



Buying a car in the European Union



The European Consumer Centre (ECC) informs consumers about purchases in the European Union and helps them with cross-border disputes, e.g. if the consumer and the dealer live in different Member States of the EU. The centre is subsidised by the European Commission and the Belgian Federal Public Service for the Economy, SMEs, the Self-employed and Energy. The ECC's mediation services are free of charge.

The ECC Belgium forms part of a European network of 29 centres in 27 EU Member States + Norway and Iceland.

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Introduction

Buying a car is not an everyday matter for most of us. For this reason, it is important to take the time to compare offers from dealers and their prices. It is often worth looking beyond your national boundaries.

Buying a car in the European Union and importing it into Belgium is less complicated than it might appear at first sight. This brochure tells you about the steps you need to take in this regard.

The European Commission wants to make the internal market for the car sector more accessible for every European citizen. Twice a year the European Commission publishes tables comparing sale prices of the most commonly sold cars in Europe. It has also done a considerable amount of legislative work to make cross-border purchasing of a car easier.

If you buy a car in another Member State of the European Union, you are protected as a consumer in the same way as if you bought a car in Belgium. The guarantee applies in all countries of the European Union and you are allowed to have all work covered by the guarantee done in your own country.

Watch out: the information in this brochure applies to the purchase of a car. If you are considering buying a different kind of vehicle, like a motorcycle or a caravan, you need to inform yourself in advance about the applicable laws.

If you have more questions after you have read this brochure, then you will find a list at the back with useful addresses. You can of course always go to the ECC with your questions or complaints.

1. Selecting a car in Europe

You are best advised to make enquiries with several dealers before you buy a car. What conditions they offer: what discounts, additional options, a better trade-in price... You do not need to restrict this to your own country when making this comparison.

The price comparisons which the European Commission publishes twice every year can help you here. You will find them on the European Commission's website at the following address: http://ec.europa.eu/comm/competition/sectors/motor_vehicles/prices/report.html

Here you will find recommended prices (therefore prices not on special offer or with discounts) issued by car manufacturers for all Member States of the European Union. Which models and options are included in the price are listed for each make of car. If you are going to compare prices between different dealers yourself, you must make sure that you are in fact comparing the same model with the same features.

To compare the price with that of a new car in another country, you must compare the net prices, namely the prices without VAT. When you import the car into Belgium you will have to pay 21% VAT in Belgium.

2. What price?

If you buy a car in another Member State the price will depend on whether it is a new car or not. The Belgian VAT code considers a passenger car to be **new** if at least one of the following conditions is met:

- Delivery is made within a time limit of six months counting from the date on which the car first entered into service.

Or

- The car has not been driven for more than 6000 km.

The Belgian VAT code considers a passenger car to be **non-new** if two of the following conditions are met at the same time:

- Delivery is made more than six months after the date on which the car first entered into service.

and

- The car has been driven for more than 6000 km.

A non-new car

If you buy a non-new car in another Member State (delivery more than six months after the first use and more than 6000 km on the clock), then a distinction is made between a purchase by a private person and by a professional dealer (subject to tax).

In the case of **a professional dealer you will pay the price of the non-new car with VAT included, therefore at the rate in the country where you buy the car.**

If you buy a car from a private individual, VAT is not payable, not even in Belgium.

A new car

If you buy a new car in Belgium as a private individual, you will pay the price including VAT.

If you buy a new car in another EU Member State, then you will pay the price on the spot without VAT. When you import the car into Belgium, you will have to pay 21% VAT in Belgium.

You must therefore know the net price if you want to compare prices in another Member State. To find this, you need to deduct the VAT from the sale price. The table tells you about the VAT rates in different Member States. Do not forget that you need to increase the net price by 21% to know how much the new car actually costs.

Member state	VAT %
Austria	20
Belgium	21
Bulgaria	20
Cyprus	15
Czech Republic	19
Denmark	25
Estonia	20
Finland	22
France	19,6
Germany	19
Greece	19
Hungary	25
Ireland	21,5
Italy	20
Latvia	21
Lithuania	21
Luxembourg	15
Malta	18
Netherlands	19
Poland	22
Portugal	20
Romania	19
Slovakia	19
Slovenia	20
Spain	16
Sweden	25
United Kingdom	15

3. Documents when buying

The seller must give you a number of documents when you buy a car.

One important document in this case is the sale contract. Make sure that all the important elements are stated in the contract: the buyer, seller, the exact price, features of the car, the date, method of payment, delivery date, and so on.

If you want to take out a loan to buy the car, it is advisable to include a 'suspensive condition' in the contract. This means that the purchase will only go through if the loan is granted.

The required documents depend on whether this is a new or non-new car.



When buying a new car

- The **purchase invoice** (or proof of purchase) stating at least the price excluding VAT and the chassis number. It is moreover necessary to state clearly that it is a new car.
- The **registration certificate** if the car is already registered.
- The **European Certificate of Conformity**.
- It is best to retain other documents such as proof of payment and a purchase order.



When buying a non-new car

- A **detailed invoice with a complete description of the car** (including VAT) if you are buying from a dealer. You must also draw up a written agreement when buying from a private individual.

- The original foreign **registration certificate**.
- The **European Certificate of Conformity**. It is possible that you will have to apply for this explicitly, if it was not automatically provided to the first owner. In that case you can request the certificate from the distributor of the make of car in the country where you buy the car.
- Any other documents which show that the statements on the invoice are correct: such as a purchase order, contract, dispatch or transportation documents or a proof of payment.

Buying a car in another Member State, step by step:

1. Collect information, make comparisons and negotiate until you have found the most suitable car.
2. Make sure that everything is clearly stated in the sale contract. Read it very thoroughly before you sign and make sure that you are given all the documents you need.
3. Contact your insurance company for help with the formalities and state on the application to register the vehicle that the car is insured.
4. Arrange for transport to Belgium.
5. Take the car to customs and excise and pay the Belgian VAT (only for a new car) and obtain the vignette 705 (for both new and non-new cars).
6. Second-hand cars must undergo a technical inspection. If the car does not have a European Certificate of Conformity it is necessary to go through a special homologation procedure or to request a homologation certificate from the Belgian importer.
7. You will then have to register your car with the DIV (Vehicle Registration Service) using the correct form.
8. Finally you will have to pay the required taxes (first registration tax and vehicle excise duty).

4. The European Certificate of Conformity

You need a certificate of conformity to be able to register your car. This certificate (formerly called the homologation certificate) proves that the vehicle complies with the legally required technical requirements. All new cars that are sold in Belgium are supplied with the European Certificate of Conformity. This is not always the case in other countries.

Inspection procedures have been harmonised in the entire EU since 1 January 1996 (the EC type inspection).

What should you do if you didn't receive a certificate of conformity when you bought your car

You will not always receive this certificate automatically with the car in other countries. If the seller is unable to provide this document, then you can usually obtain it directly from the manufacturer of the car. The manufacturer will provide the certificate within a reasonable time at a reasonable price. If the manufacturer is unable to provide this certificate, then the vehicle will need to be identified by means of a technical inspection. Moreover, the Federal Public Service Mobility and Transportation will have to approve the procedure.

In the case of older second-hand cars for which there is no European certificate, the car will have to be subjected to a special procedure by the technical inspector or you will need to request a certificate of conformity from the Belgian importer (see under technical inspection).

5. Transporting your car to Belgium

There are various methods of transporting your car to Belgium.

Transportation company

You can give this job to a transportation firm. It is becoming easier and easier to compare prices and services of different firms using the internet. You can of course rent a special trailer and transport the car yourself.

Transit plates

If you want to drive the car itself, you will need transit plates. Transit plates are temporary number plates that allow you to drive your car into Belgium. You will need to enquire in the country where you buy the car where and how you can order transit plates and how much they cost.

You must also insure the new car temporarily for the journey. Ask a suitable agent. The seller of the car can help you in this connection and make things easier, including in the area of a foreign language.

Your old number plates

It happens that cars are imported with plates from another car, but this is in fact illegal. It is sometimes tolerated if the insurer offers insurance which refers to the new car's chassis number. But even then, you will not be allowed to report the car to the technical inspection with these number plates.

6. Reporting to customs and excise

Once you have bought a car in another Member State (this is known as an intra-community acquisition in the jargon), you will have to go to a customs and excise office with your car to fulfil the necessary formalities. There are various customs and excise offices in Belgium all over the country. You will

find a list at the end of this brochure. The procedure varies depending on whether this is a new or non-new car.

If you have bought a **new car** then you will have to pay the VAT in Belgium. You do this at the customs and excise office. The customs and excise officer will require payment of the VAT and you will complete a special VAT declaration (446). You can pay either in cash or use a guaranteed bank cheque.

The customs and excise officer will now issue a vignette 705 to you. This is a green sticker which has to be applied to the registration form which you will send to the DIV (the so-called 'pink form'). The customs office will validate box W on the form, which confirms to the DIV that the vehicle to be registered complies as regards VAT.

The procedure is similar for a **non-new car**. However, you will not have to pay any VAT in this case and the customs and excise officer will just validate box W.

Documents you must have with you:

- The purchase invoice (or proof of purchase) stating the price excluding VAT and the chassis number. If this concerns a new car, then this must be clearly stated.
- You must have the original proof of registration in the case where a car has already been registered.
- The registration application (pink form) with the T sections completed (personal details).
- Any other documents such as proof of payment or a purchase order showing that the details on the invoice are correct.

7. Insurance

Every car that is registered in Belgium must be insured with an insurance company registered in Belgium. Your insurance broker will help you with the various administrative steps you need to take. He will provide you with the pink form

which you need to register your car with the DIV. This form needs to be completed by the various agencies, such as the customs and excise and the technical inspectorate. The insurance company will apply its sticker in box Z of the application form thus confirming that the vehicle is insured.

8. Technical inspection

All second-hand vehicles must undergo technical inspection, just as with Belgian second-hand cars. Only after this can you register your car with the DIV.

The car must have suitable number plates. These are the plates that go with the vehicle. In some countries, like the Netherlands and France, the number plates remain with the car so that you can use them for the technical inspection. In other cases you will need to take your car with transit plates or ask a garage to inspect the vehicle using its dealer plates.

It is necessary to request a national certificate of conformity for older cars that do not have a European certificate. This can be done in two ways. If the model already existed in Belgium, the importer can provide this Belgian certificate of conformity. If this is not the case, then the car will have to undergo a 'special procedure for the inspection of an imported car'. After this special inspection, a report will be drawn up that will be sent to the FPS Mobility and Transportation. If everything is in conformity, then the FPS will issue a certificate of conformity via the inspection body. The time this takes depends on the vehicle and will last between 2 weeks and 2 months. This procedure costs between € 60 and € 100.

Most cars from the European Union are accepted after inspection. It may happen that certain cars need to be adapted to Belgian conformity standards, often for administrative reasons.

The list of inspection stations that are authorised to carry out this conformity procedure can be requested from GOCA (Federation of Vehicle Testing and Driving Licence Centres, see list of addresses).

9. Registration with the DIV

You have completed the customs formalities, you have a certificate of conformity, your car is insured and, if you bought a second-hand car, it has passed the technical inspection. You can now register the car with the DIV or Vehicle Registration Service.

To register your car, you will have to fill in the pink form 'Application to register a vehicle'. You can get this form free of charge from the DIV, customs, insurance companies and the technical inspectorate.

This form needs to be completed legibly, without crossing out which would make the text illegible. Check everything carefully before submitting the form.

You should send your application directly to the DIV. You can do this by post or by handing it in at the DIV offices in Brussels or a provincial sub-office of the DIV. You will find the addresses of the DIV and its provincial sub-office at the back of this brochure.

10. Taxes

An imported car is subject to the same taxation regime as a car that is bought in Belgium. After registering the car, you will receive an invitation from the tax authorities to pay various compulsory taxes.

- first registration tax
- road tax
- additional road tax
- excise compensation tax

The first registration tax has to be paid only once, when a car has been bought (both new and second-hand). The tax is calculated depending on the age and the capacity of the engine, which is expressed as fiscal horsepower or in kilowatts.

Road tax has to be paid annually and is due on the basis of the engine capacity, expressed as fiscal horsepower (hp).

Additional road tax has to be paid annually for vehicles equipped with an LPG system, and is due on the basis of the engine capacity, expressed as fiscal horsepower (hp).

If your car is equipped with a radio you are also required to pay radio tax in the Walloon Region. **Radio tax** is not payable in the Flemish and Brussels Capital Regions.

11. The warranty

The warranty covers manufacturing faults and other defects for which the seller can be held liable. The warranty period starts from the time that the car is delivered. A distinction is made between the legal warranty and the contractual warranty.

Because of European Regulation 1475/95 all approved dealers must conform to the manufacturer's warranty. They have to provide free servicing and perform work if cars have to be recalled, even if these were supplied by a dealer from another Member State of the EU. This European legislation ensures that you can approach any dealer in the manufacturer's network to make a claim under warranty, regardless of the Member State where you bought the car. This is on condition that the vehicle is maintained in accordance with the maker's instructions at an approved workshop for that make of car.



Legal warranty

The legal warranty is regulated by a European Directive, which provides for a two year warranty for new products. The seller is obliged to repair or replace goods free of charge if they are faulty. If this is impossible, then you are entitled to a suitable price reduction or to a refund of the entire purchase price.

If the fault appears within six months, then it is assumed that the fault already existed at the time of delivery. It is up to the seller to prove the contrary, if he does not agree. The burden of proof is on the buyer after the said six months. The protection against hidden defects remains valid after the two year period. As the buyer, you must be able to demonstrate that this concerns a hidden defect. A hidden defect is a defect that an ordinary buyer would not have been able to detect at the time of purchase and which was already present at the time. You will find more information in a separate brochure from ECC: 'The law on guarantees'.

In the case of second-hand cars the legal warranty may be limited to one year.



Contractual warranty

Many car manufacturers offer a more extensive commercial guarantee on top of the legal guarantee. There are manufacturers who offer a 12 year guarantee against rust or free roadside assistance for a certain period. This guarantee is laid down in the seller's terms and conditions of sale. This document, which offers cover and the terms and conditions, should be kept safe. The contractual guarantee must never affect the legal guarantee.

12. Repairing your car abroad

Tourists are easy victims because they are not regular customers by definition. If you approach a foreign garage to have repairs done, you are advised to ask for a written specifications sheet which clearly states the price of the repairs. Make sure that the order form states that no repairs can be done without your prior approval. This will ensure that you avoid an unexpectedly high bill when you collect your car.

13. Useful addresses

Customs and excise: central administration

Boulevard Albert II 33 (North Galaxy NGA10) bte 37
1030 Bruxelles
T: 02 576 30 11
douane.procedures@minfin.fed.be

Customs and excise: information officers

North Galaxy bte 37
Boulevard Albert II 33
1030 Bruxelles
info.douane@minfin.fed.be

Stephan Barun

T: 02 576 52 19

Pierre Ernoux

T: 02 576 30 19

Customs and excise: regional directorates

BRUXELLES
Rue de l'Entrepôt 11
1020 Bruxelles
T: 02 421 38 25
dir.reg.da.bruxelles@minfin.fed.be

LIEGE

Cité Administrative de l'Etat
Rue de Fragnée 40
4000 Liège
T: 04 254 87 23
dir.reg.da.liege@minfin.fed.be

MONS
Centre Administratif de l'Etat
Chemin de l'Inquiétude
7000 Mons
T: 065 34 12 75
dir.reg.da.mons@minfin.fed.be

ANTWERPEN
Kattendijkdok – Oostkaai 22
2000 Antwerpen
T: 03 229 23 05
gew.dir.da.antwerpen@minfin.fed.be

GENT
Port Arthurlaan 14
9000 Gent
T: 09 251 01 30
gew.dir.da.gent@minfin.fed.be

HASSELT
Voorstraat 41-43-45
3500 Hasselt
T: 011 21 22 32 (extension 445 of 446)
gew.dir.da.hasselt@minfin.fed.be

Road Traffic Directorate - DIV

Rue du Progrès 56 (City Atrium)
1210 Bruxelles (Saint-Josse-Ten-Noode)
Tél. infokiosque : 02 277 30 50
Opening hours: every working day from 8.30 a.m. to 3.30 p.m.

DIV – Customs service

Rue du Progrès 56 (City Atrium)
1210 Bruxelles (Saint-Josse-Ten-Noode)
T: 02 277 39 20 – 02 277 39 22 – 02 277 39 29
ser.douanes.div@minfin.fed.be

DIV – Sub-offices

It is only possible to register a vehicle that has been imported into Belgium at a DIV sub-office on days and at times when the Customs is present (FPS Finance). Contact the sub-office for the times.
Attention: You can only apply for transit permission at the transit sub-office.
Opening hours: every working day from 8.30 a.m. to 12.00 p.m. and from 1.30 p.m. to 4.30 p.m.

ALKEN
Industrieterrein Kolmen 1214
3570 Alken

CHARLEROI (Gosselies)
Rue Tahon 59
6041 Charleroi (Gosselies)

EUPEN
Rue de Verviers 80 A
Vervierser strasse 80 A
4700 Eupen

GENT (Zwijnaarde)
Buitenring - Zwijnaarde 1 A
9052 Gent (Zwijnaarde)

GRACE-HOLLOGNE
Rue d'Expansion 12 A
4460 Grâce-Hollogne

HARELBEKE
Kortrijksesteenweg 407 A
8530 Harelbeke

KONTICH
Industriezone « Blauwesteen »
Neerveld 3 B
2550 Kontich

MONS (Maisières)
Rue Grande 8
7020 Mons (Maisières)

NAMUR (Belgrade)
Chemin de la Plaine 2
5001 Namur (Belgrade)

NEUFCHATEAU
Rue des Prés 3
6840 Neufchâteau

OOSTENDE
Industriezone 3
Zandvoordestraat 442 B
8400 Oostende

DIV – Transit sub-office

Rue de l'Entrepôt 11
1020 Bruxelles (Port de Bruxelles)
Attention: You can only apply for transit permission at the transit sub-office.
Opening hours: every working day from 8.30 a.m. to 3.30 p.m.

Car inspection: Group of Licensed Vehicle Testing Centres (GOCA)

Rue de la Technologie 21-25
1082 Bruxelles
T: 02 469 09 00

The European Consumer Centre network was set up on the initiative of the European Commission to offer free assistance to consumers in the European Union.



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info@eccbelgium.be
www.eccbelgium.be

Free legal advice: every working day from 9.00 a.m. to 12.30 p.m. and from 1.30 p.m. to 5.00 p.m. On Friday from 10.00 a.m.

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