



Meijburg & Co  
Tax & Legal

# DAC7

## EU reporting requirements for digital platform operators

February 2024



# EU reporting requirements for digital platform operators

As from 1 January 2023, the publication of Council Directive (EU) 2021/514 of 22 March 2021 ('DAC7') changes existing provisions on exchange of information and administrative cooperation.

DAC7 introduces due diligence and reporting requirements for both EU and non-EU platform operators, further to which certain factual and financial information of its users is required to be shared with the tax authorities in Europe.

It also extends the scope to the automatic exchange of information with respect to information to be reported by the digital platform operators.

The reporting of income earned through the use of digital platforms in performing commercial activities should provide tax authorities with comprehensive data to correctly assess Direct Tax and Indirect Tax due across the EU Member States.

DAC7 applies as from 1 January 2023 and on 31 January 2024 digital platforms must report for the first time for the year 2023.

## 1

### What is at stake?

#### Reason for introducing due diligence and reporting requirements

The digital nature of platforms allows sellers of goods and services to make use of such digital platforms for carrying out their activity, while potentially not reporting turnover and income generated across the EU Member States. Tax authorities can now insufficiently establish, monitor and collect the correct amount of Direct Tax and Indirect Tax due in their EU Member State. As a consequence, the Member States suffer from unreported turnover and income, and accordingly loss of tax revenues. Such a situation also gives rise to conditions of unfair tax competition against individuals or businesses that do not carry out their activities via digital platforms, which distorts the operation of the EU internal market.

## 2

### Who is impacted?

#### For whom is this relevant?

The new due diligence and reporting requirements apply to both EU and non-EU digital platform operators and sellers on those platforms.

Digital platform operators should report the income generated by sellers on their platforms with relevant activities including the rental of immovable property, the provision of personal services, the sale of goods and the rental of any mode of transport.

## 3

### How to prepare?

#### What do I have to do now?

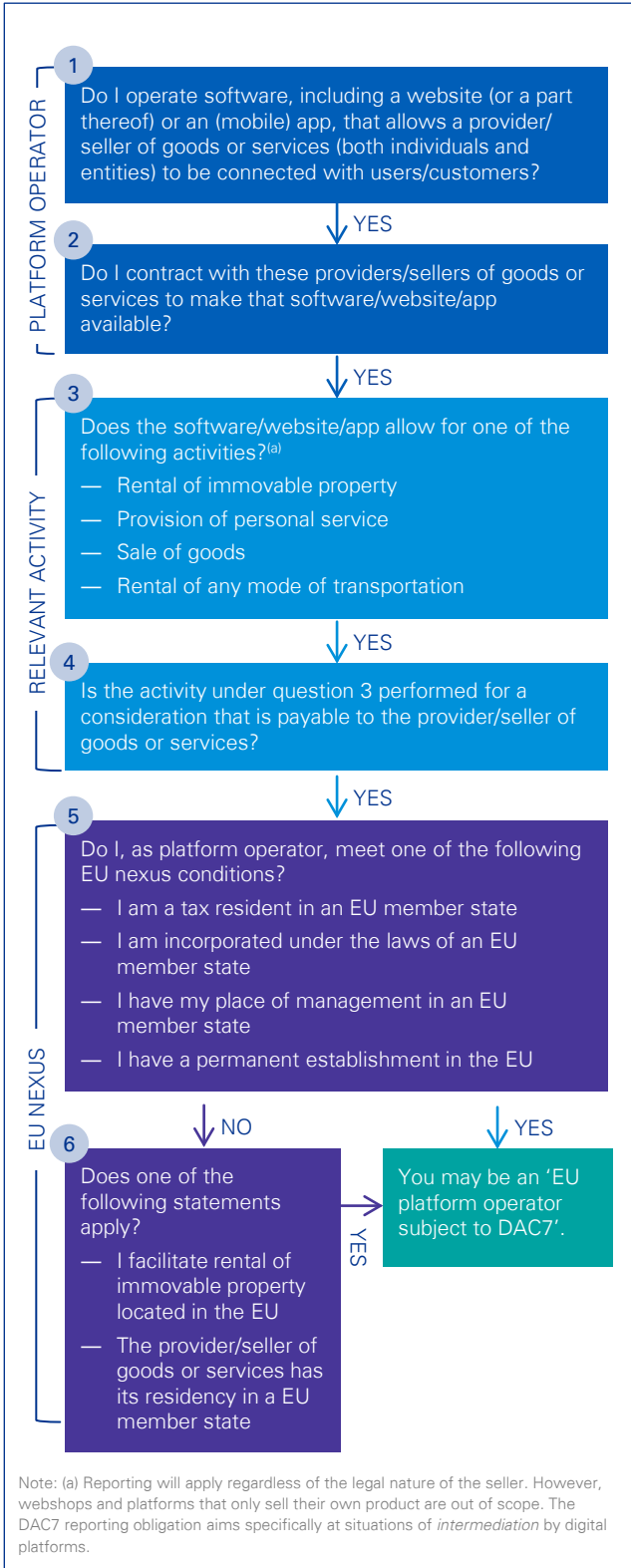
If you have established whether you are a digital platform operator which is covered by these new rules, you will have to assess how the reporting obligation under DAC7 will impact your organization. You can then subsequently look into how you should implement the reporting obligation across your organization.

Important aspects to consider are for example addressing the legal and commercial impact of the new rules, including seller due diligence and verification of the information received from the seller; systems and processes; tax authority procedures; documentation and controls.

Non-compliance with the DAC7 rules can result in significant penalties and may have a significant adverse impact on your business.

## High level DAC7 assessment

Please find below our 'quick reference card' for an initial and preliminary (high-level) DAC7 assessment. The DAC7 rules are complex, whereby various specifics and exceptions apply, which we are happy to further address in a DAC7 assessment session together with you.

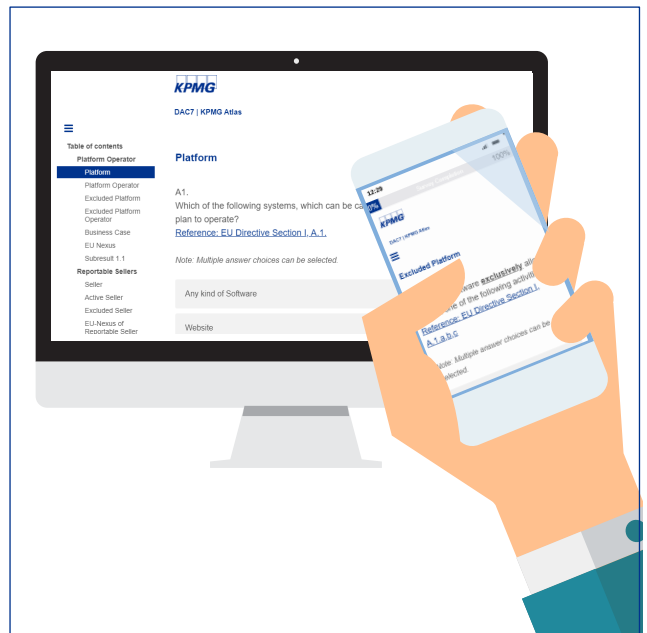


## How can KPMG help?

The rules apply as from 1 January 2023 and the first reporting is due by January 31, 2024.

As we have also seen with other EU Directives it is likely that implementation differences will exist between the EU Member States, which may further complicate compliance with the DAC7 rules within the EU.






We developed an online assessment to perform an initial and preliminary assessment of whether your business model or organization may be impacted by DAC7 – you can access this by clicking on the '[Atlas Assessment](#)'.



Once confirmed that you are impacted by DAC7, we can support with identifying what information needs to be provided and how this can be gathered from your systems or through your customers. Collecting the right data for reporting purposes (including a proper verification and documentation thereof) is one of the biggest challenges to become DAC7 compliant.

We can support you with a detailed data requirements assessment to identify where the required data is sitting and/or potentially still missing within your organization. Based on the outcomes of this assessment we can support to select and implement fit-for purpose (automated) data extraction and transmission solutions to extract the required information, leveraging existing data management platforms and solutions deployed for other purposes. We can also support with developing a common reporting framework, underpinned with technology solutions to streamline the several data processing steps.

# DAC7 discussion framework for implementation

				
<b>Last-mile reporting</b> Report to stakeholders, standardization and tooling (use of APIs)	<b>Stakeholder management</b> Identify stakeholders and involve in DAC7 process & timeline	<b>Procedures and governance</b> Process mapping and identify regulatory requirements	<b>Data platform</b> Technology platform selection to store, retrieve and submit data	<b>Data discovery</b> Data mapping, define data requirements and assess how to obtain, validate and classify data

## Contacts

**Lennert Janssen**  
Senior Tax Manager  
*KPMG in the Netherlands*  
  
+31 6 117 43 716  
Janssen.lennert@kpmg.com

**Lieke Mutsaers**  
Director  
*KPMG in the Netherlands*  
  
+31 6 110 98 936  
mutsaers.lieke@kpmg.com

**Alexander Zegers**  
Director Tax Technology & Transformation  
*KPMG in the Netherlands*  
  
+31 6 460 01 890  
zegers.alexander@kpmg.com

## EU DAC7 Network

**Raluca Enache**  
Chair, KPMG's EU Tax Centre  
*KPMG in the Netherlands*  
  
+40 722325645  
enache.raluca@kpmg.com



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