



JULY - DECEMBER 2019

## **Strategic Partnership with European Parliament**

In October 2019, CFE Tax Advisers Europe celebrated its 60th Anniversary under the high patronage of the European Parliament, with a series of events, including a General Assembly, the inaugural Global Tax Advisers Platform conference and technical committee meetings held in Torino, Italy, on 3 and 4 October 2019, hosted by the Italian member organisations of CFE - Associazione Nazionale Tributaristi Italiani (ANTI) & Consiglio Nazionale dei Dottori Commercialisti e degli Esperti Contabili (CNDCEC).

The CFE Tax Advisers Europe was honoured to receive the patronage of the European Parliament of its 60th Anniversary, confirming the close links between the objectives of CFE's initiatives and the values of the European Union.

## **Meetings & Events**

### **The 23<sup>rd</sup> Intra-European Organisation of Tax Administrations (IOTA) General Assembly**

Ian Hayes, Chair of the CFE Tax Technology Committee, was invited to attend the 23rd Intra-European Organisation of Tax Administrations (IOTA) General Assembly in Brussels from 2 to 4 July. On the Technical Session, attendees strived to answer the question "Are tax administrations ready for the tax official of tomorrow?".

### **European Economic and Social Committee Seminar**

The European Economic and Social Committee Seminar took place on 5 July in Brussels. Aleksandar Ivanovski, CFE Tax Policy Manager, attended the seminar representing CFE Tax Advisers Europe.

### **CFE Academy Records 1st edition of the E-Learning Courses in Cooperation with CNDCEC**

CFE Tax Advisers Europe and the Consiglio Nazionale dei Dottori Commercialisti e degli Esperti Contabili (CNDCEC) signed a Memorandum of Understanding to cooperate in e-learning courses (building on the CFE's academic activity developed to enhance skills and competence of the European accountancy profession). The goal was to contribute to the e-learning platform available to CNDCEC members (the parties agreed to organize 4 online courses of 20 hours each on international taxation) on European and international tax topics. The first course was successfully recorded in July 2019 in Milan, Italy, on the topic of

International and EU Taxation and Tax Policy, including a record of attendance by CNDCEC members immediately in the first week of release of the e-learning course in the platform.

The lectures were given by academic speakers and practitioners associated with CFE.

### **CFE Tax Advisers Europe meeting with the Chamber of Tax Advisers of the Czech Republic and the Institut des Experts-Comptables et des Conseils Fiscaux**

On 6 September 2019, CFE Tax Advisers Europe met with the Chamber of Tax Advisers of the Czech Republic and the Institut des Experts-Comptables et des Conseils Fiscaux in Brussels. At the meeting, CFE Tax Policy Manager Aleksandar Ivanovski had the opportunity to discuss the CFE's priorities for the technical committees and strengthen relationships with CFE members.

### **CFE Tax Advisers Europe meeting with CIOT European Branch in Milan**

On 18 September 2019, CFE Tax Advisers Europe met in Milan with representatives of CIOT European branch, including also the participation of CFE Vice President, Gary Ashford, to discuss Geopolitics and Taxation (in the morning) and "Tax Advisers for International Tax Structures" (in the afternoon). The event was held in cooperation with CDPT – Centro di Diritto Penale Tributario.

### **Global Tax Advisers Platform Global Conference and the Torino-Busan Declaration**

In 2019, the Global Tax Advisers Platform (GTAP) held the inaugural Global Conference, in Torino, Italy, on Thursday 3 October 2019 on the topic of "Tax and the Future", with more than 120 participants from 4 different continents in attendance.

The conference addressed the future of global tax policy, the future of corporate income tax and VAT, the future of the global tax profession and the future of business models and tax sustainability.

Notably, at the GTAP Global Conference, the GTAP members and observers signed the Torino-Busan Declaration. In this document, GTAP sets out four key short-term priorities to pursue the promotion of public interest by ensuring the fair and efficient operation of national and international tax systems. The four priorities highlighted in the Declaration are tax for growth, sustainable tax policies, tax and digitalisation, taxpayers' rights and certainty in a fast-paced world. The declaration was first signed at the GTAP Global Conference, and again on 17 October 2019 in Busan, South Korea, on the occasion of the 2019 International Tax Conference of the Asia Oceania Tax Consultants' Association (AOTCA).

### **CFE Tax Advisers Europe General Assembly**

The 60<sup>th</sup> year anniversary CFE General Assembly took place on 4 October 2019 in Torino, Italy, hosted by the Italian member organisations of CFE - Associazione Nazionale Tributaristi Italiani (ANTI) & Consiglio Nazionale dei Dottori Commercialisti e degli Esperti Contabili (CNDCEC) including an address by Pascal Saint-Amans (OECD) and by Bert Zuijendorp (EU).

**Pascal Saint-Amans**, Director of the OECD Centre for Tax Policy and Administration addressed the General Assembly, highlighting the long-standing collaboration between the CFE and the OECD. Mr Saint-Amans remarked that CFE has been an active contributor to OECD's work since its inception in 1959 – only a few years before the publication of the 1963

OECD Model Tax Convention. Mr Saint-Amans welcomed CFE's recent contributions to OECD's public consultations and presented the upcoming OECD agenda on the taxation challenges of the digital economy.

Representing the European Commission, **Bert Zuijndendorp**, Head of Company Taxation Initiatives, DG TAXUD, thanked CFE for its contribution to the taxation policy work of the European Commission over the years and discussed the important role stakeholders play in the taxation policy initiatives of the EU. Mr Zuijndendorp also reflected on the synergy of the work undertaken by the OECD and the EU.

At the meeting, CFE presented to delegates the 2 finalised commemorative books that were published in order to celebrate CFE's 60th Anniversary: the 60<sup>th</sup> Anniversary Book and the Liber Amicorum.

### **CFE Academy Lecture at the 95th Anniversary of the National University of Commerce and Business of Mongolia**

On 11 October 2019, the CFE President was invited as keynote speaker, on the occasion of the 95th Anniversary of the National University of Commerce and Business of Mongolia, to the international conference under the theme "Trade and Sustainable development-IV".

### **CFE Academy Training to the Mongolian Association of Certified Tax Consultants**

The CFE Academy held a second training lecture with the Mongolian Association of Tax Advisers in Ulaan Baatar (Mongolia) on 12 October 2019, which included the participation of more than 100 Mongolian tax advisers.

### **AOTCA General Meeting & International Tax Conference in Busan**

Piergiorgio Valente, President of CFE Tax Advisers Europe and Chairman of the Global Tax Advisers Platform (GTAP), attended AOTCA's 17<sup>th</sup> General Meeting & participated as speaker at the International Tax Conference held in Busan, South Korea, on 16 – 18 October 2019.

Piergiorgio Valente represented CFE at the GTAP meeting held on 16 October, and also met with the Asia Oceania Tax Consultants' Association (AOTCA) Council and General Assembly. The meetings and event were hosted by the Korean Association of Certified Public Tax Accountants.

### **49th IAFEI World Congress**

CFE President Piergiorgio Valente participated as a speaker at the 49th IAFEI World Congress, held on 25 and 26 October 2019 in Matera, Italy, entitled "*Culture, value for the economy and guide in the evolution of organisational and development models*".

### **The International Tax Specialist Group (ITSG) Conference**

On 6 and 7 November 2019, CFE President Piergiorgio Valente, CFE Vice-President Gary Ashford and CFE Secretary General Martin Phelan attended as speakers the International Tax Specialist Group (ITSG) Conference in Dubai. The conference covered topics such as bitcoin, the Apple Case and tax morale, and it was an excellent occasion of debate.

### **Compliance and Good Tax Practices Congress**

The Chair of the CFE Fiscal Committee Stella Raventós-Calvo participated as a speaker at the Compliance and Good Tax Practices Congress, held on 13 November 2019 in Barcelona, Spain.

### **The CODIS Convention**

CFE President Piergiorgio Valente spoke on transfer pricing at the 13<sup>th</sup> CODIS Convention, a key event in Milan with the tax authorities, eminent scholars and tax advisers. The convention, entitled “The tax of today and tomorrow: confrontation on tax issues in a rapidly evolving context” was held on 14 November 2019 in Milan, Italy.

### **OECD Public Consultations on the Secretariat Proposal for a 'Unified Approach' under Pillar One & Pillar Two**

The OECD consultation meeting on the Secretariat Proposal for a 'Unified Approach' under Pillar One was held in Paris, France, on 21 & 22 November. The meeting was attended by Aleksandar Ivanovski, CFE Tax Policy Manager. A second public consultation took place in Paris on 9 December concerning the OECD Global Anti-Base Erosion Pillar 2 Proposal. CFE issued Opinion Statements responding to both consultation papers.

### **Italia-Africa Business Week**

CFE Tax Advisers Europe was pleased to once again be a partner once of the Italia-Africa Business Week held on 26 – 27 November in Milan, Italy. The conference gathered more than 300 attendees to discuss business development, international cooperation and more. CFE President Piergiorgio Valente participated in a roundtable on “Customs and trade between Africa and Italy”.

### **12th European Conference on Tax Advisers' Professional Affairs**

The 12th European Conference on Tax Advisers Professional Affairs, hosted by CFE Tax Advisers Europe and the Institut des Avocats Conseils Fiscaux (IACF), was held in Paris, France, on Friday 29 November 2019, this year entitled “Making Anti-Money Laundering More Effective For Tax Advisers”.

The conference examined the perceived risks posed by the tax profession in facilitating money laundering based on the EU Commission’s Supranational Risk Assessments, compliance with the new and existing EU Anti-Money Laundering Directives and efforts taken to address money laundering in the broader international context, and the overall effect this has on tax evasion.

### **CFE Participation to the ETAF Conference**

On 5 December 2019, CFE President Piergiorgio Valente was invited to join the ETAF conference as speaker and participate in the roundtable on the topic “Exploring the potential between the EU and the OECD in tax policy”, engaging in interesting discussions with fellow panellists Bernardus Zuijendorp, Head of Unit Company Taxation Initiatives at DG TAXUD, European Commission and Marek Belka, Member of the European Parliament, S&D, Poland.

## **Technical Releases**

### **Joint Committee Statements:**

The Committees of CFE Tax Advisers Europe published 2 joint Opinion Statements in the second semester of 2019:

- **Opinion Statement CFE 2/2019** on the OECD Consultation on a Unified Approach under Pillar One;
- **Opinion Statement CFE 3/2019** on the OECD Consultation on a Unified Approach under Pillar Two.

### **Fiscal Committee Opinion Statements**

In July, the Fiscal Committee of CFE Tax Advisers Europe published 1 Opinion Statement:

- **Opinion Statement FC 2/2019** concerning the implications of the decision of the Court of Justice of the EU in case C-132/16 *Iberdrola* on input tax deductions.

### **Professional Affairs Committee Opinion Statements**

In November, the Professional Affairs Committee of CFE Tax Advisers Europe published 1 Questionnaire:

- **Professional Affairs Committee Survey** on the Project Taxpayer's Rights and Charters.

### **ECJ Task Force Opinion Statements**

The ECJ Task Force of CFE Tax Advisers Europe published 2 Opinion Statements between July to December 2019:

- **Opinion Statement ECJ-TF 3/2019** on the CJEU decision of 22 November 2018 in Case C-575/17, *Sofina* and others, on withholding taxes, losses and territoriality.
- **Opinion Statement ECJ-TF 4/2019** on the CJEU decision of 26 February 2019 in Case C-135/17, *X-GmbH*, on the German CFC rules and third countries.

### **EU Tax Policy Report**

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 EU and 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.

In July, CFE published the Tax Policy Report covering the period of January to June 2019, and in January 2020 CFE will publish the Tax Policy Report covering the period of July to December 2019.

### **External Publications**

The leading European tax law journal *European Taxation*, published by IBFD, regularly publishes articles on CFE conferences and selected Opinion Statements of particular relevance.

The following are a list of the articles and Opinion Statements published by *European Taxation* from July to December 2019:

- **The Opinion Statement FC 1/2019** CFE Response to the OECD Consultation Document: Addressing the Tax Challenges of the Digitalising Economy. Published in Volume 59 – Number 8 - 2019.
- **Opinion Statement ECJ-TF 1/2019** on the CJEU decision of 31 May 2018 in Case C-382/16, *Hornbach-Baumarkt*, concerning the application of transfer pricing rules to transactions between resident and non-resident associated enterprises. Published in Volume 59 – Number 9 – 2019.
- **Opinion Statement ECJ-TF 2/2019** on the CJEU decisions of 26 February 2019 in Cases C-115/16, C-118/16, C-119/16 and C-299/16, *N Luxembourg I et al*, and Cases C-116/16 and C-117/17, *T Danmark et al*, concerning the “beneficial ownership” requirement and the anti-abuse principle in the company tax directives. Published in Volume 59 – Number 10 – 2019.
- **Opinion Statement CFE 1/2019** on European Tax Advisers’ Policy Priorities for the EU Mandate 2019-2024.
- **Opinion Statement FC 2/2019** concerning the implications of the decision of the Court of Justice of the EU in case C-132/16 *Iberdrola* on input tax deductions.

In addition to the above, CFE President Piergiorgio Valente published an article entitled “International Tax Dispute Resolution: New EU Rules”, discussing how international tax disputes arise and how the mutual agreement procedure framework has changed in the last few years. The article was published by the International Association of Financial Executives Institutes (IAFEI).

The CFE President has also written a chapter in IBFD’s book “Taxing the Digital Economy – The EU Proposals and Other Insights” on digital services tax (DST), where he makes critical remarks about the DST proposals.

## Forthcoming Events

### CFE Networking Dinner and Technical Meetings

CFE Tax Advisers Europe organises an invitation-only annual tax dinner each year, which provides the opportunity to strengthen relationships with colleagues and counterparts, and expand engagement beyond formal policy meetings on technical issues. Attendees are able to exchange views in an informal setting with members of the European Commission working in relevant areas, such as Directorate-General for Taxation and Customs Union (DG Taxud), Members of the European Parliament with a particular interest in tax and Members of the Council of the European Union.

The next CFE Networking Dinner will be held at the Hotel Amigo on 30 January 2020 in Brussels and the CFE Technical Committee meetings will take place on 31 January 2020.