

Excise duties

(diploma work)

SUMMARY

Excise duties are indirect taxes on the consumption or the use of certain products. In contrast to value added tax, they are mainly specific taxes, i.e. expressed as a monetary amount per quantity of the product.

The most commonly applied excise duties are those on

- alcoholic beverages,
- manufactured tobacco products and
- energy products (motor fuels and heating fuels, such as petrol and gasoline, electricity, natural gas, coal and coke).

The basic principles applicable to all products subject to excise duties have been laid down in Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products.

Products subject to excise duties are generally produced, and can afterwards be held under duty suspension, in tax warehouses. The establishment and operation of tax warehouses is subject to the authorization of the Member States. They should respect the principles laid down in Commission Recommendation 2000/789/EC of 29 November 2000 setting out guidelines for the authorisation of warehousekeepers under Council Directive 92/12/EEC in relation to products subject to excise duty.

The products can be sent under duty-suspension from a tax warehouse in one Member State to a tax warehouse or to a registered or non-registered trader in another Member State. They can also be released for consumption in which case excise duties have to be paid.

The basic legislative instruments in the Czech Republic are:

a) Act No. 353/2003 Coll. on excise duties

This Act lays down the conditions for taxation by excise duties of mineral oils, alcohol, beer, wine and intermediates, and tobacco products, and method of marking and sale of tobacco products.

b) Act No. 261/2007 Coll.

This Act lays down the conditions for taxation of electricity, natural gas and solid fuels.

The tax administration shall be exercised by the Customs Offices appropriate to the registered seat or place of residence of the payer of the tax.

The aim of the diploma work is legal characterization of excise duties in the Czech Republic and their administration by customs service. The work is focused on tobacco products including the fight against tax fraud.

Key words: excise duty, suspension of excise duties, tobacco products.

Klíčová slova: spotřební daně, podmíněné osvobození od daně, tabákové výrobky.