

Schwyz PfäffikonSZ Headquarters Schwyz  
Brig Zug Altdorf Zurich Bahnhofstrasse 28, P.O. box 556  
Bukarest Timisoara CH-6431 Schwyz  
Sibiu Sofia Tel +41 (0)41 819 54 00  
info@mattig.ch, www.mattig.swiss

**Mattig-Suter und Treuhand- und  
Partner Schwyz Revisionsgesellschaft**

# Partial Revision of the Swiss VAT Act



### **What is changing? Who is liable to VAT? Is a foreign business liable? Is there a change for foreign businesses in general? How high is the VAT tax rate?**

Treuhand- und Revisionsgesellschaft Mattig-Suter und Partner unwind, so that you can relax. Originally, a comprehensive revision of the Swiss VAT Act was initiated, supposed to simplify the rules for persons liable to the VAT. The first package of this revision entered in to force in January 2010. The second package was targeting the implementation of a uniform tax rate and abolishing most tax exemptions. However, this second package did not find a majority in Parliament, leading to a new partial revision of the VAT Act in September 2016, which has effectively been passed by Parliament.

#### **1 How does it work at the moment?**

VAT is a tax added on consumption by individuals and charged to the producer, manufacturer or dealer, which have to hand on this additional charge to the tax authority. Being liable to VAT requires you to periodically invoicing the added charge on your goods with the Federal Tax Authority (FTA). Imports are liable to VAT as well and they are charged when "entering" the domestic space, whereas exports are not liable based on the assumption that they will be charged a VAT in the country of destination. The law charges different tax rates based on social, cyclical or other grounds. Currently, Swiss VAT has three different tax rates. These are an ordinary tax rate of 8%, a reduced tax rate for daily goods of 2.5 % and a special tax rate for accommodation services of 3.8 %.

The evaluation whether there is a liability to VAT is based on the annual turnover. At present, there is VAT exemption when the annual turnover in Switzerland is below 100'000.00 CHF. Now not only small enterprises benefit from this exemption but also competing foreign businesses that have a higher worldwide turnover but are below this threshold within Switzerland.

Foreign businesses liable to VAT are required to have a tax representative with its seat or domicile in Switzerland. When registering with the VAT register of the FTA these foreign persons have to provide security for the VAT. So far, this security had been calculated based on the estimated amount of VAT due for each year. Since 1st of August 2017, the calculation of this security changed. Now, the security is calculated by taking 3 % of the taxable turnover in Switzerland. The security will be between 2'000.00 CHF as a minimum amount and 250'000.00 CHF as a maximum amount. The FAT may change the calculation methods for particular cases. This changed calculation method is likely to result in a reduction in the upcoming security payments for foreign businesses.

#### **2 What will change in January 2018 respectively 2019?**

This partial revision does not significantly affect Swiss businesses directly. It aims at indirectly enhancing competition between Swiss and foreign businesses by reducing negative side effects for Swiss businesses.

The revision has two main pillars. First, the basis for tax liability will be the worldwide turnover instead of a national turnover. Liable to VAT will be all businesses established in Switzerland or foreign businesses that provide services in Switzerland, which are providing services that are not exempted from this tax and have a world-wide turnover of at least 100'000.00 CHF. The second pillar will not enter into force until the 1st of January 2019. Starting this day, persons become liable to VAT if they send small shipments exempted of import tax (= import tax is not higher than 5.00 CHF) to Switzerland in a total amount of 100'000.00 CHF per annum. This will pre-dominantly affect mail-order businesses.

In addition to the two main pillars, there are several other smaller changes all entering into force on 1st of January 2018. These changes will affect all persons liable to VAT and not predominantly foreign businesses. Notable in this regard are the new tax

rates. These are 7.7 % ordinary VAT tax rate, 3.7% VAT tax rate for accommodation services and 2.5% reduced VAT tax rate for daily goods.

### 3 What does this mean?

The latest changes to the Swiss VAT Act has huge external effects. Resulting in VAT tax liability for several new companies with their seat outside of Switzerland. The FTA expects about 30'000 new and mostly non-Swiss businesses becoming liable to Swiss VAT. Nonetheless, an obligation to register with the VAT register remains a prerequisite. Non-Swiss companies with business relations in Switzerland are therefore well advised to check whether the new rules apply to them.

Treuhand- und Revisionsgesellschaft Mattig-Suter und Partner have been supporting national and international clients for several years. Regarding Swiss VAT, we particularly offer the following services:

- Evaluation of whether there is a tax obligation
- Consultancy on voluntary registration including resubmission with impunity
- Evaluation/ negotiations with the FTA regarding a waiver for a retroactive registration
- Provision of tax representatives
- Registration with the Swiss VAT register
- Opening of a ZAZ account with the Federal Customs Administration to facilitate import clearance
- Consultancy on invoicing in accordance with VAT rules
- Preparation and periodical submission of VAT returns
- Evaluation of the possibility to deduct input tax
- Documentation checks
- Support for VAT checks by the FTA
- Clarification of VAT related questions
- Consultancy and clarification regarding customs
- Processing the deregistration as a person liable to VAT

Further information on our services and tax publications are available: [www.mattig.ch](http://www.mattig.ch)

### Living with change

With 100 staff members throughout Europe (more than 80 of whom work in Switzerland), the Treuhand- und Revisionsgesellschaft Mattig-Suter und Partner is one of the most renowned trust and auditing companies in central Switzerland.

We have been living with change for over 60 years to meet the needs of our clients and ensure their success.

We are active in the fields of finance and accounting, auditing, business consulting, tax consulting and legal consulting.



Claudia Mattig, dipl. Lm.-Ing. ETH, M.A. HSG and certified auditor. She is the CEO of the Treuhand und Revisionsgesellschaft Mattig-Suter und Partner while auditing national and international clients in the sectors industry, commerce and services. In addition, she is actively and comprehensively consulting national and international SMEs.

[claudia.mattig@mattig.ch](mailto:claudia.mattig@mattig.ch)

## Mattig-Suter und Partner Schwyz Treuhand- und Revisionsgesellschaft

Switzerland	Headquarters Schwyz	Bahnhofstrasse 28, P.O. box 556 CH-6431 Schwyz, Tel +41 (0)41 819 54 00, <a href="mailto:schwyz@mattig.ch">schwyz@mattig.ch</a>
	Office Oberer Zürichsee	CH-8808 Pfäffikon SZ, Tel +41 (0)55 415 54 00, <a href="mailto:zuerichsee@mattig.ch">zuerichsee@mattig.ch</a>
	Office Wallis	CH-3900 Brig, Tel +41 (0)27 922 12 00, <a href="mailto:wallis@mattig.ch">wallis@mattig.ch</a>
	Office Uri	CH-6460 Altdorf, Tel +41 (0)41 875 64 00, <a href="mailto:uri@mattig.ch">uri@mattig.ch</a>
	Office Zug	Treuhand- und Revisionsgesellschaft Mattig-Suter und Partner, Zug AG CH-6302 Zug, Tel +41 (0)41 818 02 00, <a href="mailto:zug@mattig.ch">zug@mattig.ch</a>
	Office Zurich	Kuhn Treuhand AG, eine Tochtergesellschaft der Mattig-Suter und Partner CH-8002 Zurich, Tel +41 (0)44 422 38 00, <a href="mailto:info@kuhn-treuhand.ch">info@kuhn-treuhand.ch</a>  <a href="http://www.mattig.swiss">www.mattig.swiss</a>



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Eastern Europe	Romania	Mattig Swiss Audit S.R.L. Mattig Expert Swiss Partners S.R.L. RO-300124 Timisoara, Tel +40 (0)356 100 660, <a href="http://www.mattig-tm.ro">www.mattig-tm.ro</a>  Mattig Accounting & Controlling RO S.R.L. RO-011055 Bucharest, Tel +40 (0)21 318 55 11, <a href="http://www.mattig-accounting.ro">www.mattig-accounting.ro</a>  Mattig Expert Sibiu S.R.L. RO-550370 Sibiu, Tel +40 (0)771 431 395, <a href="http://www.mattig-tm.ro">www.mattig-tm.ro</a>
	Bulgaria	Mattig Accounting & Controlling OOD BG-1000 Sofia, Tel +359 (0)2 988 50 85, <a href="http://www.mattig-accounting.bg">www.mattig-accounting.bg</a>

Mattig Group	<b>Retraco AG Schwyz Wirtschaftsprüfung</b> CH-6431 Schwyz, Tel +41 (0)41 819 54 80, <a href="mailto:info@retraco.ch">info@retraco.ch</a>
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**swa**

Swiss Auditors

**SWA Swiss Auditors AG**

CH-8808 Pfäffikon SZ, Tel +41 (0)55 415 54 70, [info@swa-audit.com](mailto:info@swa-audit.com)

[www.swa-audit.ch](http://www.swa-audit.ch)

**ANMAT ImmoTreuhand AG**

Headquarters	CH-6403 Küssnacht, Tel +41 (0)41 819 80 40, <a href="mailto:info@anmat.ch">info@anmat.ch</a>
Office Oberer Zürichsee	CH-8808 Pfäffikon SZ, Tel +41 (0)55 415 54 90  <a href="http://www.anmat.ch">www.anmat.ch</a>

Partner	<b>Mattig Management Partners</b>
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Headquarters	CH-6431 Schwyz, Tel +41 (0)41 819 54 60, <a href="mailto:info@mattig-management.ch">info@mattig-management.ch</a>
Offices	Pfäffikon SZ, Switzerland; Bucharest and Timisoara, Romania; Sofia, Bulgaria; Vienna, Austria; Bratislava, Slovakia; Tirana, Albania  <a href="http://www.mattig-management.ch">www.mattig-management.ch</a>