



VAT alert Belgium

Belgium implements new VAT rates for e-publications

Following a previously published European Council agreement allowing Member States to apply reduced, super-reduced or zero VAT rates to electronic publications (Previous coverage in [VAT alert of 3 October 2018](#)), the Belgian Parliament has approved legislation introducing the 6% VAT rate for e-books and other electronic publications ([Dutch](#) | [French](#)). In addition, the new legislation provides a legal basis for applying the existing zero rate to all electronically supplied newspapers and magazines.

6% rate for electronic publications

The new law adapts the current text in the Belgian Royal Decree on reduced VAT rates with respect to physical publications, to allow the extension to e-books.

The reduced rate generally applies to the following categories of publications:

- Books, brochures, leaflets and similar publications, including atlases;
- Newspapers and magazines, illustrated or not, to which the zero rate (see below) does not apply;
- Printed albums, picture books, drawing books and colouring books for children;
- Music scores, also if illustrated.

Going forward, the reduced rate applies *"regardless of the way in which they are made available to the reader"*, in particular:

- On paper or cardboard, or on any other physical carrier;
- By electronic means.

Publications with a predominantly advertising function continue to be excluded from the reduced rate. Furthermore, in line with the European VAT Directive, publications that fully or predominantly consist of audible music or video content are excluded from the reduced VAT rate scope.

Zero rate on electronic newspapers or magazines

Under European VAT legislation, super-reduced and zero rates are only accessible to Member States that already apply these rates to physical publications under transitional arrangements.

In Belgium, the zero rate has been applied to physical newspapers and magazines issued at least 48 times per year. Under a protocol between the Belgian Ministry of Finance and media groups, it has also been made possible to apply this zero rate to electronic versions sold together with physical newspapers and magazines. The zero rate will now be extended to all electronic newspapers and magazines, regardless of how they are published.

The conditions under which the new rules apply to periodical newspapers and magazines are slightly rephrased under the new legislative text (for both physical and electronic publications), but remain similar to the existing administrative arrangement for physical publications. The publications must be intended for the general public, have to be issued at least 48 times per year and the content cannot exclusively or mainly consist of advertising material. Furthermore, the new legislative text also provides an extensive list of specific exclusions from the zero rate.

Entry into force

The new legislation mentions 1 April 2019 as entry into force date.

Once the legislative text has been published in the Belgian Official Journal, providers can apply the 6% and zero rate as of that date. Specific corrections may be necessary for subscription based publications.

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