



JULY- DECEMBER 2022

Latest News

CFE President Addresses EU Finance Ministers at Informal ECOFIN Meeting in Prague

President of CFE Tax Advisers Europe, Mr Piergiorgio Valente, and CFE's Director of Tax Policy, Mr Aleksandar Ivanovski, attended an informal meeting of the ECOFIN Council in Prague on 10 September 2022, after being invited to address the Council of the European Union on potential ways to streamline EU direct tax law by way of reliance on soft law.

CFE's President expressed CFE's view that the prevailing geopolitical situation merits use of all relevant policy instruments to defend the European Union, to protect European citizens from the adverse effects of the war, and to preserve the social contract by mitigating the effects of the cost of living and energy crisis. CFE stressed that tax systems will play a key role in repairing strained public finance conditions and that initiatives aiming to promote IT solutions in tax administration, compliance and simplification, particularly to be applied to initiatives which rely on cooperation and agreements between Member states, would be welcomed by tax advisers.

Similarly, Mr Valente set out CFE's view that more coherent and consistent tax rules throughout the EU would contribute to a more competitive tax system and make the EU Single Market a more dynamic and business-friendly environment, and that, as such, coordinated measures among EU Member states' rules would prevent mismatches among national legislations, taking the interest of the Single Market as whole.

The meeting was also attended by the President of the European Central Bank (ECB), Christine Lagarde, the European Commission Vice President Valdis Dombrovskis, Commissioner Paolo Gentiloni and other high-level representatives of the EU and Member states. Further details of CFE's [address](#) to the informal ECOFIN meeting, and a selection of [photos](#) are available on CFE's website.

CFE Elects New President & Executive Board

The General Assembly of CFE Tax Advisers Europe, CFE's governing body, elected new President and Executive Board Members at its meeting held in Seville, Spain on 23 September. The new Executive Board will take up their duties on 1 January 2023, with a mandate extending until the end of 2024.

CFE Member organisations unanimously elected **Ian E. Hayes as President** (Council Member, Chartered Institute of Taxation (CIOT) & Tax Faculty, Institute of Chartered Accountants of England and Wales (ICAEW), United Kingdom. **Martin Phelan** was re-elected as **Secretary-General** (Partner, Head of Tax, Simmons & Simmons Ireland), as was **Branislav Kováč** in the position of **Treasurer** (Partner, VGD Slovakia, Board Member of the Slovak Chamber of Tax Advisers, Slovakia).

Stella Raventós Calvo, President of the Spanish Association of Tax Advisors (AEDAF) and Partner in the tax department of Addwill, Spain and **Anna Misiak** (Partner MDDP, Member of the Chamber of Tax Advisers, Poland) were re-appointed as **Vice-Presidents of CFE Tax Advisers Europe**. As a new **Vice-President**, the General Assembly elected **Trudy Perié** (Counsel, Loyens & Loeff, Member of the Dutch Order of Tax Advisers (NOB), The Netherlands).

The General Assembly appointed three board members who will serve as Technical Committee Chairs: **Piergiorgio Valente as Chair of the Tax Technology Committee** (Managing Partner Crowe Valente/ GEB Partners, and Chairman of the Global Tax Advisers Platform - GTAP), **Bruno Gouthière as Chair of the Fiscal Committee** (Partner CMS Francis Lefebvre and Member of Institut des Avocats Conseils Fiscaux, France), and **Philippe Vanclooster as Chair of the Professional Affairs Committee** (PwC Belgium, Member of the Institute for Tax Advisers and Accountants (ITAA), Belgium. Additionally, the General Assembly appointed Matěj Nešleha (Board Member of the Czech Chamber of Tax Advisers, Czech Republic) as **Executive Board member**.

The Executive Board is responsible for implementing the policy and strategy of CFE Tax Advisers Europe as set out by the General Assembly. Work is managed through our four committees: the Fiscal Committee, the Professional Affairs Committee, the Tax Technology Committee and the New Tax Professionals Ad Hoc Committee. Each committee is chaired by a member of the Board, working in close conjunction with the policy/ technical team in Brussels. Delegates from each committee also form various working groups and subcommittees focussed on specific or time-sensitive issues that necessitate specialist input.

On behalf of the General Assembly, the CFE Brussels Office warmly congratulates the newly appointed President and Executive Board members on their election.

Meetings & Events

CFE 's 15th European Conference on Professional Affairs

CFE's 15th European Conference on Tax Advisers' Professional Affairs was held in Zagreb, Croatia, on 2 December 2022 on the topic of "Targeting the "Bad Apples" : Enablers of Tax Avoidance – Is it Still a Substantial Problem in Europe?".

The EU Commission has been focused on introducing legislation to improve tax intermediaries' regulatory framework and tackle the role of enablers that facilitate tax evasion and aggressive tax planning in the European Union (Securing the Activity Framework of Enablers – "SAFE"). The Commission as part of this legislative initiative is considering policy options such as an EU register of enablers and due

diligence procedures, enforcing measures via monetary penalties, and preventing intermediaries who fit the criteria from providing further services as a means of deterring aggressive tax planning.

Panellists at the conference considered the potential effectiveness of the proposed legislation; the definitions used and whether policy options which focus on tackling the role of enablers truly reduce aggressive tax planning within the European Union and properly target the “bad apples” in the tax advisory profession. Panellists also discussed existing legislative measures in the EU, post-BEPS data, and whether tax evasion and aggressive tax planning continue to be a substantial problem in the EU with the introduction of the plethora of post-BEPS EU anti-avoidance legislation.

The conference also examined the proposed “ethics quality bar” set out in CFE’s discussion paper issued in June 2021, which proposed a set of quality bar questions for all tax advisers to reflect on when undertaking their advisory role in the overall tax system.

The conference welcomed tax experts and academics, featuring Mr Benjamin Angel, Director in the European Commission, DG TAXUD and Mr Paul Tang, Chair of European Parliament’s Taxation Committee (FISC) as keynote speakers in the first panel, joined by Philippe Vanclooster, Chair of the CFE Professional Affairs Committee; moderated by Dr. Sc. Nevia Čičin - Šain, Assistant Professor of Law, WU Vienna University of Business and Economics.

Opening remarks were provided by Piergiorgio Valente, President of CFE; Damir Brajković, President of the Croatian Chamber of Tax Advisers and a representative of the Ministry of Finance of the Republic of Croatia.

The second panel of speakers included Judge Barbara Porizkova, Supreme Court of the Czech Republic; Dr. Ivan Čevizović, Croatian Chamber of Tax Advisers; Natalie Aymé, Partner Deloitte France; Tomas Urbasek, Partner PwC Czech Republic, and was moderated by Aleksandar Ivanovski, Tax Policy Director at CFE.

On the side of the European Union, MEP Paul Tang expressed his views that more needs to be done to ensure that tax advisers are prevented from providing advice that would encourage tax avoidance practices. Mr Reinhard Biebel, Head of Direct Tax at the European Commission, confirmed that the Commission welcomed the discussion paper, but that issues with enforceability and unregulated advisers would remain an issue that the EU intends to further address in the future with further legislative initiatives.

The conference was well-attended and received by the audience, and the CFE discussion paper initiative will be the subject of follow-up events and further work within CFE in 2023.

Caleb University Disruptive Innovation Conference

On 27 October, the Caleb University held its Disruptive Innovation Conference on the topic of “Future Forward: Innovative Entrepreneurial Ecosystem for Sustainable Development”. CFE President, Piergiorgio Valente, gave a presentation at the conference on the topic of “Value Chain Resilience and Transfer Pricing Challenges Ahead within a Sustainable Environment”.

Wyman Symposium 2022

The Institute of Chartered Accountants in England and Wales (ICAEW) held its annual Wyman Symposium on 1 November 2022, examining the topic of the regulation of the tax profession, and the factors driving regulation, including: the need to close the tax gap; improve consumer protection, and drive out poor behaviours by certain tax advisers. Director of Tax Policy, Aleksandar Ivanovski, spoke at the Symposium, giving a presentation on the EU developments in Regulation & Ethics in Taxation.

2022 Italia-Africa Business Week

On 17 November 2022, CFE President, Piergiorgio Valente, participated in the 2022 Italia-Africa Business Week on behalf of CFE, taking part in a roundtable discussion on the topic of "Sustainability, Tax Policy and Challenges Ahead".

Technical Releases

Fiscal Committee Opinion Statements

In the second half of 2022, the Fiscal Committee of CFE Tax Advisers Europe published 1 Opinion Statement:

- Opinion Statement FC 6/2022 on the European Commission Proposal for a Council Directive on debt-equity bias reduction allowance ('DEBRA Proposal').

Professional Affairs Committee Opinion Statements

In the second half of 2022, the Professional Affairs Committee of CFE Tax Advisers Europe published 1 Opinion Statement:

- Opinion Statement PAC 1/2022 on the European Commission Public Consultation on the Proposed Directive on Securing the Activity Framework of Enablers ("SAFE Directive").

ECJ Task Force Opinion Statements

Between July and December 2022, the ECJ Task Force of CFE Tax Advisers Europe published 2 Opinion Statements:

- Opinion Statement ECJ-TF 3/2022 on the EFTA Court decision of 1 June 2022 in Case E-3/21, PRA Group Europe, on the discriminatory interaction between the "interest barrier" and group contributions.
- Opinion Statement ECJ-TF 4/2022 on the ECJ decision of 22 September 2022 in Case C-538/20, W AG, on the deductibility of foreign final losses.

External Publications

The leading European tax law journal European Taxation, published by IBFD, regularly publishes articles on selected CFE Opinion Statements of particular relevance. European Taxation has published 4 CFE articles in their journal in 2022.

EU Tax Policy Report

In July 2022, CFE Tax Advisers Europe published its [EU Tax Policy Report](#) covering the period of January to June 2022. The EU Tax Policy Report is a bi-annual publication which provides a detailed analysis of significant primary law and tax policy developments at both the EU and the international level that have occurred in the previous six months, which would be of interest to European tax advisers. It also includes an overview of selected CJEU case-law and relevant European Commission decisions.

Forthcoming Events

CFE Tax Advisers Europe Winter Technical Committee Meetings

The next CFE Technical Committee meetings will take place virtually, via Microsoft Teams, throughout the weeks beginning 6 and 13 February 2023. Delegates of the Technical Committees will have received an e-mail setting out all meeting dates for 2023, as well as official meeting invitations with registration links.

CFE 2023 Forum & Spring General Assembly

The 2023 Forum will be held on Thursday 20 April 2023 in Brussels on the topic of *"Towards a more Cohesive European Fiscal Union? Minimum Tax & VAT in the Digital Age"*. The Spring CFE General Assembly and Technical Committee meetings will also be held in Brussels, the following day on Friday 21 April 2023.

A save the date containing additional information for the Forum as well as official meeting invitations for the technical committee meetings will be sent in due course.



CFE Tax Advisers Europe is a Brussels-based association representing European tax institutes and associations of tax advisers. Founded in 1959, CFE brings together 33 national organisations from 26 European countries, associated via the Global Tax Advisers Platform (GTAP) with more than 600,000 tax advisers. CFE is part of the European Union Transparency Register no. 3543183647-05. For further information, please contact the CFE Brussels Office at info@taxadviserseurope.org.



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