

TRANSFERRED ASSET	PURCHASER & SELLER SUBJECT TO VAT & ACTING AS SUCH (scheme applicable since March 11, 2010)	
Non-buildable land	<p>VAT: VAT exemption (art. 261, 5-1°) but a VAT election is possible (art. 260, 5° bis) for a taxation on the aggregate price (art. 266, 1-a / art. 268).</p> <p>Transfer taxes: @ 5.09006% except in case of a commitment to resell @ 0.71498% (art. 1115) or commitment to build @ €125 (art. 1594-0 G).</p>	<p>Chargeable event and & VAT tax point: delivery - payment terms with no impact</p> <p>Taxable amount: aggregate price (no VAT on margin is possible)</p> <p>VAT rate: normal rate (19.60% / 20% as from January 1, 2014)</p> <p>VAT liable person: the seller (pple)</p> <p>CSI: 0.10% of price including tax / Notary: approx. 0.825% excluding tax of the price including tax</p>
Land to be built (1)	<p>VAT: automatic VAT taxation (except for a TOGC VAT relief):</p> <ul style="list-style-type: none"> - on the aggregate price, when the land gave rise to a deduction at the time of its acquisition by the transferor or in case of an acquisition of a building (lack of tax identity between the asset acquired and the asset resold) - on the margin, when the land did not give rise to a deduction at the time of its acquisition by the transferor <p>Transfer taxes:</p> <ul style="list-style-type: none"> - @ 0.71498% if VAT on aggregate price (art. 1594 F quinquies) except in case of a commitment to build @ €125 (art. 1594-0 G). A commitment to resell is not relevant. - @ 5.09006% if VAT on margin except in case of a commitment to resell @ 0.71498% (art. 1115) or commitment to build @ €125 (art. 1594-0 G) 	<p>Chargeable event and & VAT tax point: delivery - payment terms with no impact</p> <p>Taxable amount: calculation of the margin: margin excluding tax = sale price excluding tax - acquisition price</p> <p>VAT rate: normal rate (19.60% / 20% as from January 1, 2014)</p> <p>VAT liable person: the seller (pple)</p> <p>CSI: 0.10% of price including tax / Notary: approx. 0.825% excluding tax of the price including tax</p>
New building	<p>VAT: automatic VAT taxation on the aggregate price (except for a TOGC VAT relief)</p> <p>Transfer taxes: @ 0.71498% (art. 1594 F quinquies)</p>	<p>Chargeable event: delivery</p> <p>VAT tax point: delivery except in case of VEFA (sale of property to be built): receipt of calls for funds</p> <p>VAT rate: normal rate (19.60% / 20% as from January 1, 2014)</p> <p>VAT liable person: the seller (pple)</p> <p>CSI: 0.10% of price including tax / Notary: approx. 0.825% excluding tax of the price including tax</p>
Building other than a new building	<p>VAT: VAT exemption (art. 261, 5-1°) and transfer of VAT recapture (art. 207, III-1-1° ann. II) but a VAT election is possible (art. 260, 5° bis) for a taxation (except for a TOGC VAT relief):</p> <ul style="list-style-type: none"> - on the aggregate price, when the building gave rise to a deduction at the time of its acquisition by the transferor or in case of an acquisition of a land / old building having been the subject of a renovation or refurbishment leading to a new building (lack of tax identity between the asset acquired and the asset resold) - on the margin, when the building did not give rise to a deduction at the time of its acquisition by the transferor <p>Transfer taxes: @ 5.09006% except in case of a refurbishment tolerance (7 C-2-11) @ 0.71498% / except in case of a commitment to resell @ 0.71498% (art. 1115) or commitment to build @ €125 (art. 1594-0 G)</p>	<p>Chargeable event and & VAT tax point: delivery - payment terms with no impact</p> <p>Taxable amount: calculation of the margin: margin excluding tax = sale price excluding tax - acquisition price</p> <p>VAT rate: normal rate (19.60% / 20% as from January 1, 2014)</p> <p>VAT liable person: the seller (pple)</p>
<p>(1) definition of a land to be built: land that does not include any building for VAT purposes and that is located in a sector designated as a buildable sector in a town planning document even if the land is not effectively buildable</p> <p style="text-align: right;">http://taximmo.fr</p>		