



TEXTS ADOPTED

P9_TA(2019)0048

State of play of the disclosure of income tax information by certain undertakings and branches - public country-by-country reporting

European Parliament resolution of 24 October 2019 on the state of play on the proposal for a directive of the European Parliament and of the Council amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches (2016/0107(COD)), known as public country-by-country reporting (2019/2882(RSP))

The European Parliament,

- having regard to the proposal for a directive of the European Parliament and of the Council amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches (COM(2016)0198), as presented by the European Commission on 12 April 2016, known as public country-by-country reporting (public CBCR),
- having regard to the amendments it adopted on 4 July 2017 on the proposal for a directive of the European Parliament and of the Council amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches¹,
- having regard to its position of 27 March 2019 on the proposal for a directive of the European Parliament and of the Council amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches²,
- having regard to Article 294(2) and (3) as well as Article 50(1) of the Treaty on the Functioning of the European Union (TFEU), pursuant to which the Commission submitted the proposal to Parliament (C8-0146/2016),
- having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis as issued in January 2017,
- having regard to its question for oral answer to the Council of 6 February 2018³,
- having regard to the hearings of the Executive Vice-President-designates of the

¹ Texts adopted, P8_TA(2017)0284.

² Texts adopted, P8_TA(2019)0309.

³ O-000015/2018 (B8-0013/2018).

European Commission, Valdis Dombrovskis¹ and Margrethe Vestager²,

- having regard to Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC, known as the fourth Capital Requirements Directive (CRD IV)³,
- having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas Article 50(1) TFEU is the legal basis for the proposal for a directive of the European Parliament and of the Council amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches, known as the public CBCR;
- B. whereas Parliament already adopted its mandate on 4 July 2017 for the rapporteurs to enter interinstitutional ‘trilogue’ negotiations on the basis of a joint report of the Committee on Economic and Monetary Affairs and the Committee on Legal Affairs;
- C. whereas a technically mature compromise text has not reached the COREPER level yet, despite 18 Council Working Parties and Attachés meetings during the previous Council presidencies; whereas the Council, therefore, has not entered into trilogue negotiations so far;
- D. whereas Parliament finally adopted its position at first reading before the end of the previous legislative term on 27 March 2019;
- E. whereas Article 89 of the CRD IV Directive adopted by the European Parliament and the Council back in 2013 introduced the obligation on the Member States to require credit institutions and investment firms to disclose annually, specifying, by Member State and by third country in which they have an establishment, information such as the nature and geographical location of activities, turnover, number of employees, profit or loss before tax, tax on profit or loss as well as public subsidies received, on a consolidated basis for each financial year;
- 1. Urgently calls on the Member States to break the deadlock within the Council and to conclude their first reading on the public CBCR proposal and to enter interinstitutional negotiations with Parliament in order to finalise the legislative process as soon as possible and to respect the principle of sincere cooperation as laid down in Article 4(3) of the Treaty on European Union (TEU);
- 2. Urgently calls on the Finnish presidency to recommence and prioritise work on the public CBCR proposal on the basis of the Parliament’s first reading position so as to

¹ Verbatim report of the hearing available on <https://www.europarl.europa.eu/resources/library/media/20191008RES63730/20191008RES63730.pdf>.

² Verbatim report of the hearing available on <https://www.europarl.europa.eu/resources/library/media/20191009RES63801/20191009RES63801.pdf>.

³ OJ L 176, 27.6.2013, p. 338.

allow consideration of the proposal in COREPER;

3. Welcomes the fact that the incoming Commission has reiterated its utmost support for a prompt adoption of the public CBCR proposal;
4. Instructs its President to forward this resolution to the Council, the Commission and to the governments and parliaments of the Member States.