



Comments on draft CWA 2 CEN E-Invoicing Workshop Phase 3 (“Electronic invoice processes in Europe and enablement of SMEs to use them efficiently”)

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An association established in 2011 under the laws of Belgium, Digital Trust and Compliance Europe (DTCE) brings together businesses and practitioners with an interest in trust and compliance methods and technologies in Europe.

DTCE has reviewed the WG2 draft CWA on the enablement of SMEs and judges it unacceptable that a European standards body proposes to publish a document that expresses an absolute preference for a single type of VAT compliance method conflicting with the EU VAT Directive 2012/45/EU which allows many different methods to be applied. As practitioners in the field of trust and compliance, we view it as critical that standards and policy organisations in Europe strictly pursue the objectives of freedom of choice, interoperability and continued innovation rather than suggesting a hierarchy in which some methods are presented as objectively better or more cost-effective than others.

Singling out “*business processes ensuring a reliable audit trail between an invoice and a supply*” as somehow universally more appropriate or cheaper for SMEs runs counter to the policy objectives behind the 2010 EU e-invoicing rules. If we have learned anything from the past it must be that every business is different, and therefore every set of business circumstances may demand different methods (processes and/or technologies) to ensure compliance with the regulatory objective of long-term auditability of invoices. Company size is only one among many parameters that can influence the mix of controls a company can best implement to guarantee integrity and authenticity from issuance of an invoice until the end of the mandatory storage period. The market is the only force that can decide which compliance method is most appropriate in which scenarios. A CEN CWA’s interference in market-driven optimization risks undermining the effectiveness of the new EU regime for electronic invoicing rules in VAT law, as well as distorting the level playing field of competitive forces that Europe should bolster to maximize user choice and drive innovation.

It is not the role of standards organisations to express value judgments on the relative cost-effectiveness of any process or technology. Rather, instruments like CWAs should describe objective facts and good practices as a foundation for businesses to choose from among functionally equivalent approaches.

We strongly urge the authors of this CEN CWA, as well as CEN as a European standards organisation, to refrain from any value judgments and instead to forcefully promote freedom of choice. The credibility of Phase 3 of the CEN E-Invoicing Workshop, and therewith of CEN as an organisation with an important mission in European e-invoicing, would be negatively impacted if this CWA’s bias were not entirely removed.

Yours sincerely,

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