2.

#### **6.3. Keeping accounting and tax documents**

See 4.3.

#### **6.4. Return of declarations - Payment of tax**

See 4.4.

#### **6.5. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:**

*Drugi Mazowiecki Urząd Skarbowy*  
(Second Mazovian Tax Office)  
PL - 00-193 WARSZAWA  
Tel.: +48 (22) 860 71 17  
Fax: +48 (22) 860 71 05

#### **6.6. General Information**

*Ministerstwo Finansów* (Ministry of Finance)

*Departament Podatków Pośrednich* (Indirect Tax Department)  
Ul. Świętokrzyska 12  
PL - 00-916 WARSZAWA  
Tel.: +48 (22) 694 30 72  
Fax: +48 (22) 826 01 22

## Portugal (PT)

CLASS OF INSURANCE		AT THE INSURED'S EXPENSE				AT THE INSURER'S EXPENSE	
	Taxes	PARAFISCAL TAXES					
	STAMP DUTY	Workers' Compensation Fund (FAT)	National Authority for Civil Protection (ANPC)	National Institute of Medical Emergency (INEM)	Motor Guarantee Fund (FGA)	Portuguese Insurance Supervisory Authority (ISP)	Workers' Compensation Fund (FAT)
Life	Exempt			2% <sup>(d)</sup>		0.048%	
Pension funds	Exempt					0.048%	
Accidents at work	5%	0.15% <sup>(1)</sup>		2%		0.242%	0.85% <sup>(2)</sup>
Personal accidents and persons in transit	5%			2%		0.242%	
Health	5%			2%		0.242%	
Fire and natural perils	9%		13%			0.242%	
Individual householders'	9%		13% <sup>(b)</sup>			0.242%	
Agriculture	5%		6%			0.242%	
Motor	9%		13% <sup>(c)</sup>	2%	2.50% <sup>(e)</sup> 0,21% <sup>(f)</sup>	0.242%	
Goods in transit	5%		13% <sup>(c)</sup>			0.242%	
Marine and aviation	5%					0.242%	
Credit/guarantee	5%					0.242%	
Suretyship	3% <sup>(a)</sup>					0.242%	
Other classes	9%					0.242%	
Reinsurance	Exempt						
Intermediation	2% <sup>(2)</sup>						

The tax is levied on the insurance premiums except in the following cases:

- (1) on insured wages; and
- (2) on pension redemption capital (capital in the event of taking capital out) and on mathematical provisions of 3rd person assistance annuities.

Notes:

- (a) Suretyship contracts are subject to two taxes: one on premiums (3%) and the other on capital (variable);
- (b) Only for contracts comprising fire cover and only levied on the premium for this cover;
- (c) Only for the transport of dangerous goods including the insurance of vehicles specifically used for transporting this type of goods;
- (d) Only for life insurance contracts with a risk element;
- (e) Only on the part of the premiums referring to mandatory 3rd party liability insurance coverage;
- (f) Special charge destined to motor disaster prevention levied on the entire amount of motor premium.

### Unofficial translation:

Fundo de Acidentes de Trabalho (FAT): Workers' Compensation Fund

Autoridade Nacional para a Protecção Civil (ANPC): National Authority for Civil Protection

Instituto Nacional de Emergência Médica (INEM): National Institute of Medical Emergency

Instituto de Seguros de Portugal (ISP): Portuguese Insurance Supervisory Authority

Fundo de Garantia Automóvel (FGA): *Motor Guarantee Fund*

*Other exceptional charges:*

*i Compensation funds for crop insurance: 10% tax on crop insurance premiums in the Madeira and Azores regions, but only for contracts without the intervention of intermediaries.*

*ii Motor insurance certificate: 0.75 euro per motor insurance contract paid to the local authorities.*

## General rules applicable to all insurance companies

Three concepts are used in Portugal to characterise premiums.

- *Commercial premium:* theoretical average cost of cover for contracts, plus other charges in particular acquisition and administration costs for the contract as well as management and collection costs.
- *Gross premium:* commercial premium plus charges relating to issuing the contract such as the breakdown of the premium, cost of the policy, riders, insurance certificates and the amount relating to the tax for the Motor Guarantee Fund.
- *Total premium:* gross premium plus fiscal and parafiscal charges.

### 1. TAX BASIS

#### 1.1. Stamp Duty

Taxes are calculated on the gross premium.

For stamp duty on capital for suretyship insurance contracts, the rate varies depending on the duration of the contract: for guarantees with duration of less than 1 year, 0.04% per month; for guarantees with duration between 1 and 5 years, 0.5%; others, 0.6%.

#### 1.2. Tax for the Motor Guarantee Fund (FGA)

Applicable on simple premiums in direct motor insurance.

#### 1.3. Tax for the Workers' Compensation Fund (FAT)

The tax payable by insureds is calculated on insured wages. The tax payable by the insurer is calculated on pension redemption capital (capital in the event of taking capital out) and on mathematical provisions of 3rd person assistance annuities.

#### 1.4. National Authority for Civil Protection Tax

Tax is calculated on gross premium.

#### 1.5. National Institute of Medical Emergency Tax

The tax is calculated on gross premium.

#### 1.6. Tax for the Portuguese Insurance Supervisory Authority

The tax is calculated on total premium income net of deductions and cancellations relating to the undertaking's direct insurance contracts.

### 2. INFORMING THE POLICYHOLDER

The amount of tax is indicated separately from the amount of the premium.

### 3. FREQUENCY OF PAYMENT

The tax generating event is the payment of the premium. As long as no premium payment has been received, no taxes are payable.

### **3.1. Stamp Duty**

Payment is monthly. It no longer involves the use of stamps or seals but consists of a simple transfer of duty to the authorities.

### **3.2. Motor Guarantee Fund**

Quarterly.

### **3.3. FAT**

Monthly.

### **3.4. National Authority for Civil Protection (ANPC)**

Monthly.

### **3.5. National Institute of Medical Emergency (I NEM)**

Monthly.

### **3.6. Portuguese Insurance Institute (ISP)**

6-monthly.

## **Special rules applicable depending on the method of establishment of the insurance company**

### **4. INSURER ESTABLISHED IN PORTUGAL**

#### **4.1. Person liable to tax**

Insurer.

#### **4.2. Name and address of the tax authorities to which taxes must be submitted and from which further information can be obtained if necessary:**

The authority responsible for levying stamp duty is the Direcção Geral dos Impostos.

Other taxes are levied directly by the organisation concerned. The Portuguese Insurance Supervisory Authority (ISP) is the authority which controls compliance with obligations related to all taxes except the one that are levied by the Direcção Geral dos Impostos.

#### **4.2.1. Direcção Geral dos Impostos (DGCI) - Direcção de Serviços do Imposto Municipal sobre as Transmissões Onerosas de Imóveis, do Imposto do Selo, dos Impostos Rodoviários e das Contribuições Especiais**

Av. Eng. Duarte Pacheco, 28 - 3º  
1099-013 LISBOA  
Tel.: +351 21 383 43 50  
E-mail: imt@dgci.min-financas.pt  
Website: www.dgci.min-financas.pt

#### **4.2.2. Fundo de Acidentes de Trabalho (FAT)**

Av. da República 59/59 A  
PT - 1050 - 189 LISBOA  
Tel.: +351 21 791 35 69

E-mail: fat@isp.pt

#### **4.2.3. Autoridade Nacional para a Protecção Civil (ANPC)**

Av do Forte em Carnaxide

2794 - 12 Carnaxide

Tel.: +351 21 4247100

Website: [www.proteccaocivil.pt](http://www.proteccaocivil.pt)

#### **4.2.4. Fundo de Garantia Autómovel (FGA)**

Av. da República 59/59 A

PT - 1050 - 189 LISBOA

Tel.: +351 21 791 35 69

E-mail: fga@isp.pt

#### **4.2.5. Instituto Nacional de Emergência Médica (INEM)**

Rua Almirante Barroso, 36

1000-013 LISBOA

Tel.: +351 213 508 100

Email: [inem@inem.pt](mailto:inem@inem.pt)

Website: [www.inem.pt](http://www.inem.pt)

#### **4.2.6. Instituto de Seguros de Portugal**

Av. da República, 76

1600-205 Lisboa

Tel.: +351 790 31 00

E-mail: [isp@isp.pt](mailto:isp@isp.pt)

Website: [www.isp.pt](http://www.isp.pt)

### **5. INSURER NOT ESTABLISHED IN PORTUGAL AND NOT ESTABLISHED IN THE EEA**

FOS activity is not authorised in Portugal for insurers with no establishment in the EEA.

### **6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

#### **6.1. Person liable to tax**

Tax is paid by a tax representative.

#### **6.2. Nomination of a tax representative**

Insurance undertakings not established in Portugal but allowed to operate there by way of FOS must nominate a tax representative. The representative must reside on Portuguese territory and have a procuration giving him full powers. The undertaking must communicate the name of the tax representative to the Direcção Geral dos Impostos.

#### **6.3. Keeping accounting and tax documents**

For the purposes of verifying the representative's compliance with regulations, he must have for each undertaking he represents a register listing all contracts covering risks situated in Portugal with the following information:

- class or sub-class;
- identification and residence of the insured
- duration of the contract;
- amount of the premium due by the insured on which the taxes and parafiscal taxes are applied.

**6.4. Name and address of the tax authorities to which taxes must be submitted and by which compliance by the tax representative with the obligations is verified and from which further information can be obtained if necessary:**

The authority responsible for levying stamp duty is the the Direcção Geral dos Impostos (see 4.2.1.). The other taxes are levied directly by the organisations concerned.

The Instituto de Seguros de Portugal (see 4.2.6.) is the authority responsible for supervising compliance with the obligations relating to the status of the tax representative.

## Romania (RO)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES
<b>Life+Non life</b>	0.5% <sup>(1)</sup>	
<b>Life</b>	0.3% <sup>(2)</sup>	
<b>Non-life</b>	0.8% <sup>(3)</sup>	
<b>Motor (MTPL)</b>		
- Guarantee Fund	1.5% <sup>(4)</sup>	
- Contribution to the financial structure of National Bureau	0.5% <sup>(5)</sup>	
- Contribution for the CEDAM		
<b>Other taxes</b>		
- there are taxes on insurance premiums according to art. 3, paragraph 6 from Norm 76/308/CEE and which are found in the majority of the member countries		

- (1) 0.5% from total earned premiums from all direct insurance activity (non life + life) = functioning tax that is paid monthly not later than the 25th day of the following month (not due for companies that operate through FOS).
- (2) 0.3% from total earned premiums from direct life insurance activity = Contribution to Guarantee Fund (Bankruptcy Fund - from this fund there are paid indemnities to insureds and beneficiaries in the case of a life insurance company bankruptcy); it is paid monthly not later than the 25th day of the following month (not due for companies that operate through FOS).
- (3) 0.8% from total earned premiums from direct non-life activity = Contribution to Guarantee Fund (Insolvency Fund - from which damages are paid to the insured persons and beneficiaries in the case of insolvency of a general insurance company); it is paid monthly not later than the 25th day of the following month - not due for companies that operate through FOS.
- (4) 1.5% from total earned premiums from MTPL insurance = Contribution to Street Victims' Protection Fund (Guarantee Fund - in terminology and sense of Auto Norm I at the European 72/166/CEE); it is paid quarterly not later than the 25th day of the following month, in which the trimester expires - due by application quote applied to total earned premiums from MTPL for auto registered vehicles in Romania.
- (5) 0.5% from total earned premiums from MTPL = Contribution to the financial structure of National Bureau for the fulfillment of the Guarantee Bureau obligations for the indemnification of damages inflicted in Green Book System of auto vehicles registered in Romania; it is paid monthly not later than the 25th day of the month before the reported one; due through application of quote for the total earned premiums from MTPL for auto vehicles registered in Romania.
- (6) 1.25% from total earned premiums from MTPL = Contribution for the CEDAM basis functioning, development and maintenance (it constitutes the data basis used by Informing Centre for the fulfillment of its attributions according to Auto Norm IV 2000/26) and the protection of insured persons' interests, that is paid monthly not later than the 25th day for the next month- due through application of quote for the earned premiums from MTPL for auto vehicles matriculated/ registered in Romania.
- (7) Premium taxes, which are not applicable for insurers operating under freedom of services.

Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

Premium tax must be remitted to the tax authority (Insurance Supervisory Commission) of the district in which the insurer has his head office. The head office of the tax authority is:

Amiral Constantin Balescu street no. 18, sector 1, Bucharest, code 011954, Romania  
 Tel.: +4021.316.78.80  
 Fax: +4021.316.78.64

### Premium tax

Insurers established in Romania must complete and submit the declaration form to the relevant tax authorities and pay the tax by no later than 25 days after the end of the month (declaration period). The declaration period is the calendar month.

### *Keeping accounting and tax documents*

The insurer must retain documents used for declaring tax for 10 years, except for payrolls which have to be retained for 50 years.

### *Sanctions envisaged in the event of non-payment of taxes*

If the insurer does not declare and remit the tax, the relevant authority may impose a fine and undertake an assessment of the tax.



## Sweden (SE)

CLASS OF INSURANCE	PREMIUM TAX
<b>Group life insurance</b>	
- insurance taken out with an insurer established in Sweden	Exempt
- insurance taken out with a foreign insurer	Exempt
Motor Insurance	32% of the premium
<b>Other classes</b>	Exempt

### General rules applicable to all insurance companies

#### 1. TAX BASIS

##### 1.1. Motor insurance

32% of the total premium which the insured is asked to pay.

#### 2. INFORMING THE POLICYHOLDER

The insurer must inform the insured of the principal tax features relating to the insurance contract.

#### 3. FREQUENCY OF PAYMENT

The event generating tax is payment of the premium.

### Special rules applicable depending on the method of establishment of the insurance company

#### 4. INSURER ESTABLISHED IN SWEDEN

##### 4.1. Person liable to tax

The person liable to premium tax on motor insurance is the insurer who issues the insurance.

##### 4.2. Name and address of the tax authorities to who taxes must be paid and from who information may be obtained if necessary:

SKATTEVERKET

Storforetagskattekontoret i Ludvika

SE - 771 83 LUDVIKA

Tel.: +46 771 778 778

#### 5. INSURER NOT ESTABLISHED IN SWEDEN

##### 5.1. Registration

The person liable to tax must be registered with the tax authorities and must submit tax declarations to them.

Insurer not established in Sweden shall appoint a tax representative who is residing in Sweden or is a Swedish legal person.

##### 5.2. Name and address of the tax authorities to whom taxes must be paid and from whom information may be obtained if necessary:

Same as in 4.2.

## Slovenia (SI)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES
		<b>Fire Brigade Tax</b>
Life	6.5% <sup>(1)</sup>	
Health	6.5% <sup>(1)</sup>	
Accident	6.5% <sup>(1)</sup>	
Compulsory social insurance	Exempt	
Motor		
- liability	6.5%	
- hull	6.5%	5% <sup>(3)</sup>
Fire	6.5%	5%
Other insurance for damage to goods	6.5%	5% <sup>(3)</sup>
Goods in transit		
- in Slovenia	6.5%	5% <sup>(3)</sup>
- international	Exempt <sup>(2)</sup>	5% <sup>(3)</sup>
Carrier's liability in international transport	Exempt <sup>(2)</sup>	
Marine/Aviation hull	6.5%	5% <sup>(3)</sup>
Export credit	Exempt	
Reinsurance	Exempt	
Other classes	6.5%	5% <sup>(3)</sup>

(1) Premium tax is 6.5 % when contracts are of a maximum duration of less than ten years, over ten years they are tax free. Taxation is also 6.5 % when policy is terminated before the expiry of a ten-year period from the date of conclusion with the exception of the case of death of an insured person.

(2) Exemption applies to export.

(3) Only for insurance contracts which also cover fire risks.

## General rules applicable to all insurance companies

### 1. TAX BASIS

#### 1.1. Premium used to calculate premium tax

Tax is calculated on total premium to be paid by the insured.

#### 1.2. Premium used to calculate fire brigade tax

In the case of a fire insurance tax is calculated on total premium to be paid by the insured. For other classes of insurance which also cover fire risks tax is calculated on 20% of the total premium.

### 2. INFORMING THE POLICYHOLDER

#### 2.1. Premium tax

Premium tax is shown separately from the premium.

#### 2.2. Fire brigade tax

There are no specific provisions about informing the policyholder.

### 3. FREQUENCY OF PAYMENT

#### 3.1. Premium tax

Monthly, payable within 15 days following the end of the month.

### 3.2. Fire brigade tax

Monthly, payable within 15 days following the end of the month.

## Special rules applicable depending on the method of establishment of the insurance company

### 4. INSURER ESTABLISHED IN SLOVENIA

#### 4.1. Event generating tax

##### 4.1.1. Premium tax

Premium tax is levied upon receipt of the insurance premium for insurance contracts concluded in Slovenia, which cover risks situated in Slovenia. For insurance of the person premium, tax is levied on the payment of premiums for insurance contracts concluded in Slovenia if the person insured is a resident of the Republic of Slovenia.

#### 4.2. Fire brigade tax

Tax is levied on the payment of premiums for insurance contracts concluded in Slovenia.

#### 4.3. Person liable to tax

The insurer is liable to all taxes.

##### 4.3.1. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

Premium tax must be remitted to the tax authority (Davčna uprava) of the district in which the insurer has his head office. The head office of the tax authority is:

*DAVCNA UPRAVA REPUBLIKE SLOVENIJE*

Smartinska 55  
SI - 1000 LJUBLJANA  
Tel.: +386 1 478 27 00  
Fax: +386 1 478 27 43

Fire Brigade tax must be remitted to the Agency for public payments:

UPRAVA ZA JAVNA PLACILA  
Dunajska 48,  
SI - 1000 Ljubljana,  
tel. 00386 1 47516 51,  
fax. 00386 1 475 17 07

#### 4.4. Return of declarations - Payment of tax

##### 4.4.1. Premium tax

Insurers established in Slovenia must complete and submit the declaration form to the relevant tax authorities and pay the tax by no later than 15 days after the end of the month (declaration period). The declaration period is the calendar month.

##### 4.4.2. Fire brigade tax

Payment is made within 15 days after the end of the month. Insurers must complete and submit the declaration form to the relevant tax authorities within 15 days following the expiry of each quarter (declaration period).

#### **4.5. Keeping accounting and tax documents**

The insurer must retain documents used for declaring tax for 10 years.

#### **4.6. Sanctions envisaged in the event of non-payment of taxes**

If the insurer does not declare and remit the tax, the relevant authority may impose a fine and undertake an assessment of the tax.

### **5. INSURER NOT ESTABLISHED IN SLOVENIA AND NOT ESTABLISHED IN THE EEA**

#### **5.1. Event generating the tax**

##### **5.1.1. Premium tax**

Premium tax is levied upon receipt of the insurance premium for insurance contracts concluded in Slovenia, which cover risks situated in Slovenia. For insurance of the person, premium tax is levied on the payment of premiums for insurance contracts concluded in Slovenia if the person insured is a resident of the Republic of Slovenia.

##### **5.1.2. Fire brigade tax**

Tax is levied on the payment of premiums for insurance contracts concluded in Slovenia.

#### **5.2. Person liable to tax**

The insurer is liable to all taxes.

#### **5.3. Keeping accounting and tax documents**

The insurer must retain documents used for declaring tax for 10 years.

#### **5.4. Sanctions envisaged in the event of non-payment of taxes**

If the insurer does not declare and remit the tax, the relevant authority may impose a fine and undertake an assessment of the tax.

### **6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

#### **6.1. Event generating the tax**

##### **6.1.1. Premium tax**

Premium tax is levied upon receipt of the insurance premium for insurance contracts concluded in Slovenia, which cover risks situated in Slovenia. For insurance of the person, premium tax is levied on the payment of premiums for insurance contracts concluded in Slovenia if the person insured is a resident of the Republic of Slovenia.

## Slovakia (SK)

CLASS OF INSURANCE	PREMIUM TAX	PARAFISCAL TAXES
		<b>Fire Brigade Levy</b>
<b>Motor</b>		
- liability		8%

### General rules applicable to all insurance companies

#### 1. TAX BASIS

##### 1.1. Premium used to calculate tax

Regular premium tax does not exist in Slovakia. Parafiscal charge exists only in MTPL insurance. Officially it is a levy but it has a character of a tax. Basis for calculation is premium income for the previous year from MTPL insurance provided in the Slovak Republic.

#### 2. INFORMING THE POLICYHOLDER

##### 2.1. Fire brigade levy

There are no specific provisions about informing the policyholder.

Insurance company, branch of an insurance company and company providing MTPL insurance on the basis of freedom of services have an obligation to inform in writing National Bank of Slovakia and Ministry of Finance of the Slovak Republic up to 3 days at the latest after the levy levied.

#### 3. FREQUENCY OF PAYMENT

##### 3.1. Fire brigade levy

Yearly, payable by the end of February.

### Special rules applicable depending on the method of establishment of the insurance company

#### 4. INSURER ESTABLISHED IN SLOVAKIA

##### 4.1. Event generating tax

###### 4.1.1. Fire brigade levy

Levy (tax) is levied on the payment of premiums for MTPL insurance contracts concluded in Slovakia.

##### 4.2. Person liable to tax

The insurer is liable to all taxes.

###### 4.2.1. Name and address of the tax authorities to which taxes must be remitted and from which further information can be obtained if necessary:

Fire Brigade Levy must be remitted to the special account of the Ministry of Interior of the Slovak Republic:

MINISTERSTVO VNÚTRA SR  
 Pribinova 2  
 812 72 Bratislava  
 Phone: +4212 5094 1111

Fax: +4212 5094 4397

#### **4.4. Return of declarations - Payment of tax**

##### **4.4.1. Fire brigade levy**

Paid yearly, payable by the end of February, 8 % from the premium income for MTPL insurance for the previous year.

#### **4.5. Keeping accounting and tax documents**

Ministry of Interior of the Slovak Republic has an obligation to submit to the Ministry of Finance of the Slovak Republic by the 15 February of the following year report regarding the drawdown of sources for the current year. No data available on keeping documents' time.

#### **4.6. Sanctions envisaged in the event of non-payment of taxes**

If the insurer does not declare and remit the levy, the relevant authority may impose a fine and undertake an assessment of the levy.

### **5. INSURER NOT ESTABLISHED IN SLOVAKIA AND NOT ESTABLISHED IN THE EEA**

#### **5.1. Event generating the tax**

##### **5.1.1. Fire brigade levy**

Levy (tax) is levied on the payment of premiums for MTPL insurance contracts concluded in Slovakia.

#### **5.2. Person liable to tax**

The insurer is liable to all taxes.

#### **5.3. Keeping accounting and tax documents**

No data available on keeping documents' time.

#### **5.4. Sanctions envisaged in the event of non-payment of taxes**

If the insurer does not declare and remit the levy, the relevant authority may impose a fine and undertake an assessment of the levy.

### **6. INSURER ESTABLISHED IN THE EEA OPERATING BY WAY OF FOS**

#### **6.1. Event generating the tax**

##### **6.1.1. Fire brigade levy**

Levy (Tax) is levied on the payment of premiums for MTPL insurance contracts concluded in Slovakia, which cover risks situated in Slovakia.

#### **6.2. Person liable to tax**

The insurer is liable to all taxes.

#### **6.3. Keeping accounting and tax documents**

No data available on keeping documents' time

#### **6.4. Return of declarations - Payment of tax**

##### **6.4.1. Fire brigade levy**

Paid yearly, payable by the end of February, 8% from the premium income for MTPL insurance for the previous year.

## **6.5. Return of declarations - Payment of tax**

### **6.5.1. General information**

Fire Brigade Levy must be remitted to the special account of the Ministry of Interior of the Slovak Republic:

MINISTERSTVO VNÚTRA SR  
Pribinova 2  
812 72 Bratislava  
Phone: +4212 5094 1111  
Fax: +4212 5094 4397

### **6.6. Sanctions envisaged in the event of non-payment of taxes**

If the insurer does not declare and remit the levy, the relevant authority may impose a fine and undertake an assessment of the levy.



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Square de Meeûs 29  
B-1000 Brussels  
Belgium  
Tel: +32 2 547 58 11  
Fax: +32 2 547 58 19  
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