### Does it matter who remits VAT?

The consequences of reverse charge in the retail sector.

Annalisa Tassi

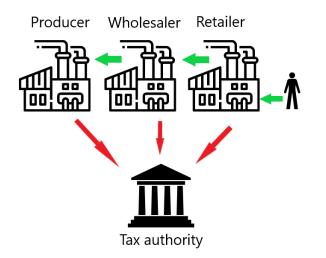
FAU Erlangen-Nuremberg

EEA Congress August 28, 2023

## VAT - What we know

- A third of tax revenues come from VAT (De Mooij and Swistak, 2022).
- Many developing countries have adopted VAT (Buettner and Madzharova, 2018).

VAT chain



*Notes:* Red indicates VAT remittance to tax authorities. Green indicates VAT payment (on inputs).

Annalisa Tassi (FAU)

Reverse Charge Mechanism, VAT Evasion

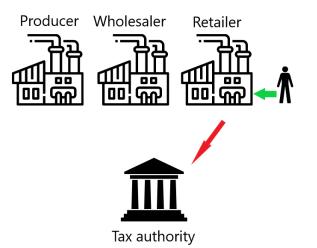
## VAT - What we know

- VAT is vulnerable to fraud and evasion.
- "Last-mile problem" of VAT: (Slemrod, 2007; Pomeranz, 2015; Naritomi, 2019; Waseem, 2019).

## EUston, we have a problem - VAT fraud in the EU

- VAT fraud exploits the credit-invoice mechanism of VAT.
- To combat cross-border VAT fraud, the EU has implemented the Reverse Charge (RC) Mechanism.

Reverse charge: no withholding



*Notes:* Red indicates VAT remittance to tax authorities. Green indicates VAT payment (on inputs).

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Reverse Charge Mechanism, VAT Evasion

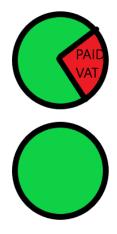
## The concerns related to RC

- With RC, VAT remittance liability is fully shifted from seller to buyer.
- Reverse charge transforms VAT into *de facto* retail sales tax.
- If everyone complies with the rules → VAT revenues are the same under both regimes.
- ⇒ concern that "last-mile problem" is exacerbated (Keen and Smith, 2006; De La Feria, 2019).

## RC and evasion

- B2C tax evasion can become more profitable under RC!
- Max evasion under VAT =  $X(p_R p_{WS})t$
- Max evasion under  $RC = Xp_R t$

[...] the cost of evasion will be lower [...] because firm N is not faced by firm N+1 that would want a receipt (Pomeranz (2015), p. 2544).



## Research question & why we care

- Q: Does Reverse Charge cause a reduction in compliance at the B2C stage?
- RC as a temporary measure is being continuously extended.
- Czech Republic, Germany, and Austria have expressed interest in a General Reverse Charge (European Commission, 2006, 2019).
- $\bullet\,$  Around  $\sim$  330 bill. Euros of sales are s.t. RC in Germany.

## Related literature and contribution

- Literature on RC focuses on cross-border VAT fraud: Buettner and Tassi (2023), Bussy (2020).
- $\rightarrow\,$  Evidence of one unintended consequence of RC, related to B2C VAT evasion.
  - Literature on tax remittance liability: Slemrod (2008), Kopczuk et al. (2016), Pessina (2020), Garriga and Tortarolo (2022).
- $\rightarrow\,$  Evidence on changes in tax remittance liability in VAT.

## Reverse charge and VAT evasion

H1 If RC reduces VAT compliance  $\implies$  reported sales decline.

H2 Evasion might be more likely for small firms (Kleven et al., 2016).

H3 Evasion might be more likely for partnerships.

## Institutional background and data

## Introduction of reverse charge in Germany

- Germany introduced RC in 2002 (on services).
- Focus on goods.

Date of implementation	Reverse charge is applied to		
1 January 2011	supply of gold.		
1 July 2011	supply of mobile phones.		
1 October 2014	supply of tablets, games consoles, laptops, and metals.		

- Universe of German VAT files (VAT Panel), 2002-2017 (yearly).
- Firms whose supplies and services  $\geq$  17,500 Euros.
- Based on VAT advance notifications (*Voranmeldungen*).
- Reliable data as claims of input and VAT remittances are based on these forms.

### Data processing

- Full data set contains about 50 mill. firm-year obs.
- Focus on firms in retail sectors (NACE classification).
- Drop firms that are not partnerships/ltd. companies or are in VAT groups.
- Drop retailers with unclear specialization. Details
- Final sample: Balanced panel with 78,090 firms.

## Empirical method

## Basic specification

reported sales<sub>it</sub> =  $\alpha_i + \delta_t + \beta RC$  inputs<sub>it</sub> +  $\gamma X_{it} + u_{it}$ ,

- *RC inputs<sub>it</sub>* (i) value or (ii) Input VAT s.t. RC Input VAT
- $\alpha_i$ ,  $\delta_t$ , are firm and year fixed effects
- X<sub>it</sub> includes legal seat, legal form, two-digit-industry time trends.
- *u*<sub>it</sub>: idiosyncratic error, two-way clustered at firm and industry level.

## Empirical method: $\beta$

• Under certain assumptions,  $\beta$  captures an ATT.

 $\beta=$  0 if RC does not reduce VAT compliance.

• Domestic sales Def.

 $\beta$  < 0 if RC reduces VAT compliance.

## Empirical method: Instrumental variable

- *RC inputs<sub>it</sub>* might be endogenous and s.t. measurement error.
  - i.e., transactions above 5,000 Euro, construction, ...
- First-stage regression (FE)

*RC* inputs<sub>it</sub> =  $\psi_i + \theta_t + \pi RC_{(i)j} \times Post_{jt} + \omega X_{it} + \epsilon_{it}$ ,

- $\rightarrow$  Instrumental variable equal 1 if industry *j* is s.t. RC.
  - Identify 4 industries. Details
  - The instrument indicates the shift in the remittance liability. Ass

## Results

### Descriptive statistics

	Mean	SD	Ν.						
Panel A - Retailers subject to RC									
Domestic sales	751,143.264	3,450,647.289	108,448						
Taxable sales at 19%	691,590.321 3,051,695.81		108,356						
RC sales	55,557.133 858,138.512		108,448						
Input VAT s.t. RC	2,539.713	104,760.597	107,886						
RC intensity	0.008	0.070	107,886						
Employees	4.263	16.379	81,899						
Panel B - Other retailers									
Domestic sales	1,293,042.815	11,668,617.809	1,140,992						
Taxable sales at $19\%$	1,143,142.777	11,195,285.942	1,131,747						
RC sales	21,951.311	486,393.123	1140992						
Input VAT s.t. RC	1,355.898	81,040.855	1,131,297						
RC intensity	0.003	0.030	1,131,297						
Employees	7.287	78.917	905,846						

*Notes*: amounts in  $\in$  in prices of 2017.

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### Baseline results 1st stage DS components

	Domestic sales		Sales at 19%		RC sales	
	FE	FE-IV	FE	FE-IV	FE	FE-IV
	(1)	(2)	(3)	(4)	(5)	(6)
RC input	0.032***	0.038	0.026***	-0.160***	0.209***	3.401**
	(0.002)	(0.057)	(0.003)	(0.053)	(0.020)	(1.450)
Ν	1239110	1239110	1229835	1229835	1239110	1239110
F-stat 1 <sup>st</sup>		42.119		41.197		42.119

Notes: Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\*\* p < 0.05, \*\*\* p < 0.01

## Robustness tests and other results

#### Robustness

- Inclusion of covariates Go
- CEM Go
- Relax sample restrictions Go
- Remove possible outliers Go
- Time-invariant industry Go
- Input VAT Go
- Unbalanced panel Go
- Industry-level evidence for mobile phone retailers Go
- Evidence on prices Go

#### Heterogeneity

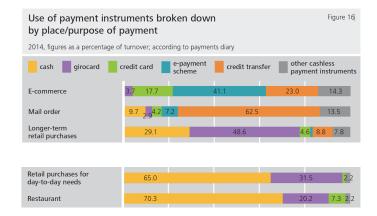
- Size Go
- Legal form Go

## Conclusions

- No decline in domestic sales.
- Decline in sales at 19% possibly related to B2B sales.
- $\rightarrow$  Confirmed by increase in  $\widehat{RC}$  sales.
  - Do not find conclusive evidence that RC leads to more B2C evasion.

- Germany as a high enforcement setting. (Waseem, 2019; Buehn and Schneider, 2016)
- Cashless payments are prevalent in the RC sectors.
- Cashless payments might be more difficult to conceal. (Immordino and Russo, 2018)

## Cashless payments in Germany



#### Source: Deutsche Bundesbank (2015).

## Further research and open questions

- RC effects on cross-border VAT fraud in Germany (w. T. Buettner).
- RC effects on VAT gaps in the EU (w. A. Bohne and A. Koumpias).
- Intentional misclassification of RC sales?

# Thank you for your attention!

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## Additional slides

## Definitions I

- Domestic Sales is a variable that I construct starting from firm's Total Sales (the variable is called ef7 in Destatis (2021)). From Total Sales, I remove exports to EU countries (items 41 and 44; the variable is called ef13 in Destatis (2021)). Domestic Sales thus includes items 35, 42 (included only until 2006), 43, 48, 81, 76, 77 (from 2011), 86, 60, and 68.
- Sales at 19% VAT is used as given in the data set (the variable is called *ef* 9 in Destatis (2021)). It correspond to item 81 from the VAT advance returns. Note that this variable corresponds to sales at 16% until 2006, since VAT was increased to 19% in 2007, but it applies to the same tax base.
- Input VAT is used as given in the data set (the variable is called *ef*19 in Destatis (2021)). It includes items 61, 62, 63, 64, 66, and 67 from the VAT advance returns.

back

## Definitions II

- Taxable Sales is another variable I construct from Total Sales. subtract taxable sales at 7% VAT (item 86) and tax-free sales (variable ef 11 or items 41, 42, 43, 44, and 48) from Total Sales. This variable thus includes items 35, 76, 77 (from 2011), 81, 60, and 68. As reported in Destatis (2021), item 42 is not included in Total Sales since 2006, but is included in tax-free sales until 2011, which implies that between 2006 and 2010 item 42 is not included in *Total Sales*. but it gets subtracted nonetheless. Variable ef8 in the data set Destatis (2021) is also referred to as taxable sales, but it contains sales subject to reverse charge (items 60 and 68) only between 2011 and 2015.
- Input VAT s.t. RC is constructed by subtracting deductible input VAT for deliveries and services (items 62, 63, 64, 66) and input VAT on EU imports (61) from Input VAT. Thus, it corresponds to item 67.
- RC intensity is constructed as the share of inputs s.t. RC with respect to all inputs (<u>Input VAT s.t. RC</u>).

## Components of domestic sales (back)

• Taxable sales at 19% Details

 $\beta < {\rm 0}$  could also reflect B2B sales.

- RC sales
  - $\beta > 0$  if retailers have B2B sales.

- Retail sale in non-specialized stores.
- Other retail sale of new goods in specialized stores.
- Retail sale of other second-hand goods in stores.
- Retail sale via stalls and markets of other goods.
- Retail sale via mail order houses or via Internet.
- Other retail sale not in stores, stalls or markets.

# Waseem (2022)- Withholding

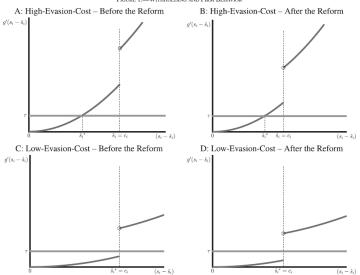
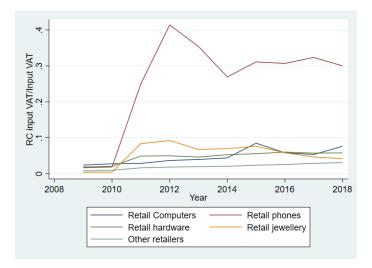


FIGURE 1.-WITHHOLDING AND FIRM BEHAVIOR

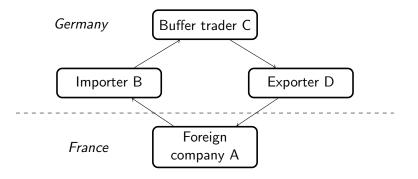
### Empirical method: IV assumptions

- the independence assumption: the instrument is as good as random;
- the exclusion restriction assumption: any effect of the policy change on y<sub>ijt</sub> occurs via input VAT s.t. RC;
- the monotonicity assumption;
- the stable unit treatment value assumption (SUTVA).
- the relevance assumption: the instrument is correlated with the endogenous variable;

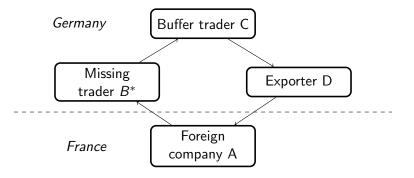
### Identified industries (Back)



### Intra-community trade



### Intra-community trade with MT fraud



The mechanical effect on sales at 19% (Back

# Taxable sales at 19% $\begin{cases} Taxable sales at 19\% \\ Sales under RC \end{cases}$

RC

### Industries affected by RC (Back)

Industry	NACE Rev. 2	NACE Rev. 1.1	Identification through
Retail sale of computers,			
peripheral units and			
software in specialised stores	47.41.0	52.49.5	NACE Rev. 2
Retail sale of			
telecommunications equipment			NACE Rev. 2 or
in specialised stores	47.42.0	52.49.6	NACE Rev. 1.1
Retail sale of hardware,			
paints and glass			NACE Rev. 2 or
in specialised stores	47.52.1	52.46.1	NACE Rev. 1.1
Retail sale of watches			NACE Rev. 2 or
and jewellery	47.77.0	52.48.5	NACE Rev. 1.1

Notes: NACE Rev. 2 refers to the industry classification implemented from 2009. NACE Rev. 1.1 refers to the industry classification in place between 2002 and 2008. The column "Identification through..." specifies which industry classification I use to identify firms affected by reverse charge. I only use NACE Rev 2. when the corresponding NACE Rev. 1.1 industry classification use to identify industries among which some are not affected by reverse charge. For example, (NACE Rev. 1.1) industry "Retail sale of computers, peripheral units and software in specialised stores" also includes "Assembling of computers for private clients (configuration according to client's wishes)," which corresponds to the NACE Rev. 2 code 26.20.0. I use NACE Rev. 2 or NACE Rev. 1.1 for identification, when both codes refer to exactly the same industry, without including any other industries.

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### First stage **back**

	(1)	(2)	(3)
Dep. variable (2nd stage)	Domestic Sales	Sales at 19%	RC sales
RCPI	0.522***	0.519***	0.522***
	(0.080)	(0.081)	(0.080)
Observations	1239110	1229835	1239110

Standard errors in parentheses

\* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

### Baseline results

	Taxable sales		Tax-free sales	
	FE	IV	FE	IV
	(1)	(2)	(3)	(4)
RC input	0.031***	-0.079	0.033***	-0.006
	(0.002)	(0.053)	(0.006)	(0.214)
Ν	1239110	1239110	295285	295285
F-stat (1st)		42.119		31.014

Notes: Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\*\* p < 0.05, \*\*\* p < 0.01

# Results by size (N employees) Back

	Domestic sales			Sales at 19%		
	<10	10-50	>50	<10	10-50	>50
	(1)	(2)	(3)	(4)	(5)	(6)
RC intensity	4.398	3.763	6.444	-11.690**	-1.744	-14.868***
	(4.926)	(4.464)	(4.650)	(4.762)	(4.876)	(5.646)
N	757357	11987	361811	752991	119716	356821
F-stat (1st)	41.296	6.812	8.884	42.023	6.913	9.313

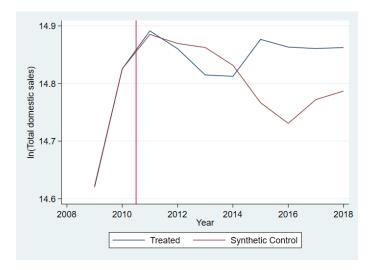
Notes: The first stage regressor in the IV regressions is RCPI. The dependent variables are in logs. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

### Results by legal form Back

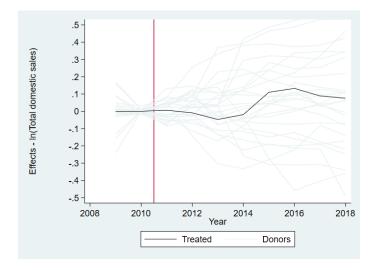
	Sales at 19%		Dome	Domestic sales		RC sales	
	INC	PAR	INC	PAR	INC	PAR	
	(1)	(2)	(3)	(4)	(5)	(6)	
RC input	0.079	0.030	-0.061	-0.215***	1.402	4.505***	
	(0.048)	(0.071)	(0.046)	(0.058)	(0.996)	(1.296)	
N	169996	1069114	169573	1060262	169996	1069114	
F-stat 1 <sup>st</sup>	15.771	35.028	15.386	34.173	15.771	35.028	

Notes: Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

### Development domestic sales for phone retailers **Development**

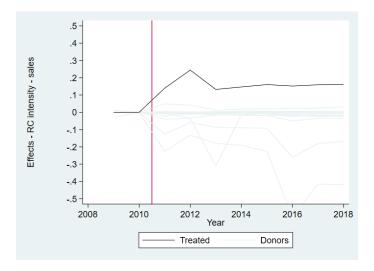


### Effects: domestic sales for phone retailers (back)



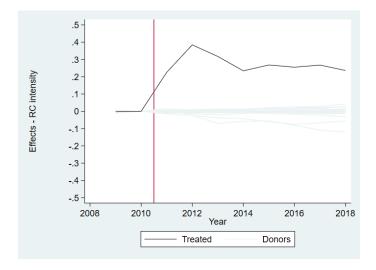
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### Effects: RC sales for phone retailers back

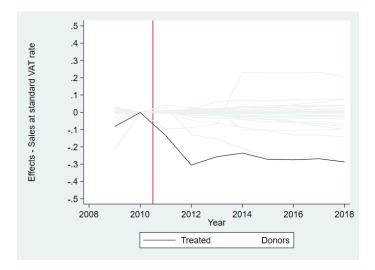


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### Effects: RC inputs for phone retailers (back)

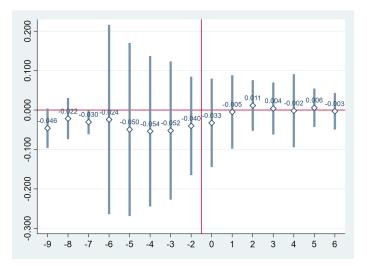


### Effects: Sales at 19% for phone retailers Lack

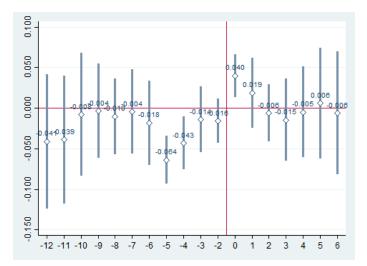


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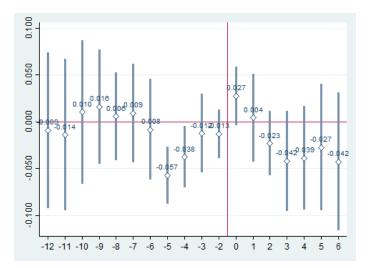
#### Effects: Prices (back)



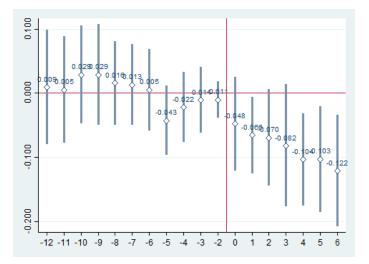
### Anticipation effects of Reverse Charge: Domestic sales sales



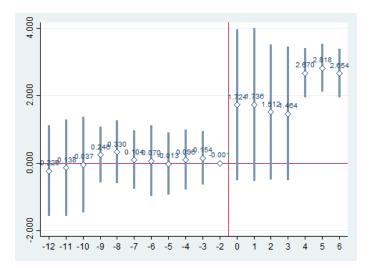
### Anticipation effects of Reverse Charge: Taxable sales sales



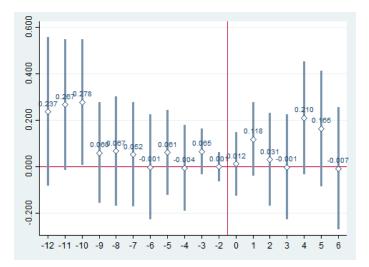
### Anticipation effects of Reverse Charge: Sales at 19% sea



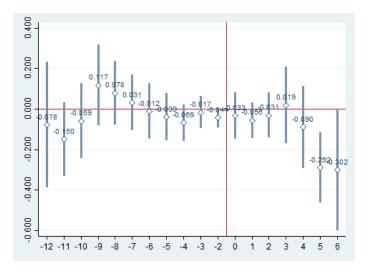
# Anticipation effects of Reverse Charge: RC Sales sum



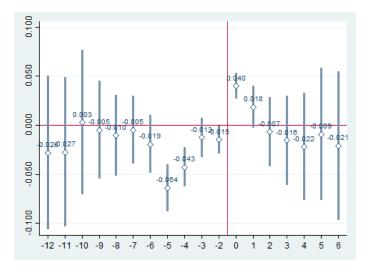
### Anticipation effects of Reverse Charge: Tax-free Sales sum



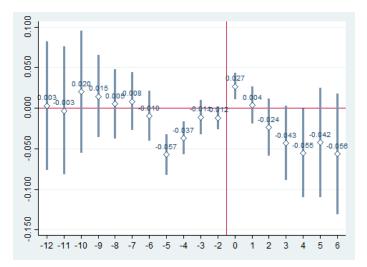
### Anticipation effects of Reverse Charge: Exports



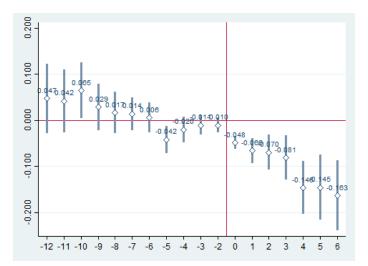
### Anticipation effects of Reverse Charge: Domestic sales **Gales**



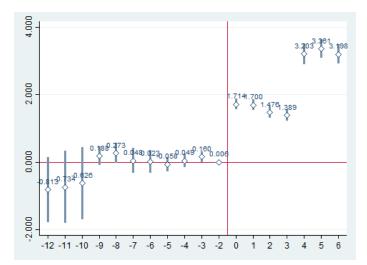
### Anticipation effects of Reverse Charge: Taxable sales **Gala**



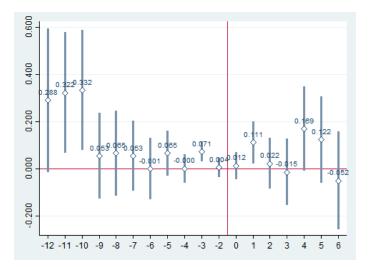
### Anticipation effects of Reverse Charge: Sales at 19% 🔤



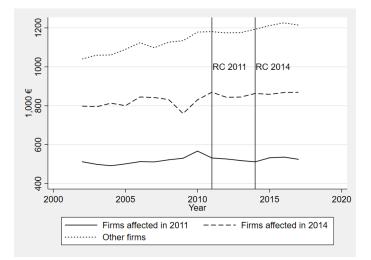
# Anticipation effects of Reverse Charge: RC Sales und



### Anticipation effects of Reverse Charge: Tax-free Sales



#### Raw plot: Sales at 19% (back)



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### IV Results incl. covariates (back)

	(1)	(2)	(3)
	Domestic sales	Sales at 19%	RC sales
RC input	0.019	-0.184***	3.687**
	(0.055)	(0.050)	(1.431)
Incorporated	0.170***	0.256***	-1.098
	(0.047)	(0.056)	(0.757)
N	1238994	1229719	1238994
F-stat 1 <sup>st</sup>	40.913	39.970	40.913

Notes: The first stage regressor in the IV regressions is RCPI. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

### IV Results - CEM (back)

	(1)	(2)	(3)	(4)	(5)
	Dom. sales	Sales 19%	RC sales	Taxable sales	Tax-free sales
RC input	0.040	-0.148***	3.305**	-0.075	0.015
	(0.051)	(0.050)	(1.372)	(0.050)	(0.192)
N	1233066	1223806	1233066	1233066	292160
F-stat 1 <sup>st</sup>	46.472	45.522	46.472	46.472	36.060

Notes: The first stage regressor in the IV regressions is RCPI. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\*\* p < 0.05, \*\*\* p < 0.01

### IV Results - "Self-Selection" (back)

	(1)	(2)	(3)	(4)	(5)
	Dom. sales	Sales 19%	RC sales	Taxable sales	Tax-free sales
RC input	0.038	-0.162***	3.328**	-0.078	0.015
	(0.055)	(0.051)	(1.387)	(0.052)	(0.204)
Ν	1244868	1235588	1244868	1244868	296847
F-stat 1 <sup>st</sup>	39.917	39.114	39.917	39.917	32.361

Notes: The first stage regressor in the IV regressions is RCPI. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\*\* p < 0.05, \*\*\* p < 0.01

## IV Results - Excluding Outliers (RC intensity)

	(1)	(2)	(3)
	Sales at 19%	Domestic sales	RC sales
RC intensity	-12.496**	2.964	278.470**
	(5.983)	(5.426)	(141.245)
Observations	1228183	1237702	1237765
First-stage	36.418	34.157	42.826

Notes: The first stage regressor in the IV regressions is RCPI. The dependent variables are in logs. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\* p < 0.05, \*\*\* p < 0.01

### IV Results - Time-invariant Industry Gark

	(1)	(2)	(3)
	Domestic sales	Sales at 19%	RC sales
RC input	0.038	-0.160**	3.552*
	(0.068)	(0.062)	(1.971)
Ν	1239110	1229835	1239110
First-stage F-statistic	47.151	44.785	47.151

Notes: The first stage regressor in the IV regressions is RCPI. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\*\* p < 0.05, \*\*\* p < 0.01

### IV Results - Input VAT (back)

	(1)	(2)
RC input	-0.052	
	(0.068)	
RC intensity		-4.445
		(6.098)
Observations	1239110	1238927
F-stat 1 <sup>st</sup>	42.119	21.891

Notes: The first stage regressor in the IV regressions is RCPI. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\*\* p < 0.05, \*\*\*\* p < 0.01

### IV Results - Unbalanced Panel Lack

	(1)	(2)
	P(exit)	P(entry)
RC input	-0.007	-0.033
	(0.036)	(0.035)
Observations	3718377	3718377
F-stat 1 <sup>st</sup>	29.454	29.454

Notes: The first stage regressor in the IV regressions is RCPI. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\*\* p < 0.05, \*\*\*\* p < 0.01

### IV Results - Unbalanced Panel

	(1)	(2)	(3)
	Domestic sales	Sales at 19%	RC sales
RC input	0.116*	-0.107	2.833*
	(0.067)	(0.103)	(1.568)
N	3718377	3640960	3718377
F-stat 1 <sup>st</sup>	25.978	25.770	25.978

Notes: The first stage regressor in the IV regressions is RCPI. Robust standard errors clustered at the industry level and at the firm level in parentheses. \* p < 0.10, \*\*\* p < 0.05, \*\*\*\* p < 0.01