

INTERNATIONAL PHILANTHROPY : CREATING THE RIGHT CLIMATE

## Friendly and less friendly cross-border giving countries in Europe: fundraisers and charities point of view

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### Friendly and less friendly cross-border giving countries In Europe: charities and fundraisers point of view

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**CROSS- BORDER LEGACIES TO CHARITIES:**

**TAX TREATMENT IN TESTATOR'S COUNTRY (PART 1)**

testator's country	Is there an inheritance tax in donors country?	Inheritance tax on worldwide estate?	Maximum tax rate applicable to third parties	Top slide in case of progressive rates	Privileged regime for local charities?
AU	Yes	Yes			
BE	Yes	Yes	65% Flanders 80% Brussels 90% Wall.	over 125000 over 175000 over 175000	Yes 7% , 5.5% 6.6% 12.5 or 25% 6.6 or 8.8%
DE	Yes	Yes	36.25%	Over 31600	Exemption
FIN	Yes	Yes	48%	Over 50000	Exemption
FR	Yes	Yes	60%	Flat rate	Exemption or reduced rates 25 15%
GE	Yes	Yes	50%	Over 25365000	Exemption
GR	Yes	No	4%	Over 220.000	Exemption
IRL	Yes	Yes	20%	Over 22060	Exemption
IT	No	N.R.	0%	-	NA
LU	Yes	No	48%	Over 1750000	4% or 6%
NL	Yes	Yes	65%	Over 860095	8% or exemption
PO	Yes	No	10%	Flat rate	exemption
SP	No	N.R.	0%	-	-
SW	No	N.R.	0%	-	-
UK	Yes	Yes	40%	263000 £ (exempt threshold)	Exemption
CH	Yes	No	See per canton	See per canton	exemption

**CROSS BORDER LEGACIES TO CHARITIES:**

**TAX TREATMENT IN TESTATOR'S COUNTRY (PART 2)**

Donor's country	Equal treatment for charities with international scope	Equal treatment for EU charities?	Treaties or declarations of reciprocity
AU			
BE	No	Yes Yes Yes (under specific conditions)	Yes
DE	No	No	No
FIN	No	No	Yes
FR	No	No*	Yes
GE	No	No	Yes
GR	No	No	Yes
IRL	No	No	No
IT	N.A.	N.A.	N.A.
LU	No	No	No
NL	No	No	Yes
PO	No	No	No
SP	N.A.	N.A.	N.A.
SW	N.A.	N.A.	N.A.
UK	No	No	N.A.
CH	No	N.A.	Yes

**CROSS BORDER DONATIONS OR INFORMAL GIFTS TO CHARITIES:  
TAX TREATMENT IN DONOR'S COUNTRY (PART 1)**

Donors country	Is there a gift tax in donors country?	Gift tax on worldwide assets?	Max tax rate applicable to third parties	Top slide in case of progressive rates	Exemption for gifts from hand to hand?	Potential IHT tax and if yes, length of the term	Privileged regime for local charities?
AU							
BE	Yes	Real .estate: No Movable assets: yes if registered in Bel.	Flanders: 7% on movable* Immov: 30% Br 7% on movable Immov: 30% Wall 90%	Flat rate over 175000 Flat rate over 175000 over 175000	Yes Yes Yes	Fland. mov: no* Immov yes 3y Brus. mov. no* Immov yes 3y Wall.: yes 3y	7% or, 5,5% 6,6 or 7% 6,6 or 8,8%
DE	Yes	Yes	35,25%	Over 31600	No	No	Exemption
FIN	Yes	Yes	18%	Over 50000		Yes 3 Y	Exemption
FR	Yes	Yes	60%	Flat rate	Yes, but applicable in very few situations	Yes 10 y	Exemption or red. rates (35,45%)
GE	Yes	Yes	50%	over 25365000	No		Exemption
GR	Yes	No	40%	Over 220.000	No		Exemption
IRL	Yes	yes	20%	Over 22060	No	Yes 2 y	Exemption
IT	Yes	Immov.: No movable: Yes	3% - 7%	Over 180759	No	No	Exemption
LU	Yes	Real .estate: No Movable assets: yes if registered in Lux.	48%	Over 1750000	Yes	Yes 1 y	7,2%
NL	Yes	yes	68%	Over 860095	No	Yes 180 days	8% or ex.
PO	No*	No	10%	Flat rate	No	N.A.	exemption
SP	No**	N.A.	0 %	-	N.A.	N.A.	-
SW	No	N.A.	0%	-	N.A.	N.A.	-
UK	No	N.A.	N.A.	N.A.	N.A.	Yes 7 y	N.A.
CH	Yes	No	See per canton	See per canton			Exemption

**CROSS BORDER DONATIONS OR INFORMAL GIFTS TO CHARITIES:  
TAX TREATMENT IN DONOR'S COUNTRY (PART 2)**

Donor's country	Equal treatment for charities with international scope	Equal treatment for EU charities?	Treaties or declarations of reciprocity
AU			
BE	No	Yes Yes Yes (under strict conditions)	Yes
DE	No	No	No
FIN	No	No	Yes
FR	No	No*	Yes
GE	No	No	Yes
GR	No	No	Yes
IRL	No	No	No
IT	N.A.	N.A.	N.A.
LU	No	No	No
NL	No	No	Yes
PO	No	No	No
SP	N.A.	N.A.	N.A.
SW	N.A.	N.A.	N.A.
UK	No	No	N.A.
CH	No	N.A.	Yes

Inheritance and gift tax treaties + reciprocal agreements concluded by some of the 15 European countries. Treaties US and EU countries

	AU	BE	DE	FIN	FR	GE	GR	IRL	IT	LU	NL	PO	SP	SW	UK
AU					■	■		☒							☒
BEL					■										☒
DEN				☒		☒			☒		■				☒
FIN			☒		■						☒	■			☒
FR	■	■		■	■	■	■	■	■	■	■	■	■	■	☒
GE	☒		☒		■	■		☒			■				■
GR*						☒				■				☒	
IRL															☒
IT			☒		■	■		■							☒
LUX											■				
NL	■			■	☒	■				■					☒
PO															
SP					■	■		☒							
SW	☒	☒	☒	☒	■	■				☒				☒	☒
U.K.								☒	☒	☒	☒	☒	☒	☒	☒
US	☒			■	■	■	■	☒	☒	☒	☒	☒	☒	☒	■

- ☒ Inheritance and/or gift tax treaty without specific provisions on charities
- Inheritance and/or gift tax treaty with a "charity friendly" provision
- Reciprocal agreement on cross-border gifts or legacies
- \* In Greece reciprocity is checked unilaterally on a case by case basis

Cross border giving friendly and lessfriendly countries:  
income tax relief

Donor's country	Income tax relief for gifts to local charities?	Equal treatment for foreign charities with international scope?	Equal treatment for charities of EU countries?	Treaties or declarations of reciprocity	Other solutions
AU					
BE	Deduction	No	No	No	TGE*
DE	Deduction	No	No	No	No
FIN	No tax relief	N.A.	N.A.	N.A.	N.A.
FR	Tax reduction	No	No	No	TGE*
GE	Deduction	No	No	No	TGE*
GR	Deduction	Yes for some org	No	No	No
IRL	Deduction	No	No	No	No
IT	Deduction	Yes for some NGO's	No	No	No
LU	Deduction	No	No	No	No
NL	Deduction	Yes, under condition	No	No	TGE*
PO	Deduction	Yes agreements with some foreign NGO's	No	No	No
SP	Tax credit	No	No	No	No
SW	No tax relief	N.A.	N.A.	N.A.	N.A.
UK	Recovery from treasury	No	No	No	TGE*
CH	deduction	No	No	No	No

\*TGE = Transnational Giving Europe: network including Fondation Roi Baudouin (BE), Fondation de France (FR), Charity Aid Foundation (UK), Oranjefonds (NL), Maecenata(GE)