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Amazon's State Aid Appeal to EU General Court

The legal grounds forming the basis of Amazon's application to the General Court of the European Union to have the decision of the European Commission annulled, i.e. the decision that Luxembourg granted illegal State aid by virtue of a tax ruling granted to Amazon in 2003, have now been made available on the [Curia website](#).

Amazon in its application relies on nine pleas in law to support its application to have the Commission decision annulled. In particular, Amazon asserts that the Commission failed to establish an advantage benefiting Amazon, as it improperly ignored direct evidence showing royalties were in keeping with the arm's length principle, and that the decision accordingly violates the Charter of Fundamental Rights of the EU through the Commission failing to consider all the available evidence.

Amazon also contends that the decision is based on a flawed analysis of the functions of Amazon and LuxOpCo, and fails to establish an advantage under the subsidiary line of reasoning. Further, Amazon pleads that the decision is based on a flawed finding of an advantage premised on an analysis that deviates from the arm's length principle, and that in any event recovery of aid would now be prevented by the expiration of the applicable limitation period.



EU Commission's Juncker Plan to Provide €100 Million in Loans to SMEs in Finland

The European Investment Bank (EIB), as part of an [agreement](#) concluded under the Juncker Plan's European Fund for Strategic Investments, will provide access to €100 million in loans for small and medium-sized companies in Finland.

Vice-President of Jobs, Growth, Investment and Competitiveness at the EU Commission, Jyrki Katainen, stated that the Plan *"was designed to facilitate small and medium-sized enterprises gain access to finance they need to expand, innovate and create jobs. So far, around 700,000 small businesses across Europe are expected to benefit. I am delighted that, with today's transaction, the Investment Plan will allow Finnish firms to benefit from €100 million in financing opportunities."*

The Juncker Plan will provide over €7.6 billion in investments in Finland, and €335 billion throughout the EU.



OECD Releases Tax Policy Review on Slovenia

The OECD have released a [tax policy review](#) on Slovenia within its Tax Policy Reviews Series, assessing Slovenia's tax systems as against other OECD member countries' systems, and setting out recommendations for tax policy reform.

The report covers the topics of taxation of individuals, performance of the labour market, social policy, financing of social security systems, indirect taxes, taxation of capital income and taxation policy.



Booksellers Urge UK to Tax Online Retailers

Following on from Chancellor Philip Hammond recently [stating](#) that Britain will consider implementing a unilateral tax for online retail sales to "ensure that taxation is fair between businesses doing business the traditional way and those doing business online...", the Booksellers Association have implored the UK government to take "decisive action to bolster the declining health of the high street" and to counter the "egregious tactic of transfer pricing by some online giants".

The comments came after iconic department store House of Fraser went into administration, in a year in which tens of thousands of jobs have been lost following the collapse of many traditional retail businesses, such as Poundworld, Toys R Us, and other retail giants such as Mothercare and Marks & Spencer closing hundreds of stores.

The Austrian Presidency's [Agenda Programme](#) states that taxation of the digital economy is one of the main priorities for the focus of taxation work for the Presidency.



EU Commission Approves State Aid to Denmark for Renewable Energy Production

The Commission has [approved](#) State aid for three schemes in Denmark which will support investment in producing electricity using renewable energy sources. Denmark aims to meet 50% of all energy consumption using renewable energy sources by 2050.

The three schemes have a total budget of €144 million, and will concentrate on onshore and offshore wind turbines, as well as solar installations. Tenders will be organised in 2018 and 2019 in order to select beneficiaries for the aid, to be provided to successful applicants for a period of 20 years. The recipients of the funds will sell their electricity to consumers in the market and benefit from top-up payments from the scheme funds.

The Commission approved that the schemes met with State aid rules and were in line with EU environmental objectives.