



**DRAFT MINUTES OF
THE EIGHT MEETING
OF THE EUROPEAN MULTI-STAKEHOLDER FORUM
ON ELECTRONIC INVOICING**

18 March 2015

Centre Albert Borschette (Room 2C), Rue Froissart 36, 1040 Brussels

GENERAL

On 18 March 2015 the eight meeting of the European Multi-Stakeholder Forum on e-Invoicing ('the Forum') was organised by the Commission. The meeting was co-chaired by Mr Michel Catinat and Mr Nikita Stampa, both from the DG for Internal Market, Industry, Entrepreneurship and SMEs.

Delegates from most Member States attended the meeting with the exception of Bulgaria, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Portugal, Romania and Slovenia. Just over half of the stakeholder associations and organisations attended the meeting (Business Europe, CEN, EACT, Eurochambres, ECB, EESPA and Open PEPPOL). Representatives from Liechtenstein and Norway participated as observers.

1. INTRODUCTION AND ADOPTION OF THE AGENDA

The meeting started with a statement of Mr Catinat on the creation of the new DG GROW as result of the merging of large parts of the former DG ENTR and DG MARKT. He also pointed out that a connected Digital Single Market (DSM) is among the priorities identified by the new Commission, and Vice-President Ansip is in charge of it. A DSM strategy will be announced by the Commission in May 2015. Moreover, an Internal Market package is under preparation as well under the responsibility of Vice-President Katainen, and will be delivered by the end of 2015.

Successively he recalled that a number of actions were identified during the meeting of October 2014, and were listed at the end of the draft minutes as follows:

- DG MARKT to ask the Legal Service to clarify Article 7 of Directive 2014/55/EU. → Done.
- The Forum secretariat to organise the nomination of the Forum Ambassador to the Multi-Stakeholder Expert Group on eProcurement EXEP. → Done (André Hoddevick).

- The Forum secretariat to circulate:
 - the draft CEF 2015 Work programme. → Done.
 - the CEF Committee members list. → Not done due to data protection rules.

Efforts to be made to better inform the Forum of CEF-related initiatives. → Ongoing.

- The Forum secretariat to circulate the EXEP members list. → Not done due to data protection rules.
- DG DIGIT to clarify the financing of PEPPOL included in the ISA 2014 Work Programme. → After the meeting DIGIT clarified that there is no financing of PEPPOL by ISA. Action 1.6 takes over a subset of the results of PEPPOL in order to sustain them. The status today is that the EC is operating the PEPPOL SML. A MoU has been signed between OpenPEPPOL and the EC, but it doesn't contain any financial provisions either.

Moving to the adoption of the agenda, Mr Catinat mentioned that the structure of the agenda was improved by adding three qualifiers (information, decision, consultation) to the various items. He also asked to add the following item under Point 9 “AOB”:

- Linking the Forum to the EXEP Wiki

Moreover, upon proposal of the UK delegation, the Commission agreed to publish an annual progress report on the activities of the Forum.

The agenda was then approved.

The minutes of the previous meeting were adopted, including the removal of Finland from the list of countries that were not present, and the addition of the following sentence at the end of section 2, as proposed by Spain:

“Spain shares Italian concerns, and sees a contradiction among the desire to keep it as short as possible and overriding the use of national extensions. The latter may cause a flood of national legal requirements into the core.”

2. PRESENTATION AND DISCUSSION OF CEF DEVELOPMENTS

Mr Catinat underlined that this agenda item addresses a number of points concerning the CEF: the Scoping Paper for the e-invoicing DSI, the work programmes for 2015 and 2016, as well as the governance structure for the DSI which was recently set-up to ensure its proper management.

The objective of this agenda item was twofold:

1. To continue to explain and clarify the scope and activities of CEF broadly understood.
2. To involve the Forum as fully as possible in its consultative role, as specified in its mandate.

He confirmed that the Commission services are working to further improve this consultation process for the future. However, he underlined as well that it is just that – a consultation process whereby the Forum provides suggestions to the Commission to

better focus activities within the framework of the CEF. The Forum's role is to advise the Commission, which reserves itself the right to take it on board or not. It is important to keep in mind that there may be other reasons for certain decisions as to the annual work programmes or the specific calls for tenders.

A revised version of the Scoping Paper was previously sent to the Forum members. It incorporated some of the comments which were received. At this meeting the Commission had the objective to ensure that the Scoping Paper clarifies the objectives of the DSI on e-invoicing and receives the support by the Forum. It is needed in preparation of the 2015 call for proposals that will follow the adopted CEF-Telecom Work Programme 2015. It is a living document which will probably evolve as to reflect new specific needs and the learnings and outcomes of the calls for tender.

Marc-Christopher Schmidt (DG GROW) provided an overall presentation on the Scoping Paper and on the Work Programmes 2015 and 2016.

Successively, Jean-Francois Junger (DG CNECT) provided an insight on the governance structure. In order to ensure the proper co-ordination and management of the e-Invoicing DSI, over the previous months the Commission had been working on putting in place an appropriate governance structure. As part of this structure, it is foreseen that Member States' public sector representatives and industry experts monitor and provide advice on certain elements of the implementation of the DSI on e-invoicing. It had been decided that the Forum is the most adequate body to fulfil this role. The Forum has therefore been named as an advisory group to the DSI.

All members were reminded to send their comments on the Work Programme 2016 by the 17 April.

After a debate and some amendments, the Forum adopted the Scoping Paper at the end of the meeting.

3. UPDATE FROM CEN/PC 434 ON PROGRESS IN STANDARDISATION WORK

Andrea Caccia, the chair of CEN/PC 434, presented the status of their work. It is expected that CEN/PC 434 will approve in May the draft EN to be submitted to the enquiry stage.

During the subsequent debate some delegates (Germany, Ireland, Italy, United Kingdom) addressed various aspects of the core invoice and of National/sectoral extensions.

Mr Catinat clarified that the Commission is represented in the CEN/PC 434 by various officials, as different units and DGs are responsible for specific elements of e-invoicing and the Directive 2014/55/EU specifically. This ensures that the most appropriate person takes part in the discussions and that the correct information is passed to the CEN/PC 434 as rapidly as possible. However, the central contact point in the Commission for all questions and queries is Antonio Conte (DG GROW).

Moreover, during the debate under the point 4 of the agenda, he underlined that neither the Forum nor the Activity Groups themselves can provide formal advice to CEN and the CEN/PC 434 specifically since the Forum is an advisory body to the Commission. While it is understandable (and even to some extent beneficial) that some information flows do happen, in particular through the CEN representative in the Forum, he reminded that only

the Commission can provide formal statements or replies to outside bodies, on the basis of recommendations from the Forum. Furthermore, any decisions of a particular Activity Group which are to be passed on to outside bodies must first be addressed in the plenary.

Finally, he confirmed that the Commission services will help CEN/PC 434 in the interpretation of Article 7 of the Directive 2014/55/EU.

4. PROGRESS REPORT BY THE ACTIVITY GROUPS

The Activity Group leaders presented the progress of the respective activities. Overall, there was little progress since the previous meeting. The main elements are summarised below:

AG 'Connections' (AGC) – Charles Bryant

The Activity Group is working on a guidance document for Public Administrations that have to implement e-invoicing, i.e. on the practical aspects that make e-invoicing to happen. The document should be ready by September 2015.

AG 'Regulation' (AGR) – Stefan Engel-Flehsig

The Activity Group is addressing three topics:

- 1) VAT practices
- 2) New areas (e.g. archiving)
- 3) Core invoice and country extensions

With reference to the last item, AGSR received only 14 replies to the two questionnaires that were sent to all Forum members.

AG 'Standards and Interoperability' (AGS) – Peter Potgieser

The Activity Group is reviewing a Background document on e-invoicing, and is preparing a questionnaire on the cooperation on e-invoicing matters at the national level between the various public entities and the standardisation organisations.

5. B2G E-INVOCING IN EUROPE: EXPERIENCES OF DK, BE, IT

Denmark, Belgium and Italy represent a fairly varied sample of cases in terms of the level of experience, the size of the Member State, the governmental structure (centralised vs. federal). They provided a number of interesting learnings which can serve in the country transitions to e-invoicing.

B2G e-invoicing is mandatory in Denmark since 10 years for all enterprises and applies to all levels of the public institutions (i.e. national and local bodies) and to all types of companies. About 18 million e-invoices are received each year. According to the national legislation, the syntax has to be the Danish profile of UBL. The NemHandel infrastructure must be used for the transmission. NemHandel is an open, shared and secure infrastructure, based on common standards using the internet to exchange xml messages. It is very similar to the PEPPOL infrastructure.

B2G e-invoicing is mandatory in Italy since the 6 June 2014 for Ministries, Fiscal Agencies, and National Social Security Bodies. As from the 31 March 2015 it will become mandatory at the national/regional/local level for all types of companies. The e-invoices are transmitted via a central hub (managed by the Revenue Agency) to the proper administration on the basis of a Unique Office Code, and to the State General Accounting Department. E-invoices must comply with a national format (“FatturaPA”) that is based on XML and is 90% compatible with the CEN BII and MUG specifications. A qualified electronic signature is required in order to ensure authenticity and integrity. About 50 million e-invoices are expected every year. They will be generated by 2 million suppliers for about € 135 billion of sales.

B2G e-invoicing is being deployed in Belgium. The pilot solution is called “Mercurius” and is based on the e-Prior architecture. The first invoice in production was received in July 2014. There are three public administrations involved in the pilot (FPS for Budget and Control, FEDICT, Chancellery of the Prime Minister), while the Region of Flanders is also connected via “MAGDA” (the Flemish Service Bus). The pilot has demonstrated that the chosen approach works, however a number of needs have to be addressed for a large-scale roll-out. The next steps foresee the commitment of all service providers to set up OpenPeppol access points by September 2015, and the potential set up of an OpenPeppol Authority.

The Forum then split into the break-out sessions. The Chair requested each Activity Group (AG) to prepare an updated work programme by the end of March.

6. REPORT FROM THE BREAK-OUT SESSIONS

The AG leaders presented the outcome of the discussions during the break-out sessions.

AG ‘Connections’

AGC will add new elements in the document under preparation, namely:

- Buyer/supplier/connection environments to be covered;
- Minimum/maximum strategy for complying with the Directive 2014/55/EU;
- Project steps;
- Role of PDF/scanning;
- Support to publishing of documents via CEF.

The consistency between the document and the AGS “Background document” will have to be checked.

AG ‘Regulation’

AGR discussed the progress of the questionnaires work. The AG discussed organising a more extensive workshop that would focus on the vision of e-invoicing in Europe, potentially to be organised in autumn 2015. The scope and the concrete agenda as well as the modalities of how to organise it would be discussed in the following conference calls.

AG ‘Standards and Interoperability’

AGS had no further comments to the e-Invoicing DSI Scoping Paper. There was good progress in the preparation of the questionnaire on cooperation. Concerning future work,

AGS will reflect the communication flow among the various players in a diagram that will be distributed to the Forum members. The preparation of the Background document will be pursued.

7. FORUM - EXEP

Mr Hoddevik provided an overview on the EXEP objectives and progress of the work. In particular, he mentioned that the work is progressing within three “Task teams”:

1. Regulatory aspects and interpretation (RAI), led by Ute von Oertzen Becker (DE)
2. Governance and capacity building (GCB), led by Kerstin Wiss Holmdahl (SE)
3. Solutions and interoperability (SIR), led by Kornelis Drijfhout (NL)

Mr Hoddevik underlined that the Forum and EXEP address topics of common interest and should exploit their synergies. EXEP will ensure the coherence between the recommendations arising from the Forum and broader policies on end-to-end eProcurement.

During the subsequent debate Mr Catinat asked Mr Hoddevik to inform the Forum in future on key issues to be discussed in both groups. Mr Potgieser recalled that the CEN e-Business Coordination Group (eBCG) ensures the coordination among the various CEN Technical/Project Committees and Workshops that are working on e-business standardisation, and therefore will play an active role also in the coordination between CEN/PC 434 and the new CEN/PC 440 on electronic public procurement.

8. AOB

Linking the Forum to the EXEP Wiki – In order to facilitate exchanges and working arrangement both within the Forum and with the EXEP, DG GROW proposed opening up the membership of the wiki platform which has been created for the EXEP to the members and observers of the Forum. After a brief debate, the Forum supported the proposed approach. Therefore, access rights will be given to the Forum members, while the overall Forum information infrastructure will migrate to the wiki platform.

As complementary remark, Mr Potgieser urged DG GROW to update and to streamline the pages on e-invoicing that are published on the DG GROW website.

9. CONCLUSIONS

The Chair thanked the Forum members for their participation and for the work undertaken, and announced that the next meeting is scheduled for the 24 September 2015.