



Anti Tax Avoidance Package



Why?

Fair Taxation

- Ensure all companies pay tax where they make profits
- Protect all MSs' tax bases evenly

Better Business Environment

- Fairer competition for all businesses (EU and non-EU)
- Prevent legal uncertainties

International Partnership

- Promote international tax reforms (BEPS, Transparency)
- Address problematic third countries



Why now?

BEPS finalised: Smooth and swift implementation in EU needed

ECOFIN asked for BEPS implementation at EU level

Quick action against tax avoidance, while CCCTB being prepared

What's in ATAP

Chapeau Communication

**Anti-Tax Avoidance
Directive**

**Recommendation
On Tax Treaties**

**Revised
Administrative
Cooperation
Directive**

**Communication on
External Strategy**

**Staff Working Document
Aggressive Tax Planning Study**



ATAP: Legislative

ANTI TAX AVOIDANCE DIRECTIVE

- CFC rule:** To deter profit shifting to low/no tax countries
- Interest Limitation:** To discourage artificial debt arrangements
- Hybrids:** To stop national mismatches being used to avoid taxation
- Switchover:** To prevent double non-taxation of certain income
- Exit Taxation:** To prevent re-location of assets purely to avoid taxation
- GAAR:** To counter-act aggressive tax planning in general

REVISION OF ADMINISTRATIVE COOPERATION DIRECTIVE

- CbCR:** To install country-by-country reporting between tax authorities

ATAP: Non-Legislative

RECOMMENDATION ON AMENDING TAX TREATIES

- Ensure implementation of new PE definition
- Advice on how to revise tax treaties against abuse
- Focus on how to do it in EU law compliant way

EXTERNAL STRATEGY

- Stronger EU approach to promoting tax good governance globally
- New areas of partnership with third countries on tax matters
- Action against external threats - EU blacklist

Next steps

2016: 8./3.: political agreement on CBCR

NL PRES wants agreement on ATAD in June

Autumn 2016: CCCTB Re-launch