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| |  |  | | --- | --- | | cid:image003.jpg@01D06B17.5D622F80 |  |   **Fiscal Committee**    **30 March 2015**  **1.       Commission asks Belgium to change dividend taxation rules**  On 26 March 2015, the European Commission has sent a reasoned opinion to Belgium asking the country to provide for a possibility to deduct from the taxable income the income from financial instruments which have been sold, given as security or lent in the context of in rem securities or loans in cross-border situations. The Commission considers that the Belgian rules do not comply with the EU Parent-Subsidiary Directive.  -          Press release: March infringement package: [EN](http://europa.eu/rapid/press-release_MEMO-15-4666_en.htm) (several languages available)  **2.       Commission refers Greece to CJEU over two inheritance tax discriminations**  On 26 March 2015, the European Commission has decided to refer Greeceto the EU Court of Justice (CJEU) regarding two provisions in Greek inheritance tax legislation:  The first concerns bequests to non-profit organisations in another EU or EEA country. Greek law applies a preferential tax rate of 0.5% for certain Greek non-profit entities, whereas similar non-profit entities established in other EU/EEA states can only benefit from the preferential tax rate if legacies to Greek non-profit entities also have access to a preferential tax treatment in the other country. If such reciprocity is not met, the applicable tax rate varies between 20-40%, depending on the taxable value of the property.  The second case concerns an exemption of a primary residence from inheritance tax which is available only for  taxpayers (and heirs) who live(d) in Greece.  -          Bequests to non-profit organisations, press release: [EN (DE, EL, FR available)](http://europa.eu/rapid/press-release_IP-15-4674_en.htm)  -          Exemption linked to residence in Greece, press release: [EN (DE, EL, FR available)](http://europa.eu/rapid/press-release_IP-15-4675_en.htm)  **3.       European Parliament adopts “Annual Tax Report” – CFE comments taken on board**  On 25 March 2015, the European Parliament adopted a non-legislative “Annual Tax Report”, commenting on a wide range of issues currently discussed in EU and international tax policy such as automatic exchange of information, country-by-country reporting, tax rulings, the financial transaction tax, the CCCTB, tax havens, BEPS, specific regimes for income from intellectual property (“patent boxes”) and the recent revisions of the EU Parent-Subsidiary and Anti Money Laundering Directives. The report originally drafted by Greek MEP Eva Kaili seeks to strike a balance between promoting growth-friendly taxation and allowing non-harmful tax competition between states while fighting non-transparency, tax avoidance, tax evasion and fraud. The report does not fail to stress the governments´ role in encouraging complex tax planning by undertakings. The CFE has provided input to the process. A number of points, e.g. on the importance of legal certainty, clarity of the law and predictability of government action, on the confidentiality of information exchanged and business secrets, on the general usefulness of tax rulings, on the presumption of innocence and on the need for a European Taxpayer´s Code advocated by CFE have been included by MEPs in the final text.  -          Press release: [EN](http://www.europarl.europa.eu/news/de/news-room/content/20150324IPR37371/html/EP-takes-stance-on-tax-transparency-burdens-avoidance-and-evasion) (FR, EL available)  -          Annual Tax Report: [EN](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2015-0089+0+DOC+XML+V0//EN) (all EU languages available)  **4.       Commission asks France to apply standard VAT rate for non-food agricultural products**  The European Commission has sent a reasoned opinion asking France on 26 March 2015 to apply the normal VAT rate to products of agricultural origin which are not intended for use in food products or in agricultural production. France authorises the application of a reduced VAT rate for certain products used in the production of non-food industrial products.  -          Press release: March infringement package: [EN](http://europa.eu/rapid/press-release_MEMO-15-4666_en.htm) (several languages available)  **5.       VAT cross border rulings project extended until September 2018**  The VAT cross border rulings project is a pilot project offering taxable persons who envisage cross-border transactions between two or more participating EU member states to ask for a binding advance ruling on the VAT treatment of these transactions. The pilot has started in June 2013 and has now be extended again, to continue until 30 September 2018. Only a limited number of EU member states have so far agreed to participate.  -          Dedicated website: [EN](http://ec.europa.eu/taxation_customs/taxation/vat/traders/cross_border_rulings/index_en.htm)  \*\*\*\*\*  *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:image002.png@01D05A62.500B7F50 |
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