Question for written answer E-003581/2014
to the Commission
Rule 117
Marianne Thyssen (PPE)

Subject: Free movement of capital

The free movement of capital is currently being restricted in two ways under Italian legislation:

1. Under Article 4(2) of Decree Law 167/90 as amended by Law 97/2013 adopted at the end of December 2013, Italian banks have, since 1 February, been required to impose on all foreign transfers to Italian bank accounts held by natural persons a standard 20% withholding tax that can only be claimed back after more than one year, the procedures involved being extremely complex, requiring those concerned to show that no tax is payable on the amount in question or that any tax due is at a lower rate. As a result, unincorporated small businesses or craftsmen will obviously refuse to accept transfers from abroad, effectively placing transactions by foreign account holders at a disadvantage compared with those carried out from Italian accounts.

2. Persons resident in Italy wishing to use F24 forms for payments such as taxes or duties to the state are unable to do so unless they hold an Italian account, effectively making it a necessity.

Is the Commission aware of these restrictive provisions and what action does it intend to take against them?