



HOW TO GET AWAY WITH... MONEY LAUNDERING

ONLINE MONEY
LAUNDERING CASE



Conditions for a taxable VAT transaction:

- Delivery of goods/service provided as referred to in the VAT Council Directive 2006/112;
 - By a taxable person;
 - Price;
 - The delivery of the goods/services takes place in Belgium.
- Transaction charged with VAT

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Conditions of a taxable VAT transaction:

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 - Price:
- The delivery of the goods/services takes place in Belgium.

- The provided services must take place in Belgium.



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Conditions of a taxable VAT transaction:

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 - By a taxable person;
 - Price:
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- ELECTRONICALLY SUPPLIED SERVICES:



- website hosting
- supply of software
- access to databases
- downloading apps or music
- online gaming
- distance teaching

Until 01-01-2015: the service is provided there where the provider is established

This resulted in... **TAX SHOPPING**

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As of 01-01-2015:

the service is provided there where the **CUSTOMER** is established

PROBLEM SOLVED?

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Belgian service provider must register in all Member States where taxed services are purchased!



The VAT Mini One Stop Shop (MOSS) is an optional scheme that allows you to account for VAT - normally due in multiple EU countries – in just one EU country.

If you supply **cross-border telecommunication, television and radio broadcasting, or digital services** to non-taxable persons, you may be eligible for the scheme. Services covered under the MOSS scheme include:

- website hosting
- supply of software
- access to databases
- downloading apps or music
- online gaming
- distance teaching

MOSS means you don't need to register with tax authorities in every EU country you sell to, instead, you can **register for VAT, file VAT returns and make payments in one single place**. You must apply the rules of the MOSS scheme to your customers in **all EU countries** that you supply to.

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ALL PROBLEMS SOLVED?

- MOSS = optional
- Investigation of MOSS = investigating NL/SE/DE/FR/IT...VAT
- Tax shopping still possible
- Jurisdiction? What if the data/server is located off shore?
- Ladies and gentlemen...



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Test case on behalf of de EU. Unexplored terrain.

**Target X chosen,
almost at random.**

Webhosting	Dedicated webhosting	Hosting op maat
<p>Je eigen webruimte op onze krachtige hostingcluster (met aparte servers voor elke taak, bv. webservice, mailservice...).</p>	<p>Een eigen webhosting server volledig voor jou alleen. Ga voor maximale prestaties met hetzelfde gebruiksgemak.</p>	<p>Een hostingoplossing uitgewerkt op maat van jouw website of applicatie. Alles is mogelijk bij Combell.</p>
<p>Aangeraden voor: Perfect voor de meeste websites, van groot tot klein.</p>	<p>Aangeraden voor: Veeleisende website of applicatie met (onverwachte) bezoekerspieken.</p>	<p>Aangeraden voor: Applicatie, website of IT-infrastructuur met zeer specifieke vereisten.</p>
<p>Waarom Webhosting?</p> <ul style="list-style-type: none">✓ Goedkoop: Door de hosting-infrastructuur te delen met anderen✓ Snelheid: SSD schijven, snelle internetverbindingen, HTTP/2...✓ Veilig: Continu verbeterde beveiliging tegen malware✓ Gebruiksgemak: Dankzij ons eigen controlepaneel	<p>Waarom Dedicated webhosting?</p> <ul style="list-style-type: none">✓ Performance: De hele server is voor jou alleen✓ Snelheid: SSD schijven, snelle internetverbindingen, HTTP/2...✓ Veilig: Continu verbeterde beveiliging tegen malware✓ Altijd online: Dankzij uitgebreide SLA-garanties	<p>Waarom Hosting op maat?</p> <ul style="list-style-type: none">✓ Performance: De hele hostingsetup is 100% afgestemd op jouw applicatie✓ Snelheid: NetApp, VMware, Full SSD, gigantisch 100 Gbps netwerk...✓ Peace of mind: Onze experts beheren alles voor je, zoals beveiliging etc.✓ Altijd online: Dankzij uitgebreide SLA-garanties
<p>Vanaf € 9,33 /maand</p> <p>Webhosting</p>	<p>Vanaf € 249,00 /maand</p> <p>Dedicated webhosting</p>	<p>Krijg een gratis offerte</p> <p>Hosting op maat</p>

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Vanaf € 9,33 /maand

[Webhosting](#)

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Krijg een gratis offerte

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Why target X:

- Who's the X-man?

Age: 36

Start activity: 01/01/2014

(fixed) Assets: very impressive!

Fast grower!



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Why target X?



Company debts!

SCHULDEN		
VIII.	Schulden op meer dan één jaar	75.973.002,08
A.	Financiële schulden	355.747,07
3.	Leasingschulden en soortgelijke schulden	355.747,07
	172000 Leasingschulden en soortgelijke	355.747,07
IX.	Schulden op ten hoogste één jaar	68.251.816,88
A.	Schulden op meer dan één jaar die binnen het jaar vervallen	38.223.666,99
	422000 leasingschulden en soortgelijke	244.601,27
	423000 lt schulden die binnen het jr vervallen	37.979.065,72
B.	Financiële schulden	12.233.605,00
2.	Overige leningen	12.233.605,00
	439100 Achtergestelde leningen Kero Holding (12%)	12.233.605,00

Debts due in less than 1 year!!!

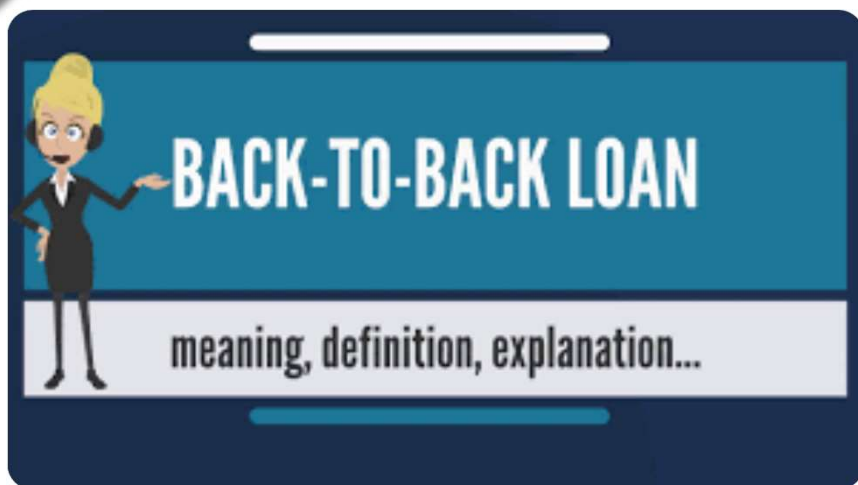
Back to back loans?

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BACK 2 BACK LOANS

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BACK 2 BACK LOANS

“Loan arrangement where person A deposits an amount of money with a bank in country X under the condition that an office of the bank, or a related bank in country Y, will lend the same amount to A in country Y”

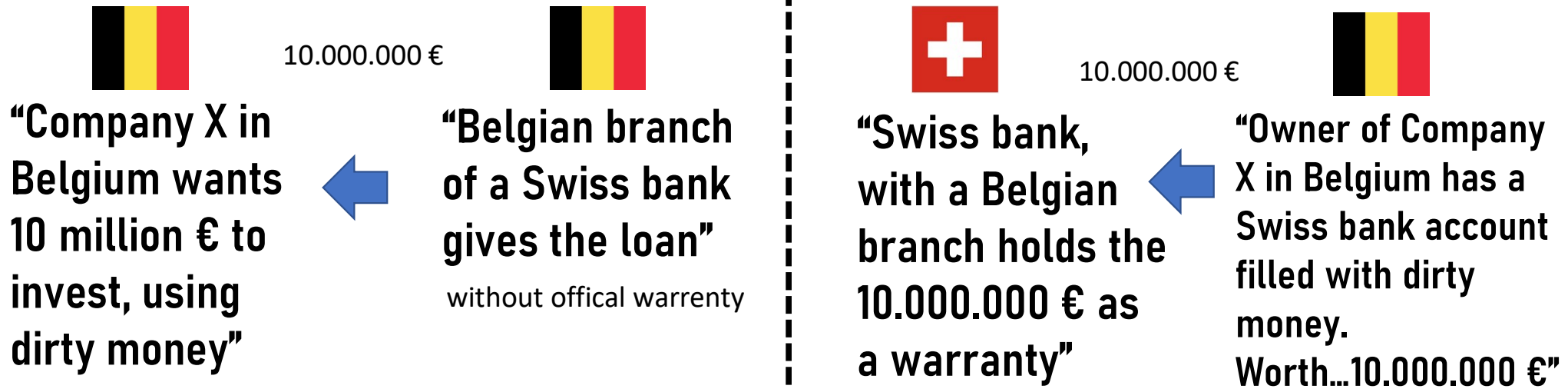
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BACK 2 BACK LOANS



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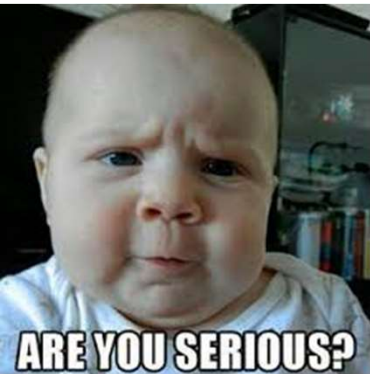
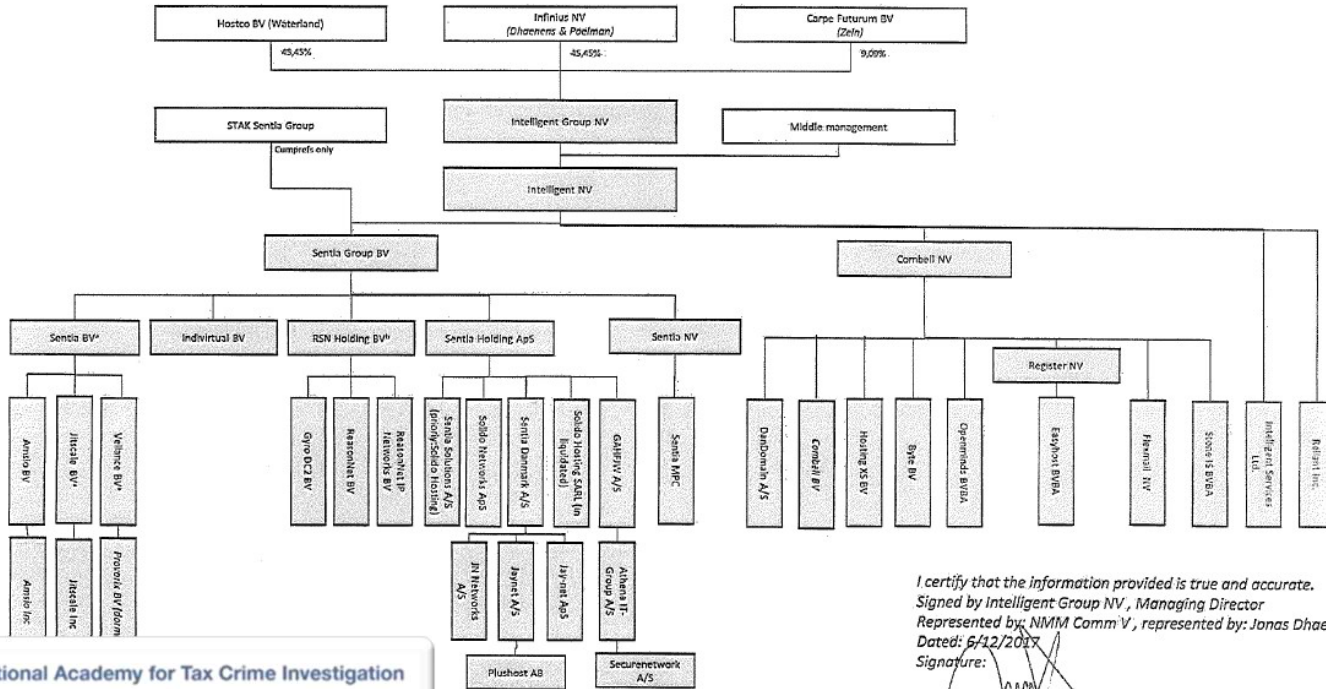




Company structure?



Legal structure Intelligent – As per 01/12/2017
(all owned 100%)



I certify that the information provided is true and accurate.
 Signed by Intelligent Group NV, Managing Director
 Represented by NMM Comm V, represented by: Jonas Dhaenens
 Dated: 6/12/2017
 Signature:





The investigation!



Not enough for a search warrant!



Follow the money!



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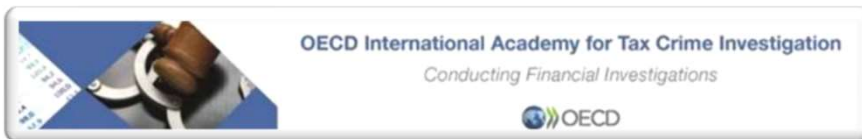




The investigation!



Very impressive amount of B2C revenues via the MOSS declaration!



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The investigation!



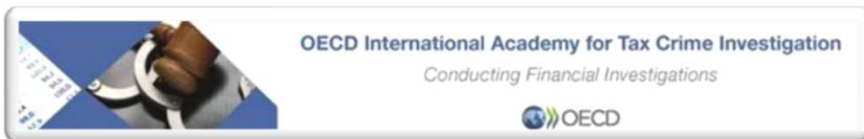
Very impressive amount of B2C revenues via the MOSS declaration!

Follow the money?!

ALL B2C revenues paid by Credit Card or wire transfer!



99% of B2C revenues from outside Belgium!



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The investigation!



Your letter from	Your reference:	Our reference: SB/3/1000537 – FMC 344	Attachments:
		Brussels	17 / 06 / 2019

AUTHORIZATION

Subject : Designation of a competent official for the direct exchange of information pursuant to
- art. 4.3 of Council Regulation (EU) N° 904/2010 of 7 October 2010 on administrative cooperation in the field of value added tax

Belgium (BE) initiates a multilateral controle, pursuant to art. 29 and 30 of the above mentioned Council Regulation N° 904/2010.

This multilateral control (MLC) is notified under the Fiscalis financial code FMC 344. The Netherlands (NL) are the only participating country.

Pursuant to art. 4.3. of Council Regulation (EU) N° 904/2010, Mr. Kurt CAESTECKER (Fiscaal deskundige, AABBI, directie Gent, Inspectie BBI Brugge) will be designated as a competent official who can directly exchange information on the basis of this Regulation with the authorised competent officials and authorities of the other Member State participating in the MLC FMC 344.

Pursuant to art. 28.1 of the Council Regulation, I authorise Mr. Kurt CAESTECKER to be present in the offices of the administrative authorities and to attend meetings, organised during the course of this MLC taking place in the other participating Member State.

2 of the Council Regulation, I also authorise Mr. Kurt CAESTECKER to be administrative enquiries carried out in the territory of the other participation during the course of this MLC.

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The investigation!



PREPAID CREDITCARD AANVRAGEN

 <p>ViaBuy Prepaid</p> <ul style="list-style-type: none"> ✓ Géén BKR toetsing ✓ Geen bewijs van inkomen ✓ € 19,90 per jaar <p>▶ BEKIJK AANBIEDING</p>	<p>Meest aangevraagd</p>  <p>N26 Mastercard Debit</p> <ul style="list-style-type: none"> ✓ Géén BKR toetsing ✓ Geen bewijs van inkomen ✓ Gratis <p>▶ BEKIJK AANBIEDING</p>	 <p>GWK Mastercard</p> <ul style="list-style-type: none"> ✓ Géén BKR toetsing ✓ Geen bewijs van inkomen ✓ Vanaf € 14,95 <p>▶ BEKIJK AANBIEDING</p>
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PREPAID CREDITCARD AANVRAGEN

Prepaid creditcards winnen snel aan populariteit. Met een prepaid creditcard weet je vooraf waar je aan toe bent. Anders dan de andere creditcards die je kunt aanvragen, kun je hier niet meer uitgeven dan je er zelf op stort. Een anonieme creditcard kopen is het perfecte alternatief voor wanneer je bijvoorbeeld online een aankoop wilt doen waarbij je een creditcard nodig hebt, zoals een vliegticket, maar niet vast wilt zitten aan een vaste creditcard. Op dergelijke momenten is een eenmalige uitkomst. Gebruik onderstaande tabel om direct een keuze te maken voor één of meerdere prepaid creditcards.





The investigation!



Meest aangevraagd

N26 Mastercard Debit

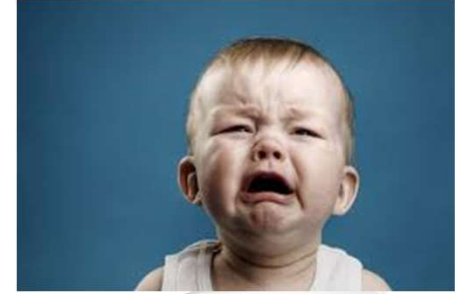
- ✓ Géén BKR toetsing
- ✓ Geen bewijs van inkomen
- ✓ Gratis

> BEKIJK AANBIEDING



PREPAID CREDITCARD AANVRAGEN

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**JUST WHEN YOU
THINK IT CAN'T GET
ANY WORSE, IT CAN**

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The CRYPTOCARD!



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Example:



A – URL	https://advcash.gi https://wallet.advcash.com
B – Location	Russian company located in : ADV PROJECT LTD Suite 16, Block 5, Watergardens, GX11 1AA Gibraltar
C – Data collected	
c-1 – Verification of the company's credibility	ADVCash delivers a non-anonymous cryptocard. It displays the currency EUR. The 3D SECURE function is not specified and has not been tested. It is delivered by DHL.
c-2 – Search on the card issuer	ADVCash's VISA card has the BIN 434933. The banking service provider is Laurentian Bank in CANADA. This is a prepaid card.
c-3 – Creating an account to access the order	Create an account with an email address and password
c-4 – Data required to identify oneself (KYC)	8 cryptocurrencies are available, including Bitcoin, Ethereum, Litecoin. The account management is done through the website or application. The latter, it is not in the Playstore but on the website appsgeyser.io by allowing data from an unknown source to be downloaded.
c-5 – Backup of private/public keys when obtaining a crypto-currencies wallet	The wallet is held by the platform that provides the addresses for transactions.
c-6 – Verifications and tests of crypto-currencies transfer terms and conditions	Charges can be made by credit card, by crypto-currencies transaction, or by SEPA transfer on the ADVCash platform. A link with BINANCE is established (see § "Additional information")
c-7 – Testing the cryptocard and its payment or cash withdrawal features	Withdrawal from an ATM is possible. A withdrawal fee is applied.

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Never
Give Up



Ci sono domande?

ON NOT
OUR
WATCH



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