

Place of supply of the goods

The place of supply of goods is Estonia

The place of supply of goods is Estonia in the following cases (**subsection 1 of § 9 of the VAT Act**):

1. the goods are transferred or made available in any other manner to the recipient in Estonia, are exported from Estonia, intra-Community supply of goods is effected or imported to a recipient located in Estonia on condition that the goods are taxed under special arrangements for imposing value added tax on distance selling of goods imported from a third country;
2. a person of another Member State engaged in business transfers goods to be installed or assembled, and installs or assembles them in Estonia or such goods are installed or assembled in Estonia on the person's behalf.
For the purposes of the application of this point, it is irrelevant whether or not the person of another Member State engaged in business is registered as a taxable person in his Member State, but only that the goods are installed or assembled in Estonia.
3. the goods, including goods consumed or sold on board, are transferred on board a vessel or aircraft departing on an international route from Estonia;
4. natural gas or electricity, heating or cooling energy is transferred via a network to a reseller who is an Estonian taxable person located in Estonia;

EXAMPLE

If a Latvian taxable person transfers electricity to an Estonian taxable reseller or final consumer, the place of supply and taxation of the supply is Estonia and the tax liability (reverse charge) arises for the Estonian taxable person.

However, if the recipient of the goods in Estonia is a final consumer who is a natural person, the Latvian taxable person must register as a person liable to VAT in Estonia.

5. natural gas or electricity, heating and cooling energy transmitted via a network is transferred to the acquirer of the goods who will use the goods in Estonia. If the acquirer of the goods does not use all or a part of the goods, the unused goods are still deemed to be goods used in Estonia if the acquirer of the goods has a seat or permanent business establishment in Estonia for which the goods were transferred. This provision does not apply in the case specified in the previous point.
6. goods taxed under special arrangements for imposing value added tax on the resale of second-hand goods, original works of art and collectors' items or antiques or goods taxed under special arrangements for imposing value added tax on selling of second-hand goods, original works of art, collectors' items and antiques at a public auction are transferred from Estonia to another Member State by intra-Community distance selling.

The place of supply of goods is not Estonia

Pursuant to **subsection 2 of § 9 of the VAT Act**, the place of supply of goods is not Estonia if the taxable

person:

1. transfers goods and installs or assembles the goods in another Member State;
2. transfers natural gas or electricity, heating or cooling energy transmitted via a network to a reseller or another person of another Member State who will not use the goods in Estonia;
For the purposes of point 4 of the first list and point 2 of the second list, "reseller" means a person engaged in business who generally transfers the natural gas or electricity, heating and cooling energy acquired thereby and uses such goods for own purposes only to an insignificant extent (**subsection 3 of § 9 of the VAT Act**).
3. transfers the goods taxed under special arrangements for imposing value added tax on the resale of second-hand goods, original works of art and collectors' items or antiques or under special arrangements for imposing value added tax on selling of second-hand goods, original works of art, collectors' items and antiques at a public auction by intra-Community distance selling from another Member State to Estonia.

The rules for determining the place of supply of intra-Community distance selling of goods are laid down in § 10¹ of the VAT Act.

On 1 July 2021, the thresholds on distance selling in the Member States of the European Union were abolished. An overall threshold of **10,000 euros** was introduced, which applies to the total supply of intra-Community distance sales of goods (to all Member States combined) and digital services provided to end-users in other Member States.