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*Special Committee on Tax Rulings and Other Measures Similar in Nature or Effect*

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23/09/2015

**AMENDMENTS 1 - 24**

**Elisa Ferreira, Michael Theurer**

Report of the special committee on tax rulings and other measures similar in nature or effect

**Motion for a resolution** PE564.938 - 2015/2066(INI)

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# EUROPEAN PARLIAMENT

*Special Committee on Tax Rulings and Other Measures Similar in Nature or Effect*

23/09/2015

Report of the special committee on tax rulings and other measures similar in nature or effect

**Motion for a resolution** PE564.938 - 2015/2066(INI)

## **Amendment 1**

**Ana Gomes**

### **Motion for a resolution**

#### **Recital B**

#### *Motion for a resolution*

B. whereas issues related to corporate tax base erosion and aggressive tax planning practices have been known and analysed at international level at least since the end of the years 1990; whereas Luxleaks brought public and media attention to those issues, disclosing questionable tax practices promoted by one specific accountancy firm in one specific Member State; whereas the Commission's investigations and the work carried out by Parliament through its special committee have shown that this is not the only case but a practice that is widespread within Europe and beyond, and one which consists in taking tax measures to reduce some corporations' overall tax liabilities so as to artificially increase the national tax base at the expense of other countries;

#### *Amendment*

B. whereas issues related to corporate tax base erosion and aggressive tax planning practices have been known and analysed at international level at least since the end of the years 1990; whereas Luxleaks brought public and media attention to those issues, disclosing questionable tax practices promoted by one specific accountancy firm in one specific Member State; whereas the Commission's investigations and the work carried out by Parliament through its special committee have shown that this is not the only case but a practice that is widespread within Europe and beyond, and one which consists in taking tax measures to reduce some corporations' overall tax liabilities so as to artificially increase the national tax base at the expense of other countries; ***whereas in several Member States struggling with austerity programs, SMEs and citizens overburdened with taxes rightly demand greater***

*accountability from MNCs and the need to ensure that they contribute to the society in which they operate by paying their fair share of taxes;*

Or. en

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**Motion for a resolution** PE564.938 - 2015/2066(INI)

## **Amendment 2**

**Ana Gomes**

### **Motion for a resolution**

#### **Recital F**

#### *Motion for a resolution*

F. whereas, in a completed internal market, no distortion should affect investment decisions and business location; whereas, however, globalisation, digitalisation and free movement of capital create the conditions for more intense tax competition between Member States, and with third countries, to attract investments and businesses; whereas this can take the form of potentially harmful tax schemes, which are aimed at fostering investments and attract additional economic activity in the first place, reacting to similar measures launched in neighbouring countries or to correct what is considered as pre-existing imbalances by Member States, in terms of relative wealth, size or peripheral location; whereas, incidentally, in some jurisdictions there seems to be a correlation between attractive corporate tax systems and a high level of national wealth; whereas the optimal design for tax systems depends on

#### *Amendment*

F. whereas, in a completed internal market, no distortion should affect investment decisions and business location; whereas, however, globalisation, digitalisation and free movement of capital create the conditions for more intense tax competition between Member States, and with third countries, to attract investments and businesses; whereas this can take the form of potentially harmful tax schemes, which are aimed at fostering investments and attract additional economic activity in the first place, reacting to similar measures launched in neighbouring countries or to correct what is considered as pre-existing imbalances by Member States, in terms of relative wealth, size or peripheral location; whereas, incidentally, in some jurisdictions there seems to be a correlation between attractive, *opaque and even secretive* corporate tax systems and a high level of national wealth; whereas the optimal

numerous factors and therefore differs from one country to another;

design for tax systems depends on numerous factors and therefore differs from one country to another;

Or. en

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## **Amendment 3**

**Ana Gomes**

### **Motion for a resolution**

#### **Recital G**

#### *Motion for a resolution*

G. whereas, in its role as a player in the tax competition game, each country uses its national legislation in conjunction with its tax treaty network to promote itself as a country to invest in, thereby attracting businesses at the expense of partner countries; whereas, taken in isolation, each Member State has a clear interest in adopting a ‘free rider’ behaviour, i.e. in being the first to design and implement specific tax schemes and provisions to attract tax base, and the last to participate in any cooperative and coordinated action to tackle tax avoidance;

#### *Amendment*

G. whereas, in its role as a player in the tax competition game, each country uses its national legislation in conjunction with its tax treaty network to promote itself as a country to invest in, thereby attracting businesses at the expense of partner countries, ***of fairness for SMEs and tax justice for citizens***; whereas, taken in isolation, each Member State has a clear interest in adopting a ‘free rider’ behaviour, i.e. in being the first to design and implement specific tax schemes and provisions to attract tax base, and the last to participate in any cooperative and coordinated action to tackle tax avoidance;

Or. en

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## **Amendment 4**

**Ana Gomes**

### **Motion for a resolution**

#### **Recital H**

#### *Motion for a resolution*

H. whereas, as a result, some Member States tend to have an ambivalent position regarding tax avoidance, complaining on the one hand about their national tax base erosion while at the same time being responsible for the design of the current national and international tax systems which made it possible, and still impeding any development of their tax systems towards a more coordinated solution; whereas, in a framework of full capital mobility within the EU, the interdependence and mutual effects of national tax systems and revenue should be fully taken into account, bearing in mind the extensive positive and negative cross-border spillovers from individual Member States' tax decisions, since one country's tax incentive is another's base erosion;

#### *Amendment*

H. whereas, as a result, some Member States tend to have an ambivalent position regarding tax avoidance, complaining on the one hand about their national tax base erosion while at the same time being responsible for the design of the current national and international tax systems which made it possible, and still impeding any development of their tax systems towards a more coordinated ***and fair*** solution ***and the elimination of tax havens in the EU and worldwide***; whereas, in a framework of full capital mobility within the EU, the interdependence and mutual effects of national tax systems and revenue should be fully taken into account, bearing in mind the extensive positive and negative cross-border spillovers from individual Member States' tax decisions, since one country's tax incentive is another's base erosion;

Or. en



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**Motion for a resolution** PE564.938 - 2015/2066(INI)

**Amendment 5**

**Ana Gomes**

**Motion for a resolution**

**Recital I a (new)**

*Motion for a resolution*

*Amendment*

***I a. whereas the Troika of institutions (European Commission, European Central Bank and the International Monetary Fund) overseeing financial and fiscal adjustment programs in Member States such as Portugal and Greece did not attempt to prevent tax amnesties, tax rulings, tax benefits and tax exemption schemes which were and are unfairly discriminatory, favouring tax dodging corporations and individuals, causing high bleeding of State revenues and increasing the burden on already overtaxed SMEs and citizens;***

Or. en

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**Motion for a resolution** PE564.938 - 2015/2066(INI)

**Amendment 6**

**Ana Gomes**

**Motion for a resolution**

**Recital I b (new)**

*Motion for a resolution*

*Amendment*

***I b. whereas the investigation and prosecution of tax crimes and money laundering, often involving financial operations and legal persons in several jurisdictions, is extremely challenging; whereas Member States' personnel in charge of investigating and conducting judicial prosecutions against offenders of tax crimes and other financial crimes are often under-trained and under-equipped;***

Or. en

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**Motion for a resolution** PE564.938 - 2015/2066(INI)

**Amendment 7**

**Ana Gomes**

**Motion for a resolution**

**Recital I c (new)**

*Motion for a resolution*

*Amendment*

*I c. whereas policies of austerity and budget containment in the past few years have significantly reduced the tax administrations' ability to investigate tax crimes and harmful tax practices; whereas these cuts were particularly harmful in countries under programs of financial assistance led by the Troika (European Commission, European Central Bank and the International Monetary Fund), where the increase of state revenues was achieved at the expense of overtaxed SMEs and citizens, while big corporations and wealthy tax dodgers often benefitted from tax amnesties, tax rulings and other tax exemptions and benefit schemes, as was the case in Portugal and Greece;*

Or. en

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**Motion for a resolution** PE564.938 - 2015/2066(INI)

## **Amendment 8**

**Ana Gomes**

### **Motion for a resolution**

#### **Recital K**

##### *Motion for a resolution*

K. whereas tax rulings ***are not*** intrinsically problematic ***since*** they can, as is their original purpose, provide legal certainty for the taxpayer in cases where the tax laws or their particular application in certain circumstances are unclear or subject to diverging interpretations, in particular with regard to complex transactions, and thereby avoid future disputes between the taxpayer and the tax authority;

##### *Amendment*

K. whereas tax rulings ***should not be*** intrinsically problematic ***so long as*** they can, as is their original purpose, provide legal certainty for the taxpayer in cases where the tax laws or their particular application in certain circumstances are unclear or subject to diverging interpretations, in particular with regard to complex transactions, and thereby avoid future disputes between the taxpayer and the tax authority;

Or. en

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**Amendment 9**

**Ana Gomes**

**Motion for a resolution**

**Recital L a (new)**

*Motion for a resolution*

*Amendment*

*L a. (new) whereas the Member State which issues the tax ruling to a certain company often has no information on the company or its beneficial owners' activities and relations with parent/subsidiaries established in other Member States/third countries and ignores the tax consequences of that ruling in other jurisdictions within and outside the EU;*

Or. en

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## **Amendment 10**

**Ana Gomes**

### **Motion for a resolution**

#### **Recital N**

#### *Motion for a resolution*

N. whereas harmful tax practices **can, to some extent, be** connected to one or several of the following non desirable effects: lack of transparency, distortions of competition and an uneven playing field within and outside the internal market, the fairness and legitimacy of the tax system affected, more taxation on less mobile economic factors, unfair competition between states, tax base erosion, social dissatisfaction, mistrust or a democratic deficit;

#### *Amendment*

N. whereas harmful tax practices **thrive and are** connected to one or several of the following non desirable effects: lack of transparency, **arbitrary discrimination**, distortions of competition and an uneven playing field within and outside the internal market, the fairness and legitimacy of the tax system affected, more taxation on less mobile economic factors, unfair competition between states **and within states**, tax base erosion, social dissatisfaction, **the destruction of the European Social Model**, mistrust or a democratic deficit, **fueling tax crimes, tax havens, the tax dodging industry, a shadow banking system and money laundering; whereas tax avoidance by MNCs can, in some cases, be the result of corrupt practices; whereas greater corporate tax transparency will help identify anomalies in companies' financial data, highlighting cases of**

*MNCs that receive more favourable tax treatments and flag corruption risks;*

Or. en

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## **Amendment 11**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 3**

##### *Motion for a resolution*

3. Stresses that the Treaty, in line with the subsidiarity principle, allows Member States to determine their own corporate tax rates; stresses also, however, that the over-complex rules of national tax systems, together with the differences between these systems, create loopholes that are used by MNCs for aggressive tax planning purposes, thus leading to base erosion, profit shifting, a race to the bottom and, ultimately, to a suboptimal economic outcome; underlines the fact that this kind of tax avoidance is a negative sum game for all national budgets taken together, as the increases in tax revenues resulting from harmful practices in one Member State (thanks to derogations, specific deductions or loopholes) do not compensate for the reductions in tax revenues in others; points out that only a more coordinated, joint approach by Member States, which should result in a common framework within

##### *Amendment*

3. Stresses that the Treaty, in line with the subsidiarity principle, allows Member States to determine their own corporate tax rates; stresses also, however, that the over-complex rules of national tax systems, together with the differences between these systems, create loopholes that are used by MNCs for aggressive tax planning purposes, thus leading to base erosion, profit shifting, a race to the bottom and, ultimately, to ***tax injustice and*** a suboptimal economic outcome; underlines the fact that this kind of tax avoidance is a negative sum game for all national budgets taken together, as the increases in tax revenues resulting from harmful practices in one Member State (thanks to derogations, specific deductions or loopholes) do not compensate for the reductions in tax revenues in others; points out that only a more coordinated, joint approach by Member States, which should

which Member States set their tax rates,  
can prevent further base erosion;

result in a common framework within  
which Member States set their tax rates,  
can prevent further base erosion;

Or. en

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## **Amendment 12**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 4**

##### *Motion for a resolution*

4. Notes that, according to the Commission<sup>15</sup>, statutory corporate income tax rates in the EU fell by 12 percentage points, from 35 % to 23 %, between 1995 and 2014; stresses that this decrease in tax rates is accompanied by a broadening of the tax base to mitigate revenue losses and that the relatively stable revenue stemming from corporate taxation in the same timeframe can also be explained by a substantial ‘incorporation’ trend, i.e. a shift from certain legal forms of doing business, such as (sole) proprietorship, to corporation status, which results in a similar shift from a personal to a corporate tax base;

##### *Amendment*

4. Notes that, according to the Commission<sup>15</sup>, statutory corporate income tax rates in the EU fell by 12 percentage points, from 35 % to 23 %, between 1995 and 2014; stresses that this decrease in tax rates is accompanied by a broadening of the tax base to mitigate revenue losses and that the relatively stable revenue stemming from corporate taxation in the same timeframe can also be explained by a substantial ‘incorporation’ trend, i.e. a shift from certain legal forms of doing business, such as (sole) proprietorship, to corporation status, which results in a similar shift from a personal to a corporate tax base; ***Stresses the growing tax injustice this is fostering against SMEs and law abiding, tax paying citizens, also in detriment of State revenues and democratic governance;***

<sup>15</sup> Taxation trends in the European Union,  
Eurostat statistical books, 2014 edition.

<sup>15</sup> Taxation trends in the European Union,  
Eurostat statistical books, 2014 edition.

Or. en

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## **Amendment 13**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 6**

##### *Motion for a resolution*

6. Notes the large diversity of the 28 tax systems in the EU, as regards both the definition of the tax base and the level of the tax rate, which is even greater if one takes into account the special jurisdictions with autonomous tax systems within the EU (overseas territories and Crown dependencies); deplores that basic notions and elements, such as the balance between source and residence taxation, permanent establishment and taxable entities, economic substance and anti-abuse rules, not to speak of what can or cannot be deducted from the tax base, are currently not subject to any joint definition or guidelines in the EU, leaving Member States with uncoordinated tax systems;

##### *Amendment*

6. Notes the large diversity of the 28 tax systems in the EU, as regards both the definition of the tax base and the level of the tax rate, which is even greater if one takes into account the special jurisdictions with autonomous tax systems within the EU (overseas territories and Crown dependencies); deplores that basic notions and elements, such as the balance between source and residence taxation, permanent establishment and taxable entities, economic substance and anti-abuse rules, not to speak of what can or cannot be deducted from the tax base, are currently not subject to any joint definition or guidelines in the EU, leaving Member States with uncoordinated tax systems, ***which fosters the tax dodging industry, tax havens jurisdictions and, consequently, tax injustice, tax criminality and money laundering;***

Or. en



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## **Amendment 14**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 8**

##### *Motion for a resolution*

8. Notes that this uncoordinated tax framework within the EU also suffers from a blatant lack of cooperation between Member States; stresses, in this connection, that Member States do not necessarily take into consideration the impact of their tax measures on other Member States, not only when they design their tax measures but also when they share information on the implementation of such measures, leading to a de facto beggar-thy-neighbour policy in tax matters; points out that a systematic and efficient exchange of information between Member States would make it possible to take account of the tax treatment of specific income flows or transactions in other Member States; stresses that this also contributes to creating an unacceptable situation in which the profits generated by MNCs in a Member State are often taxed at very low

##### *Amendment*

8. Notes that this uncoordinated tax framework within the EU also suffers from a blatant lack of cooperation between Member States; stresses, in this connection, that Member States do not necessarily take into consideration the impact of their tax measures on other Member States, not only when they design their tax measures but also when they share information on the implementation of such measures, ***even on special financial adjustment programs***, leading to a de facto beggar-thy-neighbour policy in tax matters; points out that a systematic and efficient exchange of information between Member States would make it possible to take account of the tax treatment of specific income flows or transactions in other Member States; stresses that this also contributes to creating an unacceptable situation in which the profits generated by MNCs in a Member State are often taxed at very low

rates or not at all in the EU;

rates or not at all in the EU;

Or. en

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## **Amendment 15**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 11**

##### *Motion for a resolution*

11. Notes with great concern that corporate tax avoidance has a direct impact on national budgets and on the breakdown of the tax effort between categories of taxpayers as well as between economic factors (to the benefit of most mobile factors such as capital in the form of foreign direct investment – FDI); deplores the fact that, in addition to competition distortions, this results in an unacceptable situation where, in a context of severe consolidation efforts, some of those taxpayers with the highest ability to pay contribute incommensurately less than those most affected by the economic and financial crisis, such as ordinary citizens and small and medium-sized enterprises (SMEs); stresses that this situation risks feeding democratic mistrust and affecting overall tax compliance; *notes* that whistleblowers, who provide national authorities, in the public interest, with

##### *Amendment*

11. Notes with great concern that corporate tax avoidance has a direct impact on national budgets and on the breakdown of the tax effort between categories of taxpayers as well as between economic factors (to the benefit of most mobile factors such as capital in the form of foreign direct investment – FDI); deplores the fact that, in addition to competition distortions, this results in an unacceptable situation where, in a context of severe consolidation efforts, some of those taxpayers with the highest ability to pay contribute incommensurately less than those most affected by the economic and financial crisis, such as ordinary citizens and small and medium-sized enterprises (SMEs); stresses that this situation ***amounts to tax injustice***, risks feeding democratic mistrust and affecting overall tax compliance; ***deeply regrets and condemns*** that whistleblowers, who

crucial information about illegal or illegitimate practices, can be subject to legal prosecution;

provide national authorities, in the public interest, with crucial information about illegal or illegitimate practices, can be subject to legal prosecution;

Or. en

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## **Amendment 16**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 14**

##### *Motion for a resolution*

14. Takes the view that national preferential regimes and the poor level of coordination or convergence between the Member States' tax systems, despite the effective economic interconnections and interplay within the internal market, result in a number of mismatches allowing aggressive tax planning, double deductions and double non taxation, for instance through one or a combination of the following practices: abusive transfer pricing, locating deductions in high-tax jurisdictions, passing on funds raised by loans through conduit companies, risk transfer, exploiting mismatches, tax arbitrage, treaty shopping, and locating asset sales in low-tax jurisdictions;

##### *Amendment*

14. Takes the view that national preferential regimes and the poor level of coordination or convergence between the Member States' tax systems, despite the effective economic interconnections and interplay within the internal market, result in a number of mismatches allowing aggressive tax planning, double deductions and double non taxation, for instance through one or a combination of the following practices: abusive transfer pricing, locating deductions in high-tax jurisdictions, passing on funds raised by loans through conduit companies, risk transfer, **hybrid financial products**, exploiting mismatches, tax arbitrage, **large exemption of patent benefits**, treaty shopping, and locating asset sales in low-tax jurisdictions;

Or. en

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**Amendment 17**

**Ana Gomes**

**Motion for a resolution**  
**Paragraph 15 – indent 6**

*Motion for a resolution*

– exemption *of* withholding tax on interest, dividends and royalties through bilateral tax treaties,

*Amendment*

– *refund or exemption from* withholding tax on interest, dividends and royalties through bilateral tax treaties,

Or. en

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## **Amendment 18**

**Ana Gomes**

**Motion for a resolution**  
**Paragraph 15 – indent 7**

*Motion for a resolution*

– differences in legal designations between Member States (hybrid entities or hybrid loans),

*Amendment*

– differences in legal designations between Member States (hybrid entities or hybrid loans, *where interest expenses change to exempted dividends*),

Or. en

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## **Amendment 19**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 17**

##### *Motion for a resolution*

17. Stresses that a number of Member States have in recent years developed specific corporate tax reduction schemes to attract companies' mobile intangible assets, such as income resulting from intellectual property; notes the variety in the tax rate reductions and allowances and in the scope of the schemes proposed (innovation boxes, intellectual property boxes, knowledge boxes, patent boxes, etc.); stresses that, in some Member States, , taxpayers do not need to produce intellectual property within the country in order to access tax benefits, but merely to acquire it through a company which has its residence within the jurisdiction;

##### *Amendment*

17. Stresses that a number of Member States have in recent years developed specific corporate tax reduction schemes to attract companies' mobile intangible assets, such as income resulting from intellectual property; notes the variety in the tax rate reductions and allowances and in the scope of the schemes proposed (innovation boxes, intellectual property boxes, knowledge boxes, patent boxes, **registered brands and names**, etc.); stresses that, in some Member States, taxpayers do not need to produce intellectual property within the country in order to access tax benefits, but merely to acquire it through a company which has its residence within the jurisdiction; **notes, in connection with the latter, the perverse impact of tax benefits offered by some Member States through visa programs for foreign investors (golden visas) and tax exemptions to resident pensioners from other Member**

*States, which entail an additional race to  
the bottom in tax competition;*

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## **Amendment 20**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 46**

##### *Motion for a resolution*

46. Stresses that the OECD<sup>21</sup> points to the use by some MNCs of strategies that allow them to pay as little as 5 % in corporate taxes when smaller businesses are paying up to 30 %, and that furthermore some studies<sup>22</sup> also point to the fact that, on average, the corporate tax burden of cross-border companies is up to 30 % lower than that of domestic companies operating in only one country;

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<sup>21</sup> OECD Press release, 'OECD urges stronger international co-operation on corporate tax', 12.02.2013.

<sup>22</sup> P.Egger, W. Eggert and H. Winner (2010), 'Saving taxes through foreign plant ownership', Journal of International Economics 81, pp. 99-108.

##### *Amendment*

46. Stresses that the OECD<sup>21</sup> points to the use by some MNCs of strategies that allow them to pay as little as 5 % *or less* in corporate taxes when smaller businesses are paying up to 30 %, and that furthermore some studies<sup>22</sup> also point to the fact that, on average, the corporate tax burden of cross-border companies is up to 30 % lower than that of domestic companies operating in only one country;

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<sup>21</sup> OECD Press release, 'OECD urges stronger international co-operation on corporate tax', 12.02.2013.

<sup>22</sup> P.Egger, W. Eggert and H. Winner (2010), 'Saving taxes through foreign plant ownership', Journal of International Economics 81, pp. 99-108.

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## **Amendment 21**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 97**

##### *Motion for a resolution*

97. Reiterates its position that MNCs should disclose in their financial statements, by Member State and by third country in which they have an establishment, a range of aggregated information, including their profit or loss before tax, taxes on profit or loss, number of employees, assets held, etc. (country-by-country reporting); underlines the importance of making this information available to the public, possibly in the form of *a* central EU register;

##### *Amendment*

97. Reiterates its position that MNCs *in all sectors* should disclose in their financial statements, by Member State and by third country in which they have an establishment, a *comprehensive* range of aggregated information, including their profit or loss before tax, taxes on profit or loss, number of employees, assets held, etc. (country-by-country reporting); *calls for the disclosure – at a minimum – of all elements covered by the Capital Requirement Directive IV as well as additional information, such as public subsidies received, payments to governments, community contributions and capital expenditures, some of which are particularly important to flag corruption risks*; underlines the importance of making this information *easily* available to the public, possibly in the form of *an open* central EU register;

Or. en



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## **Amendment 22**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 98**

#### *Motion for a resolution*

98. Calls, moreover, for ***more extensive*** country-by-country reporting ***to be made available to tax authorities***, building on the OECD standard and including more detailed information, such as tax returns and intra-group transactions; calls also for harmonised accounting standards to be developed;

#### *Amendment*

98. Calls, moreover, for ***mandatory and public*** country-by-country reporting ***for EU-based multinational companies***, building on the OECD standard and including more detailed information, such as tax returns and intra-group transactions, ***and lowering the threshold on the size of the companies in accordance with the Accounting and Transparency Directive defining "large undertakings"***; ***urges the EU to go further than the OECD model and make country-by-country reporting public for all economic sectors, highlighting the huge impact of such level of disclosure could have in fighting tax dodging in the EU and developing countries, in tracking tax havens and fighting corruption*** ; calls also for harmonised accounting standards to be developed;

Or. en

# EUROPEAN PARLIAMENT

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*Special Committee on Tax Rulings and Other Measures Similar in Nature or Effect*

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23/09/2015

Report of the special committee on tax rulings and other measures similar in nature or effect

**Motion for a resolution** PE564.938 - 2015/2066(INI)

**Amendment 23**

**Ana Gomes**

**Motion for a resolution**

**Paragraph 99 a (new)**

*Motion for a resolution*

*Amendment*

***99 a. (new) Suggests that the Commission take the appropriate steps to propose legislation to create a European body in charge of combating tax fraud, tax evasion and aggressive tax planning in the EU; takes the view that this body should draw staff from national tax administrations but be autonomous, under the aegis of the European Commission, and mandated to defend EU interests by coordinating, monitoring and inspecting compliance with forthcoming EU laws on transparency and automatic exchange of information and also collaborate and coordinate with national tax administrations in possible joint investigations concerning cross-border cases.***

Or. en

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**Motion for a resolution** PE564.938 - 2015/2066(INI)

## **Amendment 24**

**Ana Gomes**

### **Motion for a resolution**

#### **Paragraph 112**

##### *Motion for a resolution*

112. Requests that the Commission assess the possibility of introducing sanctions for firms implementing *or promoting* tax dodging and aggressive tax planning, *in particular with regard to* access to funding from the EU budget and any advisory role in EU institutions;

##### *Amendment*

112. Requests that the Commission assess the possibility of introducing sanctions for firms implementing, *promoting or knowingly facilitating* tax dodging and aggressive tax planning; *takes the view that these sanctions should include barring the company from* access to funding from the EU budget and *from* any advisory role in EU institutions *in case of severe misconduct, with special focus on the activities of banks, law firms, accountancy firms and financial advisors;*

Or. en