

Sweden

13th Directive (86/560/EEC) VAT refunds

I. RECIPROCIITY AGREEMENTS – ARTICLE 2(2)

1. Does your country have any reciprocity agreements?

No, Sweden provides for refund to foreign companies from around the world. The principle of reciprocity is not applied.

2. If yes, what countries are included in the reciprocity agreements?

Not applicable.

3. What is the equivalent third country tax to which the reciprocity agreements relate?

Not applicable.

4. What goods and services are allowable under the reciprocity agreements?

Not applicable.

5. Are there any specific or additional rules applicable in relation to the reciprocity agreements?

Not applicable.

6. If your country has no reciprocity agreements, do you still allow refunds?

Yes, Sweden allows VAT refund to foreign companies from all around the world.

II. TAX REPRESENTATIVES – ARTICLE 2(3)

7. Does your country require the appointment of a tax representative?

No, there is no need for the foreign company requesting refund of Swedish VAT to appoint a tax representative. Refund of Swedish VAT is normally made to a designated bank account, no matter in which country this account is established.

8. What conditions are imposed when appointing a tax representative?

Not applicable.

III. REFUND ARRANGEMENTS – ARTICLE 3(1)

9. What are the time limits that are applied for making a claim?

An application must be received at the Swedish Tax Agency no later than 30 June of the year after the calendar year to which it is related.

10. What periods are eligible for a refund?

The application shall cover a period of at least three consecutive calendar months. If the application covers the end of a year, the period covered by the application may be shorter than three months. An application may not cover more than one calendar year.

11. Where shall the applications be made?

The application shall be made to the International Tax Office in Malmö at the Swedish Tax Agency. Please find the addresses below:

Postal mail:

Skatteverket
Utlandsenheten
SE-205 31 Malmö
Sweden

Delivery services:

Skatteverket
Utlandsenheten
Hjalmar Gullbergsgatan 1
SE-211 49 Malmö
Sweden

12. What is the minimum amount of VAT that can be refunded?

If the application covers the end of the year or the whole year, the minimum amount of VAT is SEK 500. In other cases, the minimum amount is SEK 4 000.

13. How can the applicant receive an application form?

The application form SKV 5801 is available on the website of the Swedish Tax Agency www.skatteverket.se. If the Swedish Tax Agency is contacted, it is also possible to obtain this form via e-mail or through normal post.

14. What languages may be used for completion of the form?

The application form SKV 5801 is available in Swedish as well as in English.

15. What information is requested on the application form? Please could you provide a copy of the form or a website link?

Please see attached link: [SKV 5801](#)

16. Is any information optional? If yes, what information?

No, this is an established application form which needs to be correctly filled in.

17. Who is authorised to sign the application form?

The application form must be signed by an authorized person acting on behalf of the company. It may also be signed by an authorized representative. In that case, the original of a valid power of attorney authorizing the representative to deal with this application is however called for.

18. What evidence is required to support an application?

In general, it is required that the application contains original invoices which are then returned once a decision is taken. It is sufficient to produce a business certificate no older than one year. If the application is submitted by a representative who has been authorized to do so, the original power of attorney needs to be included. It is also necessary for the applicant to produce a list with information about the invoices, which must be attached to the application. Where VAT covered by the application relates to costs where the reverse charge has been applied, documentation by which the purchaser of the goods or the services may be identified must be sent alongside the application. An example of such documentation would be copies of invoices issued by the applicant to his customers.

19. What time-limits does your country apply to making a refund?

It is the aim to start the examination within six months of receipt of the application and – provided the application is complete – to reach a decision within that same period. In recent years, the average time spent on this examination has however been much shorter, normally between two and three months.

IV. ELIGIBILITY– ARTICLE 4(2)

20. Are there any other conditions applicable?

Not in ordinary cases.

21. Are certain types of expenditure excluded and if so which?

The general rule is that VAT is refunded to foreign companies if it would be deductible for a company which is registered for VAT in Sweden. It is normally so that:

- VAT on car leasing is refunded by 50%,
- VAT on invoices issued to someone else than the applicant is not refunded,
- VAT which is unrelated to the business of the applicant is not refunded,
- VAT relating to private expenses is not refunded,
- VAT incurred by travel agents in respect of goods or services which are for the direct benefit of the traveller such as hotel rooms, catering and passenger transport are not refunded.
- VAT on goods which have been purchased and resold to private individuals in Sweden is not refunded. Link [VAT registrations requirements for distance sales](#)

With regard to the refund of VAT which relates to entertainment expenses, a direct link between the cost and the applicant's business is required. Refunds are not given for the cost of private living expenses or personal hospitality. For the documentation, the names of the participants and the company they are representing must be indicated on the invoice or receipt.

Link to [Entertainment expenses](#)

How much VAT can you get refunded?

If you have costs for food and drinks in connection with entertainment, you will receive a VAT refund on a maximum cost of SEK 300 per person and occasion. This means that you can deduct VAT by a maximum of SEK 36 per person if the cost pertains to food or non-alcoholic beverages, as the VAT on these goods is 12 percent (12 percent calculated on SEK 300, is SEK 36).

- If the cost for food and drinks, or only drinks, does not exceed SEK 300 (VAT excluded) per person and occasion you may deduct the entire VAT amount.
- If the cost exceeds SEK 300 (VAT excluded) and pertains to both food and alcoholic beverages, the deduction has to be calculated by means of a proportioning based on the actual costs (VAT excluded) for food and alcohol, respectively. You can instead choose to calculate the deduction using the standard method.

Calculate the deduction using the standard method

If the meal includes both food and alcoholic beverages, you can calculate the deduction using the standard method. This standard method gives you a VAT deduction of SEK 46 per person and occasion, provided the cost exceeds SEK 300 (VAT excluded) per person. Additionally, the VAT charged must have been at least SEK 46 per person and occasion.

Expenses for theatre tickets, green fees at golf courses and similar

For expenses for theatre tickets, green fees at golf courses, and similar on a maximum cost of a taxable amount of SEK 180 (VAT excluded 6, 12 or 25 percent) per person and occasion.

Link to [Limitations for refunds](#)

V. MAJOR DIFFERENCES BETWEEN REFUNDS UNDER THE 13TH AND THE 8TH (79/1072/EEC) DIRECTIVE

22. What are the main procedural differences between applying for a VAT refund based on the 8th Directive and a refund based on the 13th Directive?

As of January 1, 2010 companies established within EU shall apply electronically. This, by using the electronic service provided by the Tax Authority in your home country. However, if you are a company established outside EU you shall apply by sending the form SKV 5801 on paper by traditional mail together with certain documents. Please see item 18 above and [form SKV 5801](#).

For applications from third countries, it is sufficient to produce a business certificate not older than one year. A VAT identification certificate is not required for applications from third countries because VAT is not a national tax in all countries.

In cases C-302/93, *Debouche*, and C-136/99, *Soci t  Monte Dei Paschi di Siena*, the Court of Justice has, as the Swedish Tax Agency reads it, concluded that it must be required that the turnover to which the VAT covered by the application relates is normally taxable in the country in which the turnover

takes place. Should the turnover not be taxable in the country where it is made, there will be no right of refund. This rule has been introduced in Article 1 of Chapter 10 of the Swedish VAT Act (1994:200). As VAT cannot be found in all countries, this requirement only applies to turnovers which are made in EU Member States. Turnovers made in a third country is therefore not affected by this requirement.

23. Do certain types of expenditure give rise to refund under the 8th Directive but not under the 13th Directive? If yes, please specify the types of expenditure.

No.