

5.12.2018

A8-0428/56

Amendment 56

Gabriel Mato

on behalf of the PPE Group

Report

Paul Tang

Common system of a digital services tax on revenues resulting from the provision of certain digital services

(COM(2018)0148 – C8-0137/2018 – 2018/0073(CNS))

A8-0428/2018

Proposal for a directive

Article 3 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Taxable revenues resulting from the provision of services listed in paragraph 1 shall be reduced by the part of those revenues generated by an entity in a Member State from users located in that Member State if such revenues are reported by that entity for corporate income tax purposes in that Member State and subject to corporate income tax in that Member State.

Or. en

Justification

The scope of the proposal should be clarified to ensure that if taxable revenues are already subject to corporate tax in a Member State, they should not be additionally subject to DST in that Member State. Hence, DST should only be collected in these Member States where no taxable presence has been established by a digital company and the invoicing and taxing of digital services generated by serving users in those Member States is taking place elsewhere. In such case, digital businesses would have a strong incentive to declare their taxable presence in each country where they operate in order to minimise DST and thus, the objective of the European Commission should be met.

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A8-0428/57

Amendment 57

Gabriel Mato

on behalf of the PPE Group

Report

A8-0428/2018

Paul Tang

Common system of a digital services tax on revenues resulting from the provision of certain digital services

(COM(2018)0148 – C8-0137/2018 – 2018/0073(CNS))

Proposal for a directive

Article 5 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. For the purpose of calculating the proportion of an entity's total taxable revenues that is treated under paragraph 1 as obtained in a Member State under Article 3, the users located in the Member States where the entity has met the criteria to exclude revenues from taxable revenues in accordance with Article 3(5a) shall be excluded from the calculating of the proportion of an entity's taxable revenues allocated to each Member State.

Or. en

Justification

The scope of the proposal should be clarified to ensure that if taxable revenues are already subject to corporate tax in a Member State, they should not be additionally subject to DST in that Member State. Hence, DST should only be collected in these Member States where no taxable presence has been established by a digital company and the invoicing and taxing of digital services generated by serving users in those Member States is taking place elsewhere. In such case, digital businesses would have a strong incentive to declare their taxable presence in each country where they operate in order to minimise DST and thus, the objective of the European Commission should be met.

5.12.2018

A8-0428/58

Amendment 58

Gabriel Mato

on behalf of the PPE Group

Report

A8-0428/2018

Paul Tang

Common system of a digital services tax on revenues resulting from the provision of certain digital services

(COM(2018)0148 – C8-0137/2018 – 2018/0073(CNS))

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

DST shall be chargeable in a Member State on the proportion of taxable revenues obtained by a taxable person in a tax period that is treated under Article 5 as obtained in that Member State. The DST shall become due in that Member State on the next working day following the end of that tax period.

DST shall be chargeable in a Member State on the proportion of taxable revenues obtained by a taxable person in a tax period that is treated under Article 5 as obtained in that Member State ***unless the entity is subject to corporate income tax on its total amount of taxable revenues in that Member State***. The DST shall become due in that Member State on the next working day following the end of that tax period.

Or. en

Justification

The proposal aims at the redistribution of DST revenues among Member States. This amendment is in line with this objective, yet it assures that the revenues are not subject to double taxation which might be the case under The Commission proposal, especially with respect to single country businesses.