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| |  |  | | --- | --- | | cid:image002.jpg@01D00298.1AA65FA0 |  |   **Fiscal Committee**    **17 November 2014**   1. **UK and Germany reach compromise over patent boxes**   The finance ministers of Germany and the UK have reached an agreement not to extent special regimes providing for low taxation of income from intellectual property (so-called patent boxes) beyond 2020, according to media reports. The UK has introduced such tax incentive in 2013. In the future, the use of patent boxes should require more economic substance in the country.   * Financial Times article, 12 November 2014: [EN](http://www.ft.com/cms/s/0/8912f95e-6813-11e4-bcd5-00144feabdc0.html#axzz3JLAruh3I) * Handelsblatt article, 10 November 2014: [DE](http://www.handelsblatt.com/politik/international/streit-um-patentboxen-london-und-berlin-loesen-differenzen/10960298.html)  1. **Dutch tax ruling on Starbucks: Commission publishes text of decision to open state aid investigations**   On 14 November 2014, the European Commission published the non-confidential version of the decision of 11 June 2014 to open an in-depth investigation into transfer pricing arrangements on corporate taxation of Starbucks in the Netherlands.   * Letter sent to the Netherlands: [EN](http://ec.europa.eu/competition/state_aid/cases/253201/253201_1596706_60_2.pdf) [NL](http://ec.europa.eu/competition/state_aid/cases/253201/253201_1596705_59_2.pdf)  1. **Tax Commissioner Moscovici hints at a compulsory CCCTB**   In a speech given at the European Parliament on 13 November 2014, the new Commissioner for Economic and Financial Affairs, Taxation and Customs, Pierre Moscovici confirmed his determination to pursue the fight against tax fraud, evasion and avoidance, which he called his priority. The speech also contains a hint at the possibility to make the CCCTB (common consolidated corporate tax base), proposed by the Commission in 2011, mandatory, and mentions the automatic exchange of tax rulings as a possible way forward.   * [Speech before the European Parliament](http://europa.eu/rapid/press-release_SPEECH-14-1720_en.htm) on 13 November 2014 (EN/FR)  1. **CJEU dismisses different treatment of gains attributed to participators in non-resident companies by UK law**   On 13 November 2014, in an infringement proceeding of the European Commission against the UK (C-112/14), the EU Court of Justice concluded that, by adopting and maintaining tax legislation concerning the attribution of gains to participators in non-resident companies which treats domestic and cross-border activities differently, the UK has infringed the free movement of capital.   * Judgment : [EN](http://curia.europa.eu/juris/document/document.jsf?text=&docid=159558&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=121181) (FR available)  1. **G20 endorse OECD work on BEPS and automatic exchange of information**     The G20 leaders endorsed a “G20 Leaders Communiqué” at their summit in Brisbane on 16 November 2014, supporting the OECD work on reforming the international tax system, in particular the BEPS project and the global automatic information exchange standard. The Communiqué mentions that “profits should be taxed where economic activities deriving the profits are performed and where value is created.” The G20 leaders also declared that they commit themselves to finalising, in 2015, work on “transparency of taxpayer-specific rulings found to constitute harmful tax practices.”  This is complemented by a report of the OECD providing an update on BEPS, the global automatic information exchange standard, tax and development and the ongoing monitoring work of the *Global Forum on Transparency and Exchange of Information for Tax Purposes* which has to date assessed the compliance of 105 jurisdictions with the international standard on exchange of information on request and has started working on including beneficial ownership in the standard, before commencing implementation of the new automatic exchange of information standard.   * [G20 Communiqué, 16 November 2014 (see paragraph 13)](https://www.g20.org/sites/default/files/g20_resources/library/brisbane_g20_leaders_summit_communique.pdf) * [OECD General-Secretary Report to G20 leaders](https://www.g20.org/sites/default/files/g20_resources/library/OECD_secretary-generals_report_tax_matters.pdf)   \*\*\*\*\*  *The selection of the remitted material has been prepared by Piergiorgio Valente / Filipa Correia / Rudolf Reibel*  [*www.cfe-eutax.org*](http://www.cfe-eutax.org)  *Follow us on* [Linked in](http://www.linkedin.com/company/confederation-fiscal-europeene?trk=company_name) cid:image004.png@01CFAA5C.15EA1810 |
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