



JULY TO DECEMBER 2021

LATEST NEWS

CFE's 14th European Conference on Professional Affairs

Against the backdrop of recent actions by governments and lawmakers, such as the G7 agreement on minimal global corporation tax and anti-tax avoidance initiatives of the EU, the CFE has issued a [discussion paper](#) regarding its long-standing commitment to high professional standards in tax advice. The main stated objective is to promote ethical professional judgment across all tax advisers in Europe. While tax advisers play a valuable role in the proper functioning of tax systems, this role can be undermined by the promotion of abusive tax arrangements.

The 14th European Webinar Conference on Tax Advisers' Professional Affairs was held virtually on Thursday, 25 November 2021, on the topic of [“Professional Judgment in Tax Planning: An Ethics Quality Bar for All Tax Advisers – ‘If It Is Legal, Is It Acceptable?’”](#). The conference 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 virtual conference welcomed tax experts and academics, featuring: Paul Tang, MEP and Chair of the Subcommittee on Tax Matters at the European Parliament; Reinhard Biebel, Head of Unit, Direct Tax Policy & Cooperation at the European Commission; Esmee de Nijs, Policy Advisor to Paul Tang MEP, Sune Hein Bertelsen, Member of the Tax Policy Group at Business Europe; Howard Liebman, Partner at Jones Day, Brussels; Jens Poll, Chair of the Tax Planning and Related Services Task Force at the International Ethics Standards Board for Accountants and Board Member of Accountancy Europe; and Martin Manuzi, Regional Director for Europe at the Institute of Chartered Accountants in England and Wales. The conference was moderated by Philippe Vanclooster, Chair of the Professional Affairs Committee, and Aleksandar Ivanovski, Director of Tax Policy at CFE Tax Advisers Europe. The panellists discussed the need to promote ethical professional judgment across all tax advisers, regardless of the different backgrounds, professional affiliations or absence of professional affiliations of tax advisers as well as of market access rules on tax services provision in individual jurisdictions and whether the concept as set out in the CFE paper has the potential to help achieve ethical tax planning across all tax advisers within and across jurisdictions.

Panellists also explored how the attitude of business towards tax has shifted in the past years, and whether the business is now only taking into account the

legal part of the tax advice, or whether other considerations are increasingly relevant, such as changed attitudes of business towards tax law and tax administration. To this end, panellists discussed how the changing environment in tax policy has affected business decisions and the nature of tax advice and whether education in tax ethics can play a role going forward. References in the paper to legal obligations on tax advisers to reduce tax liabilities arising from national laws and court rulings and pressures generated by broad taxpayer attitudes were also examined by the panellists.

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 Policy at the European Commission, confirmed that the Commission welcomed the discussion paper, but that issues with enforceability and unregulated advisers would remain a concern that the EU intends to 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 2022.

[Update on COVID-19 Impact on CFE Tax Advisers Europe's Activities](#)

Due to the ongoing pandemic conditions, the CFE Executive Board has taken the decision that the CFE Technical Committee meetings scheduled to take place at the beginning of February 2022 will be held virtually. The meetings will be held on Microsoft Teams and invitations for the meetings will be circulated in

due course.

The Executive Board will closely monitor and evaluate health risks and travel restrictions caused by the COVID-19 pandemic, and keep our Members updated on whether there will be any impact on any other CFE events or meetings in 2022.

In the meantime, work is continuing on existing projects and on policy developments, in close conjunction with the Member Organisations and in synergy with the work of the EU institutions and the OECD. We encourage you to visit the CFE website and our social media channels to stay informed regarding the most recent CFE technical work and publications.

MEETINGS & EVENTS

CFE Academy Courses & Webinars

The CFE Tax Academy aims to share knowledge and experience on tax matters while exchanging ideas on practical tax issues. The Academy creates opportunities for tax professionals to be updated on global tax developments through attending seminars and trainings.

In 2021, a CFE Academy course took place virtually on 10 November 2021, hosted by the Mongolian Association of Certified Tax Consultants, with CFE President Piergiorgio Valente giving a seminar on the topic of “International Tax Policy: The Road Ahead” at the 5th Annual Conference of the Mongolian Association of Certified Tax Consultants.

In addition, a number of e-learning webinars were recorded and broadcast in 2021 by the CFE Tax Academy, making technical content available online for CFE members during the COVID-19 outbreak. The webinars were produced in cooperation between CFE Tax Advisers Europe and the Consiglio Nazionale dei Dottori Commercialisti e degli Esperti Contabili (CNDCEC) on topics concerning European and international taxation. The speakers were academics and practitioners associated with CFE Tax Advisers Europe.

On 8 July 2021 the CFE Professional Affairs Committee hosted a CFE-members only webinar to present the recently published discussion paper on professional standards in tax advice to all CFE Member Organisations. The Professional Affairs Committee during the webinar sought feedback on whether the paper and the ethics quality bar can help to steer advisers in the direction of an appropriate balance between the rights and obligations of taxpayers, avoiding abusive planning.

On 24 September 2021, the Global Tax Advisers Platform's founding members, the CFE, AOTCA and WAUTI held a virtual declaration signature seminar for its 2021 Declaration, identifying five key priorities in international taxation in the eyes of the Platform. The five priorities identified by GTAP in the 2021 Declaration are: COVID-19 and tax as a means of economic recovery; climate, green, natural resources and the circular economy; tax morale; tax and digitalisation; and tax and blockchain. During the roundtable, they presented and discussed the importance of the key priorities contained in the 2021 Declaration at the virtual roundtable event.

CNDCEC and CFE members can enrol in the European Register of Tax Advisers and can attend CFE Academy's online courses to keep up to date on pertinent issues in European and international tax.

2021 Italia-Africa Business Week

On 9 October 2021, Director of CFE Tax Policy, Aleksandar Ivanovski, participated in the 2021 Italia-Africa Business Week, taking part in a roundtable discussion on the topic of "Taxation and Social Inclusiveness for Economic Growth in Africa". CFE President, Piergiorgio Valente, also participated in a panel discussion during the event, as did Ian Hayes, Chair of the Tax Technology Committee.

2021 Caleb University International Conference

On 26 October 2021, CFE President and GTAP Chairman Piergiorgio Valente participated in the inaugural Caleb University International Conference, discussing financial services in a global economy with Professor Teju Somorin, Professor of Taxation Dean, College of Post Graduate Studies and former WAUTI President.

5th Annual Conference of the Mongolian Association of Certified Tax Consultants

On 10 November, CFE Tax Advisers Europe President, Piergiorgio Valente, participated in the Mongolian Association of Certified Tax Consultants' 5th Annual Conference, opening the conference with an address on global tax developments, with a seminar on the topic of "International Tax Policy: The Road Ahead".

AMCHAM Global Business Tax Update

On 30 November 2021 the AMCHAM Luxembourg Tax Committee hosted a virtual [Global Business Tax Update](#) conference, examining the issues of global tax harmonisation, minimum taxation and increases in business taxation post-COVID-19. Aleksandar Ivanovski, CFE Director of Tax Policy, participated in the conference, discussing the latest EU tax policy developments alongside Bob Stack (Deloitte), Pierre- Antoine Klethi (Loyens & Loeff), Gregory Jullien (Deloitte) and Bernard David as AMCHAM Tax Committee Chairman who moderated the panel discussion. The panel analysed the OECD global tax agreement with focus on the US implementation, addressing issues which constitute perhaps the most serious challenge to the restoration of business prosperity during this currently beginning period of economic recovery.

TECHNICAL RELEASES

Fiscal Committee Opinion Statements

In the second half of 2021, the Fiscal Committee of CFE Tax Advisers Europe published 2 Opinion Statements:

- [FC 4/2021](#) on Issues with Supply of Goods with Transport Under e-Commerce Rules.
- [FC 5/2021](#) on the European Commission Public Consultation on Fighting the Use of Shell Entities for Tax Purposes.

Professional Affairs Committee Discussion Paper

Prior to the summer, the Professional Affairs Committee of CFE Tax Advisers Europe published a [Discussion Paper on Professional Judgment in Tax Planning – An Ethics Quality Bar for All Tax Advisers](#).

In October 2021, CFE presented to the Platform for Tax Good Governance the discussion paper. CFE were pleased to be able to demonstrate its role as a thought leader in professional standards for tax advisers at the Platform, leading discussions on promoting ethical professional judgment across all tax advisers in Europe. CFE seeks to steer all advisers in the direction of an appropriate balance between the rights and obligations of taxpayers, avoiding abusive planning.

ECJ Task Force Opinion Statements

Between July and December 2021, the ECJ Task Force of CFE Tax Advisers Europe published 2 Opinion Statements:

- [ECJ-TF 2/2021](#) on the CJEU decision in Case C-403/19, Société Générale, on the calculation of the maximum amount of a foreign direct tax credit.
- [ECJ-TF 3/2021](#) on the CJEU decision of 18 March 2021 in Case C-388/19, MK, concerning tax on capital gains from immovable property.

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 6 CFE articles in their journal in 2021.

CFE Tax Policy Director, Aleksandar Ivanovski and Tax Policy Analyst, Brodie McIntosh, also prepared an article for the special 60th Anniversary Edition of *European Taxation* on the topic of “*European Taxation’s 60th Anniversary Issue: 60 Years of Tax Advisory Work in the Area of EU Tax Policy*”, which was [published in Volume 12](#) in November 2021.

EU Tax Policy Report

In July 2021, CFE Tax Advisers Europe published its [EU Tax Policy Report](#) covering the period of January to June 2021. 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 throughout the week beginning 7 February 2022. Delegates of the Technical Committees will soon receive a calendar setting out all meeting dates for 2022, as well as official meeting invitations with registration links in due course.

CFE 2022 Forum & Spring General Assembly

The 2022 Forum will be held on Thursday 12 May 2022 in Brussels, taking into account the safety protocols issued by the Government of the Kingdom of Belgium and the rules for Covid-safe event spaces put in place by the authorities of the Brussels-Capital Region.

The Spring CFE General Assembly and Technical Committee meetings will also be held in Brussels, the following day on Friday 13 May 2022. 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.

The selection of the remitted material has been prepared by:
Piergiorgio Valente/ Aleksandar Ivanovski/ Brodie McIntosh/ Filipa Correia

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 Piergiorgio

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