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**Fiscal Committee****21 April 2014**1. **Commission requests business input for draft explanatory notes on the VAT treatment of services connected with immovable property**

The European Commission is planning to issue explanatory notes on the VAT treatment of services connected with immovable property in mid-2015, to help applying the changes to the place of supply rules included in Regulation 1042/2013/EU which will be effective as of 1 January 2017. Business is invited to submit any issues identified in this area and suggestions for solution by 23 May 2014.* [Request for input](http://ec.europa.eu/taxation_customs/resources/documents/taxation/vat/how_vat_works/explanatory-notes-fiscalis.pdf)
1. **Commission sees discrimination in Dutch treatment of Dutch-sourced dividends paid to EU/EEA insurance companies**

On 16 April 2014, the European Commission requested the Netherlands to end the discriminatory taxation of dividends received on shares held by insurance companies established in another Member State or in an EEA country. Dutch insurance companies are effectively not taxed on dividends received on shares held in the framework of unit-linked insurances. They can deduct the increase of the obligation to pay the dividends on to their policyholders from the dividends received.  This reduces the corporate tax base concerning these dividends to zero, while any withholding tax is credited. However, insurance companies established in the EU or the EEA receiving Dutch dividends on shares held in the framework of unit-linked insurance on the gross dividends are taxed, without the possibility of a credit. The request takes the form of a reasoned opinion.* [April 2014 infringement package](http://europa.eu/rapid/press-release_MEMO-14-293_en.htm)
1. **OECD VAT/GST guidelines endorsed by 86 countries**

At the OECD´s Global Forum on VAT on 17-18 April 2014, the governments of 86 countries have endorsed the first three chapters of the OECD VAT/GST guidelines for cross-border trade, as adopted by the OECD in January 2014. These Guidelines set standards in two key areas: VAT neutrality and making taxes on B2B trade in services and intangibles destination-based.* [OECD News release](http://www.oecd.org/tax/governments-endorse-new-oecd-guidelines-on-applying-vat-across-borders.htm)
* [International Guidelines](http://www.oecd.org/ctp/consumption/international-vat-gst-guidelines.pdf)

**4-  OECD publishes comments received on BEPS Action 1 –Tax challenges of the digital economy**Comments had to be submitted by 14 April 2014. The input received was published on 16 April.* [Comments](http://www.oecd.org/tax/comments-action-1-tax-challenges-digital-economy.htm)
* [OECD Discussion Draft](http://www.oecd.org/ctp/tax-challenges-digital-economy-discussion-draft-march-2014.pdf)

**5- EP votes on country-by-country reporting of tax payments and criminal law rules concerning VAT fraud**On 15 and 16 April 2014, in its last working week before the elections, the plenary of the European Parliament adopted the Directive on “Disclosure of non-financial and diversity information by certain large companies and groups”, and a Directive on “Fight against fraud to the Union's financial interests by means of criminal law”. The former introduces a number of reporting duties of large companies. While the vote on this Directive follows a compromise reached with the EU Council in February 2014 (it was agreed that country-by-country reporting of tax payments will not be introduced at this stage) and is likely to be adopted by the Council at one of its next meetings, the positions of the EP and the Council still differ in the latter dossier which contains harmonisation of certain criminal offences and penalties: Unlike the Council, the EP wants that Directive to apply also on VAT fraud.* Disclosure of non-financial and diversity information by certain large companies and groups (p.312 ff)
* [Fight against fraud to the Union's financial interests by means of criminal law (p.278 ff)](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+20140416+SIT-02+DOC+WORD+V0//EN&language=EN)

\*\*\*\*\**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) |
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