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AMENDMENTS

325 - 649

Draft report

Jeppe Kofod, Luděk Niedermayer
(PE627.890v01-00)

Report on Financial Crimes, Tax Evasion and Tax Avoidance
(2018/2121(INI))

Amendment 325
Barbara Kappel

Motion for a resolution
Paragraph 36

Motion for a resolution

36. *Understands that the so-called interim solution is not optimal; believes that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent;*

Amendment

36. *Urges for a swift solution at OECD level;*

Or. en

Amendment 326
Wolf Klinz, Caroline Nagtegaal

Motion for a resolution
Paragraph 36

Motion for a resolution

36. *Understands that the so-called interim solution is not optimal; believes that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent;*

Amendment

36. *Refers to the ECONFIN meeting of 4 December 2018 during which the proposal to establish a digital services tax was discussed; points out that "at this stage a number of delegations cannot accept the text for political reasons as a matter of principle"^{31b}; recalls that work is currently ongoing at the OECD to find a solution to taxing the digital economy that is in line with OECD principles and international law and can be agreed to by the G20 and UN; calls on the Commission presents a proposal to Parliament based on the OECD's proposal for a global solution;*

^{31b} *Conclusions of the Economic and Financial Affairs Council, 04.12.2018, <https://www.consilium.europa.eu/en/meeti>*

Amendment 327

Dariusz Rosati

Motion for a resolution

Paragraph 36

Motion for a resolution

36. Understands that the so-called interim solution is not optimal; believes that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent;

Amendment

36. Understands that the so-called interim solution is not optimal; believes that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent; ; ***calls on the EU Member States to discuss, adopt and implement the long-term solution concerning the taxation of the digital economy (on the significant digital presence) as soon as possible in order for the EU to be a trendsetter on the global level and to depart from the short-term solution; stresses that the long-term solution proposed by the Commission should serve as a basis for further work on the international level and the EU shall continue to work towards a consensus-based solution in the BEPS Inclusive Framework;***

Amendment 328

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 36

Motion for a resolution

Amendment

36. Understands that the so-called interim solution is not optimal; **believes** that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent;

36. Understands that the so-called interim solution is not optimal; **notes** that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent **and preventing further distortion of EU Single Market; insists on the need to take a more optimal and long-term approach by adopting the Common Consolidated Corporate Tax Basis (CCCTB) with a digital factor in the formula apportionment, as voted by the Parliament in March 2018, together with the new definition of a Significant Digital Presence (SDP); strongly believes that it is the best way to tackle tax evasion of digital multinationals and deplores that these files are not progressing in the Council;**

Or. en

Amendment 329 **Markus Ferber**

Motion for a resolution **Paragraph 36**

Motion for a resolution

36. Understands that the so-called interim solution is not optimal; believes that **it** will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent;

Amendment

36. Understands that the so-called interim solution is not optimal **and points out that it shall be replaced by a permanent solution taking the form of a virtual permanent establishment as soon as possible;** believes that **the so-called interim solution** will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent;

Or. en

Amendment 330

Gabriel Mato

Motion for a resolution
Paragraph 36

Motion for a resolution

36. Understands that the so-called interim solution is not optimal; believes that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent;

Amendment

36. Understands that the so-called interim solution is not optimal; believes that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent; ***Underlines the need for common Union approach in order to save guard the integrity of the digital single market;***

Or. en

Amendment 331

Thierry Cornillet, Petr Ježek, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution
Paragraph 36

Motion for a resolution

36. ***Understands*** that the so-called interim solution is ***not optimal; believes that it will help speed up the search for a better solution at*** global level, while levelling the playing field in local markets to some extent;

Amendment

36. ***Believes*** that the so-called interim solution is ***much needed, given the speed and scope of digital development, as it will provide an important contribution to the comprehensive*** global level ***solution***, while levelling the playing field in local markets to some extent;

Or. en

Amendment 332
Louis Michel

Motion for a resolution
Paragraph 36

Motion for a resolution

Amendment

36. Understands that the *so-called* interim solution is not optimal; believes that it will help speed up *the search for a better solution* at global level, while levelling the playing field in local markets to some extent;

36. Understands that the *so-called* interim solution is not optimal; believes that it will help speed up *debate until such time as taxation of the digital economy has been established* at global level, while levelling the playing field in local markets to some extent;

Or. fr

Amendment 333
Tom Vandenkendelaere

Motion for a resolution
Paragraph 36

Motion for a resolution

36. Understands that the so-called interim solution is not optimal; believes that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent;

Amendment

36. Understands that the so-called interim solution is not optimal; believes that it will help speed up the search for a better solution at global level, while levelling the playing field in local markets to some extent; *notes that the OECD/G20 2018 interim report regarding Action 1 of the BEPS Project on the tax challenges of the digital economy did not reach many firm conclusions and largely describes the competing views of stakeholders;*

Or. en

Amendment 334
Peter Simon, Paul Tang, Evelyn Regner, Pervenche Berès, Elly Schlein, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution
Paragraph 36 a (new)

Motion for a resolution

Amendment

36a. Notes that, across the political spectrum, and across Europe, there is an overwhelming support for a digital tax;

recalls that surveys show that 80% of citizens from Germany, France, Austria, the Netherlands, Sweden and Denmark are supportive of a Digital Service Tax (DST) and that 80% of the citizens think that the EU should not wait for international efforts before it undertakes such a step; underlines furthermore that a majority of the surveyed citizens want a broad scope for a digital service tax, which includes services providing digital content and e-commerce^{1a};

^{1a} KiesKompas, Public Perception towards taxing digital companies in six countries <https://policies.kieskompas.nl/digital-tax-report.pdf>, December 2018

Or. en

Amendment 335

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 36 a (new)

Motion for a resolution

Amendment

36a. Reiterates its call on the Commission to use the power vested in the article 116 TFEU and to make proposals in the area of taxation under this article, in particular for the adoption of the Digital Services Tax (DST) and the CCCTB; believes that the conditions set out in Article 116 are met since there is a clear evidence that competition in the internal market between digital and traditional firms is distorted and that the Council failed to come to an agreement to eliminate the distortion;

Or. en

Amendment 336

**Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric,
Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo**

Motion for a resolution

Paragraph 36 a (new)

Motion for a resolution

Amendment

36a. Notes that the interim solution needs to be swiftly replaced by a change in the definition of permanent establishment; calls for the Council to consider the need for the digital service tax to be set at a level that takes the effective taxation of multinational companies within the scope of this proposal to that of other smaller companies in the same sector and other economic sectors, and that for that reason, the rate should be no lower than 5%;

Or. en

Amendment 337

Gabriel Mato

Motion for a resolution

Paragraph 36 a (new)

Motion for a resolution

Amendment

36a. Stresses that EU Member States need to adopt a long-term solution for the taxation of the digital economy in order to have the EU lead the debate at OECD and international level.

Or. en

Amendment 338

Markus Ferber

Motion for a resolution
Paragraph 36 a (new)

Motion for a resolution

Amendment

36a. Urges the European Commission to play an active and constructive role in the OECD workstream working on international standards for a virtual permanent establishment;

Or. en

Amendment 339

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Evelyn Regner, Mady Delvaux, Doru-Claudian Frunzulică, Hugues Bayet, Dietmar Köster, Olle Ludvigsson, Virginie Rozière

Motion for a resolution
Paragraph 36 b (new)

Motion for a resolution

Amendment

36b. Calls on Member States to ensure that the ‘Digital Services Tax’ remains a temporary measure by including a ‘sunset clause’ to the proposal for a Council Directive on the common system of a digital services tax on revenues resulting from the provision of certain digital services and by speeding up the discussion on a Significant Digital Presence^{1a} ;

^{1a} Proposal for a Council Directive laying down rules relating to the corporate taxation of a significant digital presence COM(2018) 147 final

Or. en

Amendment 340

Jeppe Kofod, Luděk Niedermayer

Motion for a resolution
Subheading 2.3 a (new)

Motion for a resolution

Amendment

Dividend stripping and coupon washing

Or. en

Amendment 341
Alfred Sant

Motion for a resolution
Paragraph 37

Motion for a resolution

Amendment

37. Stresses that since June 2014 the DAC has been amended four times;

37. Stresses that since June 2014 the DAC has been amended four times;
believes that the time has now come for a wide-ranging intergovernmental conference and treaty on taxation issues that would bring together the EU, the US, Japan, China, India, Russia among others, also with a view to streamlining and strengthening cooperative procedures to monitor tax avoidance;

Or. en

Amendment 342
Wolf Klinz, Petr Ježek, Nils Torvalds, Thierry Cornillet, Maite Pagazaurtundúa Ruiz

Motion for a resolution
Paragraph 37

Motion for a resolution

Amendment

37. Stresses that since June 2014 the DAC has been amended ***four*** times;

37. Stresses that since June 2014 the DAC has been amended ***five*** times;

Or. en

Amendment 343
Louis Michel

Motion for a resolution
Paragraph 37

Motion for a resolution

37. Stresses that since June 2014 the DAC has been amended **four** times;

Amendment

37. Stresses that since June 2014 the DAC has been amended **five** times;

Or. fr

Amendment 344
Barbara Kappel

Motion for a resolution
Paragraph 38

Motion for a resolution

38. ***Reiterates its call for a broader scope in relation to the exchange of tax rulings and broader access by the Commission;*** calls on the Commission to swiftly release its first assessment of DAC3 in this regard, looking in particular ***at the number of rulings exchanged and*** the number of occasions on which national tax administrations accessed information held by another Member State; ***asks that the assessment also consider the impact of disclosing key information related to tax rulings (the number of rulings, the names of beneficiaries, the effective tax rate deriving from each ruling);***

Amendment

38. calls on the Commission to swiftly release its first assessment of DAC3 in this regard, looking in particular the number of occasions on which national tax administrations accessed information held by another Member State;

Or. en

Amendment 345
Markus Ferber

Motion for a resolution
Paragraph 38

Motion for a resolution

38. Reiterates its call for a broader scope in relation to the exchange of tax rulings and broader access by the Commission; calls on the Commission to swiftly release its first assessment of DAC3 in this regard, looking in particular at the number of rulings exchanged and the number of occasions on which national tax administrations accessed information held by another Member State; *asks that the assessment also consider the impact of disclosing key information related to tax rulings (the number of rulings, the names of beneficiaries, the effective tax rate deriving from each ruling);*

Amendment

38. Reiterates its call for a broader scope in relation to the exchange of tax rulings and broader access by the Commission; calls on the Commission to swiftly release its first assessment of DAC3 in this regard, looking in particular at the number of rulings exchanged and the number of occasions on which national tax administrations accessed information held by another Member State;

Or. en

Amendment 346
Tom Vandenkendelaere

Motion for a resolution
Paragraph 38

Motion for a resolution

38. Reiterates its call for a broader scope in relation to the exchange of tax rulings and broader access by the Commission; calls on the Commission to swiftly release its first assessment of DAC3 in this regard, looking in particular at the number of rulings exchanged and the number of occasions on which national tax administrations accessed information held by another Member State; asks that the assessment also consider the impact of disclosing key information related to tax rulings (the number of rulings, the names of beneficiaries, the effective tax rate deriving from each ruling);

Amendment

38. Reiterates its call for a broader scope in relation to the exchange of tax rulings and broader access by the Commission, *and for more harmonisation of the tax ruling practices of different national tax authorities*; calls on the Commission to swiftly release its first assessment of DAC3 in this regard, looking in particular at the number of rulings exchanged and the number of occasions on which national tax administrations accessed information held by another Member State; asks that the assessment also consider the impact of disclosing key information related to tax rulings (the

number of rulings, the names of beneficiaries, the effective tax rate deriving from each ruling);

Or. en

Amendment 347

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 38 a (new)

Motion for a resolution

Amendment

38a. Calls on the Commission to tackle existing loopholes in automatic exchange of information, particularly coming from the DAC3 revision; stresses in this regard that this should cover national rulings and rulings with natural persons, that information should be made public, and that information on rulings should be better exchanged with third countries;

Or. en

Amendment 348

Markus Ferber

Motion for a resolution

Paragraph 38 a (new)

Motion for a resolution

Amendment

38a. Deplores the fact that the Commissioner in charge of taxation does not recognise the need to extend the existing system for the exchange of information between national tax authorities;

Or. en

Amendment 349
Louis Michel

Motion for a resolution
Paragraph 39

Motion for a resolution

39. Reiterates, furthermore, its call to ensure simultaneous tax audits of persons of common or complementary interests (including parent companies and their subsidiaries), and its call to further enhance tax cooperation between Member States through an obligation to answer group requests on tax matters;

Amendment

39. Reiterates, furthermore, its call to ensure simultaneous tax audits of persons of common or complementary interests (including parent companies and their subsidiaries), and its call to further enhance tax cooperation between Member States through an obligation to answer group requests on tax matters; ***points out that the right to remain silent in dealings with tax authorities does not apply to a purely administrative investigation and that cooperation is mandatory^{1 a}***;

^{1 a} ECtHR, judgment of 16 June 2015 (No 787/14), *van Weerelt v Netherlands*.

Or. fr

Amendment 350
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 39

Motion for a resolution

39. Reiterates, furthermore, its call to ensure simultaneous tax audits of persons of common or complementary interests (including parent companies and their subsidiaries), ***and its call*** to further enhance tax cooperation between Member States through an obligation to answer group requests on tax matters;

Amendment

39. Reiterates, furthermore, its call to ensure simultaneous tax audits of persons of common or complementary interests (including parent companies and their subsidiaries), ***calls on the Commission to present a legislative proposal*** to further enhance tax cooperation between Member States through an obligation to answer

group requests on tax matters;

Or. en

Amendment 351
Lefteris Christoforou

Motion for a resolution
Paragraph 39

Motion for a resolution

39. Reiterates, furthermore, its call to ensure simultaneous tax audits of persons of common or complementary interests (including parent companies and their subsidiaries), and its call to further enhance tax cooperation between Member States ***through an obligation to answer group requests on tax matters;***

Amendment

39. Reiterates, furthermore, its call to ensure simultaneous tax audits of persons of common or complementary interests (including parent companies and their subsidiaries), and its call to further enhance tax cooperation between Member States;

Or. el

Amendment 352
Louis Michel

Motion for a resolution
Paragraph 40

Motion for a resolution

40. Emphasises that not only information exchanges between, but also the sharing of best practices among tax authorities contribute to more efficient tax collection; calls on Member States to give priority to the sharing of best practices among tax authorities;

Amendment

40. Emphasises that not only information exchanges between, but also the sharing of best practices among tax authorities contribute to more efficient tax collection; calls on Member States to give priority to the sharing of best practices among tax authorities; ***points out that information processing is equally essential when combating fraud and cross-border tax evasion;***

Or. fr

Amendment 353

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 40

Motion for a resolution

40. Emphasises that ***not only information exchanges between, but also*** the sharing of best practices among tax authorities contribute to more efficient tax collection; calls on Member States to ***give priority to the sharing of best practices among tax authorities***;

Amendment

40. Emphasises that the sharing of best practices among tax authorities contribute to more efficient tax collection; calls on Member States to ***make this a priority***;

Or. en

Amendment 354

Tom Vandenkendelaere

Motion for a resolution

Paragraph 40

Motion for a resolution

40. Emphasises that not only information exchanges between, but also the sharing of best practices among tax authorities contribute to more efficient tax collection; calls on Member States to give priority to the sharing of best practices among tax authorities;

Amendment

40. Emphasises that not only information exchanges between, but also the sharing of best practices among tax authorities contribute to more efficient tax collection; calls on Member States to give priority to the sharing of best practices among tax authorities, ***especially regarding the digitalisation of tax administrations***;

Or. en

Amendment 355

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 40

Motion for a resolution

40. Emphasises that not only information exchanges between, but also the sharing of best practices among tax authorities contribute to more efficient tax collection; calls on Member States to give priority to the sharing of best practices among tax authorities;

Amendment

40. Emphasises that not only information exchanges between, but also the sharing of best practices among tax authorities contribute to more efficient tax collection; calls on ***the Commission and the*** Member States to give priority to the sharing of best practices among tax authorities;

Or. en

Amendment 356

Louis Michel

Motion for a resolution

Paragraph 41

Motion for a resolution

41. Calls on the Commission to swiftly assess the implementation of DAC4 and whether national tax administrations effectively access ***country-by-country*** information held by another Member State; ***similarly***, asks the Commission to assess how DAC4 relates to Action 13 of the G20/BEPS action plan on exchange of ***country-by-country*** information;

Amendment

41. Calls on the Commission to swiftly assess the implementation of DAC4 and whether national tax administrations effectively access ***country-by-country*** information held by another Member State; asks the Commission to assess how DAC4 relates to Action 13 of the G20/BEPS action plan on exchange of ***country-by-country*** information;

Or. fr

Amendment 357

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 41

Motion for a resolution

41. Calls on the Commission to swiftly assess the implementation of DAC4 and

Amendment

41. Calls on the Commission to swiftly assess the implementation of DAC4 and

whether national tax administrations effectively access country-by-country information held by another Member State; ***similarly***, asks the Commission to assess how DAC4 relates to Action 13 of the G20/BEPS action plan on exchange of country-by-country information;

whether national tax administrations effectively access country-by-country information held by another Member State; asks the Commission to assess how DAC4 relates to Action 13 of the G20/BEPS action plan on exchange of country-by-country information;

Or. en

Amendment 358
Barbara Kappel

Motion for a resolution
Paragraph 42

Motion for a resolution

42. Welcomes the automatic exchange of financial account information based on the global standard which has been developed by the OECD with Andorra, Liechtenstein, Monaco, San Marino and Switzerland; ***calls on the Commission and the Member States to upgrade the Treaty provisions so as to match the DAC as amended;***

Amendment

42. Welcomes the automatic exchange of financial account information based on the global standard which has been developed by the OECD with Andorra, Liechtenstein, Monaco, San Marino and Switzerland;

Or. en

Amendment 359
Louis Michel

Motion for a resolution
Paragraph 42

Motion for a resolution

42. Welcomes the automatic exchange of financial account information based on the global standard which has been developed by the OECD with Andorra, Liechtenstein, Monaco, San Marino and Switzerland; **calls on the Commission and**

Amendment

42. Welcomes the automatic exchange of financial account information based on the global standard which has been developed by the OECD with Andorra, Liechtenstein, Monaco, San Marino and Switzerland; ***believes that the reporting***

the Member States to upgrade the Treaty provisions so as to match the DAC as amended;

obligation imposed by the OECD in 2015 on the largest multinationals has to cover all multinationals, including those operating in the energy sector; calls on the Commission and the Member States to upgrade the Treaty provisions so as to match the DAC as amended;

Or. fr

Amendment 360

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 42

Motion for a resolution

42. Welcomes the automatic exchange of financial account information based on the global standard which has been developed by the OECD with Andorra, Liechtenstein, Monaco, San Marino and Switzerland; calls on the Commission and the Member States to upgrade the Treaty provisions so as to match the DAC as amended;

Amendment

42. Welcomes the automatic exchange of financial account information based on the global standard which has been developed by the OECD with Andorra, Liechtenstein, Monaco, San Marino and Switzerland; calls on the Commission and the Member States to upgrade the Treaty provisions so as to match the DAC as amended; ***regrets that Andorra, Liechtenstein, San Marino and Switzerland are moving from secrecy jurisdictions to low taxation jurisdictions, and still have harmful regimes according to the Council assessment on the EU list;***

Or. en

Amendment 361

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution Paragraph 42 a (new)

Motion for a resolution

Amendment

42a. Also stresses the contribution made through the Fiscalis 2020 Programme which aims at enhancing cooperation between participating countries, their tax authorities and their officials; stresses the added value brought by joint actions in this field and the role of the possible programme in developing and operating major trans-European IT systems;

Or. en

Amendment 362
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 43

Motion for a resolution

43. Reminds Member States of their obligation under the Treaty³² to cooperate loyally, sincerely and expeditiously; calls, therefore, in the light of **cross-border** cases, most notably the so-called Cum-Ex files, for the nomination of Single Points of Contact (SPoC) by all Member States' national tax authorities, in line with the SPoC-system of the Joint International Taskforce on Shared Intelligence and Collaboration (JITSIC) in the framework of the OECD³³, to facilitate and enhance cooperation in combating tax fraud, tax evasion and aggressive tax planning; calls further on the Commission to facilitate and coordinate cooperation between Member States' SPoCs;

³² Article 4(3) TEU.

³³ <http://www.oecd.org/tax/forum-on-tax-administration/jitsic/>

Amendment

43. Reminds Member States of their obligation under the Treaty³² to cooperate loyally, sincerely and expeditiously; calls, therefore, in the light of **cross-border** cases, most notably **in the light of** the so-called Cum-Ex files, for the nomination of Single Points of Contact (SPoC) by all Member States' national tax authorities, in line with the SPoC-system of the Joint International Taskforce on Shared Intelligence and Collaboration (JITSIC) in the framework of the OECD³³, to facilitate and enhance cooperation in combating tax fraud, tax evasion and aggressive tax planning; calls further on the Commission to facilitate and coordinate cooperation between Member States' SPoCs;

³² Article 4(3) TEU.

³³ <http://www.oecd.org/tax/forum-on-tax-administration/jitsic/>

Or. fi

Amendment 363
Roberts Zile

Motion for a resolution
Paragraph 43

Motion for a resolution

43. Reminds Member States of their obligation under the Treaty³² to cooperate loyally, sincerely and expeditiously; calls, therefore, in the light of cross-border cases, most notably the so-called Cum-Ex files, for the nomination of Single Points of Contact (SPoC) by all Member States' national tax authorities, in line with the SPoC-system of the Joint International Taskforce on Shared Intelligence and Collaboration (JITSIC) in the framework of the OECD³³, to facilitate and enhance cooperation in combating tax fraud, tax evasion and aggressive tax planning; calls further on the Commission to facilitate and coordinate cooperation between Member States' SPoCs;

³² Article 4(3) TEU.

³³ <http://www.oecd.org/tax/forum-on-tax-administration/jitsic/>

Amendment

43. Reminds Member States of their obligation under the Treaty³² to cooperate loyally, sincerely and expeditiously ***with due regard for the principles of subsidiarity and proportionality***; calls, therefore, in the light of cross-border cases, most notably the so-called Cum-Ex files, for the nomination of Single Points of Contact (SPoC) by all Member States' national tax authorities, in line with the SPoC-system of the Joint International Taskforce on Shared Intelligence and Collaboration (JITSIC) in the framework of the OECD³³, to facilitate and enhance cooperation in combating tax fraud, tax evasion and aggressive tax planning; calls further on the Commission to facilitate and coordinate cooperation between Member States' SPoCs;

³² Article 4(3) TEU.

³³ <http://www.oecd.org/tax/forum-on-tax-administration/jitsic/>

Or. en

Amendment 364
Werner Langen

Motion for a resolution
Paragraph 43

Motion for a resolution

43. Reminds Member States of their

Amendment

43. Reminds Member States of their

obligation under the Treaty³² to cooperate ***loyally, sincerely and expeditiously***; calls, therefore, in the light of cross-border cases, most notably the so-called Cum-Ex files, for the nomination of Single Points of Contact (SPoC) by all Member States' national tax authorities, in line with the SPoC-system of the Joint International Taskforce on Shared Intelligence and Collaboration (JITSIC) in the framework of the OECD³³, to facilitate and enhance cooperation in combating tax fraud, tax evasion and aggressive tax planning; calls further on the Commission to facilitate and coordinate cooperation between Member States' SPoCs;

³² Article 4(3) TEU.

³³ <http://www.oecd.org/tax/forum-on-tax-administration/jitsic/>

obligation under the Treaty³² to cooperate; calls, therefore, in the light of cross-border cases, most notably the so-called Cum-Ex files, for the nomination of Single Points of Contact (SPoC) by all Member States' national tax authorities, in line with the SPoC-system of the Joint International Taskforce on Shared Intelligence and Collaboration (JITSIC) in the framework of the OECD³³, to facilitate and enhance cooperation in combating tax fraud, tax evasion and aggressive tax planning; calls further on the Commission to facilitate and coordinate cooperation between Member States' SPoCs;

³² Article 4(3) TEU.

³³ <http://www.oecd.org/tax/forum-on-tax-administration/jitsic/>

Or. de

Amendment 365

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution

Paragraph 43 a (new)

Motion for a resolution

Amendment

43a. Notes that the form in which the information is provided between national tax authorities is key when such information coming from a Member States may be introduced as evidence in a judicial proceeding in another Member State; considers that the continuation of the progressive building-up of a common language and understanding in tax related matters is key for a more efficient EU framework as well as its enforcement; believes that it should encompass, inter alia, the type of information transmitted

and its form, the automaticity of its transmission and the potential exemption to that principle, common IT tools;

Or. en

Amendment 366
Lefteris Christoforou

Motion for a resolution
Paragraph 44

Motion for a resolution

44. Recommends that Member States' authorities which are notified by their counterparts in other Member States of potential breaches of law be ***required*** to provide an official notification of receipt and, where appropriate, a substantive response on actions taken following the aforementioned notification in a timely manner;

Amendment

44. Recommends that Member States' authorities which are notified by their counterparts in other Member States of potential breaches of law be ***encouraged*** to provide an official notification of receipt and, where appropriate, a substantive response on actions taken following the aforementioned notification in a timely manner;

Or. el

Amendment 367
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

44a. With reference to its Cum-Ex Resolution of 29 November 2018, calls on Member States to identify loopholes in the arrangements for refunds of dividend tax and other taxes and to reform their tax systems in order to eliminate loopholes; calls on the Commission to support Member States in this task by sharing information on tax collection systems that can combat the tax collection problems

Amendment

that have come to light as a result of the Cum-Ex scandal; calls for an extension of mandatory automatic exchanges of information between tax authorities to include necessary information on dividend tax and tax refunds.

Or. fi

Amendment 368
Werner Langen

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. *Calls on Member States and tax supervisory authorities to investigate whether it is necessary to ban financial instruments whose sole profit-making purpose is to bring about tax rebates, such as, for instance, dividend arbitrage and dividend stripping, and where the issuer cannot prove that the financial instruments concerned have another, substantive economic purpose;*

Or. de

Amendment 369
Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. *Calls for DAC6 hallmarks to be strengthened in order to require the mandatory disclosure of dividend arbitrage schemes and all information on*

capital gains, including the granting of dividend and capital gains tax refunds^{1a}

^{1a} P8_TA-PROV(2018)0475. European Parliament resolution of 29 November 2018 on the cum-ex scandal: financial crime and loopholes in the current legal framework(2018/2900(RSP))

Or. en

Amendment 370

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. *Highlights with concern that the cum-ex scandal revealed that the cum-ex and cum-cum financial crimes are still ongoing in the EU; condemns the fact that 11 Member States have lost up to EUR 55,2 billion as a result of these criminal schemes;*

Or. en

Amendment 371

Wolf Klinz, Petr Ježek, Thierry Cornillet, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution

Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. *Underlines that national authorities play a key role in the supervision of financial and fiscal activities in the Member States; considers*

therefore that it should be established whether national competent authorities have duly fulfilled their supervision tasks in the framework of the cum-ex scandal; asks the Commission to assess whether certain financial techniques used in the cum-ex scandal, such as short-selling might have a disruptive impact on the financial markets; stresses that, should their negative effect on financial markets be proven that they should be banned or at least limited; requests the European Securities and Markets Authority and the European Banking Authority to conduct an inquiry into dividend arbitrage trading schemes such as cum-ex in order to assess potential threats to the integrity of financial markets and to national budgets; to establish the nature and magnitude of actors in these schemes; to assess whether there were breaches of either national or Union law; to assess the actions taken by financial supervisors in Member States; and to make appropriate recommendations for reform and for action to the competent authorities concerned;

Or. en

Amendment 372
Tom Vandenkendelaere

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. *Notes that the German government was aware of the fraudulent cum-ex tax fraud practices for some years but only informed other Member States in 2015, and that the German Finance Ministry reportedly said it was aware of 418 different cases of cum-ex tax fraud with a combined value of EUR 5.7 billion;*

Amendment 373
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. [New sub-heading]
2.3.1 Dividend stripping and coupon washing

Or. en

Amendment 374
Monica Macovei

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. Recalls that ATP practices such as the Cum-Ex and Cum-Cum schemes have generated losses of over 50 billion Euros

Or. en

Amendment 375
Jeppe Kofod, Luděk Niedermayer

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. Concludes that the CumEx-files demonstrate the urgent need to improve cooperation between EU Member States' tax authorities, especially with regard to

information sharing; urges therefore Member States to enhance their cooperation in detecting, stopping, investigating and prosecuting tax fraud and evasion schemes such as cum-ex and cum-cum including exchange of best practices, and to support EU-level solutions where justified;

Or. en

Amendment 376

Peter Simon, Mady Delvaux, Evelyn Regner, Pervenche Berès, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution

Paragraph 44 a (new)

Motion for a resolution

Amendment

44a. Notes the magnitude of the CumEx scandal, which according to some estimates, has taken EUR 55 billion from public coffers in the EU; observes that the "CumEx files" reveal a lack of cooperation between Member States' tax authorities and failures of the current system of exchange of information as some Member States were reportedly aware of these fraudulent tax practices but waited several years to inform other Member States; calls for a regulation of dividend arbitrage practices, preventing "CumEx" and "CumCum" schemes in the future, by putting the burden of proof of ownership of the dividends on the foreign beneficiary; calls on the European legislators to evaluate the possibility of implementing this measure at EU level;

Or. en

Amendment 377

Werner Langen

Motion for a resolution
Paragraph 44 b (new)

Motion for a resolution

Amendment

44b. *Notes that CumEx transactions are a global problem and have been known about since the 1990s in Europe, too, but no coordinated counteraction has been taken;*

Or. de

Amendment 378

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 44 b (new)

Motion for a resolution

Amendment

44b. *Calls on the Commission to assess the state of play of all potentially harmful taxation agreements and any possible loophole in the EU rules on common taxation of parent companies and their subsidiaries, to come up with new upgraded policy measures to tackle dividend arbitrage practices and to take the necessary steps to prevent traders from exploiting loopholes in the law;*

Or. en

Amendment 379

Peter Simon, Pervenche Berès, Evelyn Regner, Dietmar Köster, Olle Ludvigsson

Motion for a resolution
Paragraph 44 b (new)

Motion for a resolution

Amendment

44b. *Further notes that the French Senate, in an effort to combat the practice of dividend arbitrage, has tabled an amendment to the draft budget bill that would make it possible to withhold 30 % of the value of the transaction to a foreign beneficiary, to be reimbursed a posteriori if they prove that they are the ultimate beneficial owner; calls on the EU legislators to evaluate the possibility of implementing this measure at EU level;*

Or. en

Amendment 380
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 44 b (new)

Motion for a resolution

Amendment

44b. *(new under subheading 2.3.1.)*
Deplores the tax fraud and tax avoidance revealed by the so called CumEx Files scandal which has led to publicly reported losses of Member States' tax revenue, amounting to as much as EUR 55,2 billion according to some media estimates; highlights that the consortium of European journalists identifies Germany, Denmark, Spain, Italy and France as allegedly the main target markets for cum-ex trading practices, followed by Belgium, Finland, Poland, the Netherlands, Austria and the Czech Republic;

Or. en

Amendment 381
Jeppe Kofod, Luděk Niedermayer

Motion for a resolution

Paragraph 44 b (new)

Motion for a resolution

Amendment

44b. *Notes that the systematic fraud centred around the cum-ex- and cum-cum schemes was made possible in part because relevant Member States' authorities did not perform sufficient checks on applications for reimbursement of taxes and that relevant authorities lack a clear and complete picture of actual ownership of shares; calls on the Member States to access of all relevant authorities to complete and up-to-date information on ownership of shares; calls on the Commission to assess whether an EU action is needed in this regard, and to present a legislative proposal should the assessment demonstrate a need for such action;*

Or. en

Amendment 382

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution

Paragraph 44 c (new)

Motion for a resolution

Amendment

44c. *Underlines that the revelations seem to indicate possible shortcomings in national taxation laws and in the current systems of exchange of information and cooperation between Member State authorities; urges the Member States to effectively use all communication channels, national data and data made available by the strengthened framework for exchange of information;*

Or. en

Amendment 383

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 44 c (new)

Motion for a resolution

Amendment

44c. Calls on the Commission to make a proposal to strengthen the DAC6 in order to require the mandatory disclosure of dividend arbitrage schemes and all information on capital gains, including the granting of dividend and capital gains tax refunds;

Or. en

Amendment 384

Jeppe Kofod, Luděk Niedermayer

Motion for a resolution

Paragraph 44 c (new)

Motion for a resolution

Amendment

44c. Stresses that the cross-border aspects of the CumEx Files should be addressed multilaterally; warns that introduction of new bilateral treaties on exchanges of information and bilateral cooperation mechanisms between individual Member States would complicate the already complex web of international rules, introduce new loopholes and contribute to lack of transparency;

Or. en

Amendment 385

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 44 d (new)

Motion for a resolution

Amendment

44d. *Urges all Member States to thoroughly investigate and analyse dividend payment practices in their jurisdictions, to identify the loopholes in their tax laws that generate opportunities for exploitation by tax fraudsters and avoiders, to analyse any potential cross-border dimension of these practices and to put an end to all these harmful tax practices; calls on Member States to exchange best practices in this regard;*

Or. en

Amendment 386
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 44 e (new)

Motion for a resolution

Amendment

44e. *Calls upon the Member States and their Financial Supervisory Authorities to assess the need to ban exclusively tax-driven financial practices such as dividend arbitrage or dividend stripping and similar schemes, in absence of the proof to the contrary by the issuer that these financial practices have a substantive economic purpose other than unjustified tax reimbursement and/or tax avoidance;*

Or. en

Amendment 387
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 44 f (new)

Motion for a resolution

Amendment

44f. Calls on the Commission to start working immediately on a proposal for a European financial police within the framework of Europol with its own investigatory capacities, as well as on a European framework for cross-border tax investigations;

Or. en

Amendment 388
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Subheading 2.4 a (new)

Motion for a resolution

Amendment

(new para) Welcomes the adoption of DAC4 providing for a CBCR to tax authorities, in line with BEPS Action 13 standard;

Or. en

Amendment 389
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Subheading 2.4 b (new)

Motion for a resolution

Amendment

(new para) Reiterates its call for mandatory public CBCR for large businesses and 'community interest companies' (MNEs) and recalls similar provisions already exist for the banking sector in Directive 2013/36/EU Article 89

(CDRIV)^{1b};

^{1b} 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 (OJ L 176, 27.6.201363.

Or. en

Amendment 390
Lefteris Christoforou

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information;
deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information;

Or. el

Amendment 391
Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution
Paragraph 45

Motion for a resolution

45. ***Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information;*** deplores the lack of progress and cooperation from the Council since 2016; urges ***for progress to be made in the Council so that it enters into negotiations with Parliament;***

Amendment

45. Deplores the lack of progress and cooperation from the Council since 2016 ***concerning the public CBCR proposal;*** urges the Council ***to make urgent progress*** so that it ***can*** enter into negotiations with Parliament ***as soon as possible;***

Or. en

Amendment 392
Caroline Nagtegaal

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; ***deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;***

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information;

Or. en

Amendment 393
Barbara Kappel

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information;
deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information;

Or. en

Amendment 394
Markus Ferber

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information;
deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information;

Or. en

Amendment 395

Peter Simon, Ramón Jáuregui Atondo, Evelyn Regner, Mady Delvaux, Hugues Bayet, Elly Schlein, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution

Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Amendment

45. ***Recalls that public CBCR is one of the key measures to find greater transparency on tax information of companies for all citizens;*** stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; ***recalls that this public nature is essential for civil society, investigative journalists, investors and other stakeholders, in particular, to whom the information is useful to assess potential risks and liabilities;*** recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Or. en

Amendment 396

Dariusz Rosati

Motion for a resolution

Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12

April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information *for EU companies both within and outside the EU Single Market, so that this directive does not undermine the competitiveness of EU enterprises*; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Or. en

Amendment 397
Alfred Sant

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since **2016**; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; *notes that during the first half of 2017, five working parties were established at Council level to tackle tax issues and* deplores the lack of progress and cooperation from the Council since **then**; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Or. en

Amendment 398

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters ***immediately*** into negotiations with Parliament ***as soon as possible and find agreement before the end of this legislature***;

Or. en

Amendment 399
Monica Macovei

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations

with Parliament;

with Parliament *to ensure swift adoption of the proposal*;

Or. en

Amendment 400

Pirkko Ruohonen-Lerner

Motion for a resolution

Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament *in order to ensure the swift adoption of the proposal*;

Or. fi

Amendment 401

Roberts Zile

Motion for a resolution

Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the

scope of reporting and protection of commercially sensitive information; **deplores** the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

scope of reporting and protection of commercially sensitive information; **notes** the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Or. en

Amendment 402

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution Paragraph 45

Motion for a resolution

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting **and protection of commercially sensitive information**; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting; deplores the lack of progress and cooperation from the Council since 2016; urges for progress to be made in the Council so that it enters into negotiations with Parliament;

Or. en

Amendment 403 Werner Langen

Motion for a resolution Paragraph 45

Motion for a resolution

Amendment

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the lack of progress and cooperation from the Council since 2016; urges *for progress to be made in* the Council *so that it enters* into negotiations with Parliament;

45. Stresses that the proposal for public CBCR was submitted to the co-legislators just after the Panama papers scandal on 12 April 2016, and that Parliament adopted its position on it on 4 July 2017; recalls that the latter called for an enlargement of the scope of reporting and protection of commercially sensitive information; deplores the *complete* lack of progress and cooperation from the Council since 2016; urges the Council *to enter* into negotiations with Parliament;

Or. de

Amendment 404

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution Paragraph 45 a (new)

Motion for a resolution

Amendment

45a. Recalls the position of the European Parliament in the PANA recommendations when it called for ambitious public country-by-country reporting (CbCR) in order to enhance tax transparency and the public scrutiny of multinational enterprises (MNEs) as this would allow the wider public to have access to information about the profits made, subsidies received and the taxes paid by MNEs in the jurisdictions where they operate; urges the Council to reach a common agreement in order to adopt a public CbCR, one of the key measures for achieving greater transparency in relation to companies' tax information for all citizens; ^{1a}

^{1a} **European Parliament recommendation**

of 13 December 2017 to the Council and the Commission following the inquiry into money laundering, tax avoidance and tax evasion (Texts adopted, P8_TA-(2017)0491).

Or. en

Amendment 405
Monica Macovei

Motion for a resolution
Paragraph 45 a (new)

Motion for a resolution

Amendment

45 a. Reminds Member States of the legal base of the proposal for public CBCR as found in the impact assessment of the Commission published 12 April 2016^{33a}; recalls that the measures on corporate tax transparency cannot be regarded as relating to fiscal provisions affecting the establishment or functioning of the internal market in the sense of Article 115 TFEU;

^{33a} Commission staff working document assessing the potential for further transparency on income tax information; <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2016:0117:FIN:EN:PDF#18>

Or. en

Amendment 406
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 45 a (new)

Motion for a resolution

Amendment

45a. *Notes that transparency is still lacking in numerous areas of taxation in the EU not limited to the corporate taxation; calls on the Commission and on Member States to collect and publish data on non-doms and CBI/RBI schemes; calls on the Commission to present a proposal to make the publication of tax rulings mandatory;*

Or. en

Amendment 407

Peter Simon, Evelyn Regner, Doru-Claudian Frunzuliță, Mady Delvaux, Pervenche Berès, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution

Paragraph 45 a (new)

Motion for a resolution

Amendment

45a. *Calls on the Commission and the Council to create a mandatory standardised public European Business Register in order to gain up-to-date and trustworthy information on companies and to achieve transparency via cross-border access to comparable and reliable information of companies in the EU;*

Or. en

Amendment 408

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 45 b (new)

Motion for a resolution

Amendment

45b. *Calls on the Commission to issue a*

proposal that would oblige Member States to ensure that economic operators participating in public procurement procedures comply with a minimum level of transparency regarding tax, particularly public CBCR and transparent ownership structures;

Or. en

Amendment 409

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 45 c (new)

Motion for a resolution

Amendment

45c. Reminds Member States of the legal base of the proposal for public CBCR as found in the impact assessment of the Commission published 12 April 2016; recalls that the measures on corporate tax transparency cannot be regarded as relating to fiscal provisions affecting the establishment or functioning of the internal market in the sense of Article 115 TFEU;

Or. en

Amendment 410

Alfred Sant

Motion for a resolution

Paragraph 46

Motion for a resolution

Amendment

46. Recalls that the area of direct business taxation falls within the scope of State aid³⁴ when fiscal measures discriminate between taxpayers, contrary to

46. Recalls that the area of direct business taxation falls within the scope of State aid³⁴ when **arbitrary** fiscal measures discriminate between taxpayers **within the**

fiscal measures of a general nature that apply to all undertakings without distinction;

³⁴ As the Court of Justice of the European Union stated as early as 1974.

same tax jurisdiction, contrary to fiscal measures of a general nature that apply to all undertakings without distinction;

³⁴ As the Court of Justice of the European Union stated as early as 1974.

Or. en

Amendment 411

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 46 a (new)**

Motion for a resolution

Amendment

46a. Notes that tax competition, with its detrimental effects, is not only allowed but encouraged by the European Commission, excluding only ‘special deals’ which are treated as State Aid, in an attempt to attract foreign investment even when the effectiveness of this strategy has been greatly questioned^{1a};

^{1a} ICRICT, 'Four ways to tackle international tax competition', December 2016

Or. en

Amendment 412 Barbara Kappel

**Motion for a resolution
Paragraph 47**

Motion for a resolution

Amendment

47. Calls on the Commission to assess possible measures to discourage Member States from granting such State aid in the form of a tax advantage;

deleted

Or. en

Amendment 413

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 47

Motion for a resolution

47. Calls on the Commission to assess possible measures to discourage Member States from granting such State aid in the form of a tax advantage;

Amendment

47. Calls on the Commission to assess possible measures to discourage Member States from granting such State aid in the form of a tax advantage, **and to develop a robust method for measuring such indirect state aid;**

Or. en

Amendment 414

Werner Langen

Motion for a resolution

Paragraph 47

Motion for a resolution

47. Calls on the Commission to assess possible measures to discourage Member States from granting such State aid in the form of a tax advantage;

Amendment

47. Calls on the Commission **and, in particular, the competition authority** to assess possible measures to discourage Member States from granting such State aid in the form of a tax advantage;

Or. de

Amendment 415

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 47 a (new)

Motion for a resolution

Amendment

47a. Welcomes the Commission's new proactive and open approach to investigations into illegal state aid during the present term, which has led to a number of high-impact cases being concluded by the Commission;

Or. en

Amendment 416
Barbara Kappel

Motion for a resolution
Paragraph 47 a (new)

Motion for a resolution

Amendment

47a. Calls on the Commission to assess possible measures to discourage Member States from granting such State aid in the form of selective tax advantages;

Or. en

Amendment 417
Werner Langen

Motion for a resolution
Paragraph 48

Motion for a resolution

Amendment

48. Welcomes the fact that since 2014, the Commission has been investigating the tax ruling practices of Member States, following up on allegations of the favourable tax treatment of certain companies, and has launched nine formal

48. Welcomes the fact that since 2014, the Commission has been investigating the tax ruling practices of Member States, following up on allegations of the favourable tax treatment of certain companies, and has launched nine formal

investigations since 2014, six of which concluded that the tax ruling constituted illegal State aid³⁵, **and one of which** was closed concluding that the double non-taxation of certain profits did not constitute State aid³⁶, while the other two are ongoing³⁷;

³⁵ Decision of 20 June 2018 on State aid implemented by Luxembourg in favour of ENGIE (SA.44888); decision of 4 October 2017 on State aid granted by Luxembourg to Amazon (SA.38944); decision of 30 August 2016 on State aid implemented by Ireland to Apple (SA.38373); decision of 11 January 2016 on ‘Excess Profit exemption in Belgium – Art. 185§2 b) CIR92’ (SA.37667); decision of 21 October 2015 on State aid implemented by the Netherlands to Starbucks (SA.38374); and decision of 21 October 2015 on State aid which Luxembourg granted to Fiat (SA.38375). There are pending proceedings before the Court of Justice of the European Union and the General Court related to all six decisions.

³⁶ Decision of 19 September 2018 on ‘Alleged aid to Mc Donald’s – Luxembourg’ (SA.38945).

³⁷ ‘Possible State aid in favour of Inter IKEA investigation’ opened on 18 December 2017 (SA.46470) and ‘UK tax scheme for multinationals (Controlled Foreign Company rules)’ opened on 26 October 2018 (SA.44896).

investigations since 2014, six of which concluded that the tax ruling constituted illegal State aid³⁵; **is appalled that one investigation** was closed concluding that the double non-taxation of certain profits did not constitute State aid³⁶, while the other two are ongoing³⁷;

³⁵ Decision of 20 June 2018 on State aid implemented by Luxembourg in favour of ENGIE (SA.44888); decision of 4 October 2017 on State aid granted by Luxembourg to Amazon (SA.38944); decision of 30 August 2016 on State aid implemented by Ireland to Apple (SA.38373); decision of 11 January 2016 on ‘Excess Profit exemption in Belgium – Art. 185§2 b) CIR92’ (SA.37667); decision of 21 October 2015 on State aid implemented by the Netherlands to Starbucks (SA.38374); and decision of 21 October 2015 on State aid which Luxembourg granted to Fiat (SA.38375). There are pending proceedings before the Court of Justice of the European Union and the General Court related to all six decisions.

³⁶ Decision of 19 September 2018 on ‘Alleged aid to Mc Donald’s – Luxembourg’ (SA.38945).

³⁷ ‘Possible State aid in favour of Inter IKEA investigation’ opened on 18 December 2017 (SA.46470) and ‘UK tax scheme for multinationals (Controlled Foreign Company rules)’ opened on 26 October 2018 (SA.44896).

Or. de

Amendment 418

Wolf Klinz, Thierry Cornillet, Nils Torvalds, Louis Michel

Motion for a resolution

Paragraph 48 a (new)

Motion for a resolution

Amendment

48a. *Recognises the Commission's success in enforcing competition rules in the areas of antitrust, cartels, mergers and state aid; recognizes the Commission's contribution towards promoting international cooperation in competition issues and contribution to the principle of tax fairness;*

Or. en

Amendment 419

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 48 a (new)

Motion for a resolution

Amendment

48a. *Is concerned by the lack of transparency of tax rulings and notes that the tax rulings investigated by the Commission were only available to them because of revelations by investigative journalists, civil society organisations and trade unions.*

Or. en

Amendment 420

Miguel Urbán Crespo, Martin Schirdewan, Marisa Matias, Paloma López Bermejo

Motion for a resolution
Paragraph 48 a (new)

Motion for a resolution

Amendment

48a. *Is concerned by the lack of transparency of tax rulings and notes that the tax rulings investigated by the Commission were only available to them*

because of revelations by investigative journalists, civil society organisations and trade unions;

Or. en

Amendment 421
Barbara Kappel

Motion for a resolution
Paragraph 49

Motion for a resolution

Amendment

49. Notes that despite the fact that the Commission found McDonald's benefited from double non-taxation on certain of its profits in the EU, no decision under EU State Aid rules could be issued, as the Commission concluded that the double non-taxation stemmed from a mismatch between Luxembourg and US tax laws and the Luxembourg-United States double taxation treaty³⁸ ;

deleted

³⁸ http://europa.eu/rapid/press-release_IP-18-5831_en.htm

Or. en

Amendment 422
Werner Langen

Motion for a resolution
Paragraph 49

Motion for a resolution

Amendment

49. Notes that despite the fact that the Commission found McDonald's benefited from double non-taxation on certain of its profits in the EU, no decision under EU State Aid rules could be issued, as the

49. Calls for effective measures against double non-taxation, as the Commission concluded that the double non-taxation stemmed from a mismatch between Luxembourg and US tax laws and

Commission concluded that the double non-taxation stemmed from a mismatch between Luxembourg and US tax laws and the Luxembourg-United States double taxation treaty³⁸;

³⁸ http://europa.eu/rapid/press-release_IP-18-5831_en.htm

the Luxembourg-United States double taxation treaty³⁸;

³⁸ http://europa.eu/rapid/press-release_IP-18-5831_en.htm

Or. de

Amendment 423

Wolf Klinz, Thierry Cornillet, Petr Ježek, Nils Torvalds, Maite Pagazaurtundúa Ruiz

Motion for a resolution

Paragraph 49

Motion for a resolution

49. Notes that despite the fact that the Commission found McDonald's benefited from double non-taxation on ***certain*** of its profits in the EU, no decision under EU State Aid rules could be issued, as the Commission concluded that the double non-taxation stemmed from a mismatch between Luxembourg and US tax laws and the Luxembourg-United States double taxation treaty³⁸ ;

³⁸ http://europa.eu/rapid/press-release_IP-18-5831_en.htm

Amendment

49. Notes that despite the fact that the Commission found McDonald's benefited from double non-taxation on ***some*** of its profits in the EU, ***during its investigations into the tax ruling practices of Member States***, no decision under EU State Aid rules could be issued, as the Commission concluded that the double non-taxation stemmed from a mismatch between Luxembourg and US tax laws and the Luxembourg-United States double taxation treaty³⁸ ; ***calls on Luxembourg to investigate this matter and to revise its double taxation treaties to conform with international tax law***;

³⁸ http://europa.eu/rapid/press-release_IP-18-5831_en.htm

Or. en

Amendment 424

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé

on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 49

Motion for a resolution

49. Notes that despite the fact that the Commission found McDonald's benefited from double non-taxation on certain of its profits in the EU, no decision under EU State Aid rules could be issued, as the Commission concluded that the double non-taxation stemmed from a mismatch between Luxembourg and US tax laws and the Luxembourg-United States double taxation treaty³⁸ ;

³⁸ http://europa.eu/rapid/press-release_IP-18-5831_en.htm

Amendment

49. Notes that despite the fact that the Commission found McDonald's benefited from double non-taxation on certain of its profits in the EU, no decision under EU State Aid rules could be issued, as the Commission concluded that the double non-taxation stemmed from a mismatch between Luxembourg and US tax laws and the Luxembourg-United States double taxation treaty³⁸; ***calls on the Commission to put forward a legislative proposal to harmonise double taxation treaties of Member States and terminate existing mismatches in the qualification of profits and expenses;***

³⁸ http://europa.eu/rapid/press-release_IP-18-5831_en.htm

Or. en

Amendment 425

Peter Simon, Paul Tang, Doru-Claudian Frunzulică, Evelyn Regner, Elly Schlein, Dietmar Köster, Olle Ludvigsson, Virginie Rozière

Motion for a resolution
Paragraph 49 a (new)

Motion for a resolution

Amendment

49a. Deplores the fact that companies can make agreements with governments to pay almost no tax in a given country despite conducting substantial activity; points in this light to a tax ruling between the Dutch tax revenue authority and Royal Dutch Shell plc that seems to be in violation of Dutch tax law on the sole

ground that the head office would be located in the Netherlands after the unification of the two former parent companies, which results in an exemption from Dutch dividend withholding tax, while at the same time recent investigations seem to show that the company pays no profit tax in The Netherlands either; reiterates its call on the Commission to investigate this case of potential illegal state aid;

Or. en

Amendment 426

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 49 a (new)**

Motion for a resolution

Amendment

49a. Is concerned with the fact that the Commission ruled that double-non taxation achieved by McDonald's stemmed from a mismatch between Luxembourg and US tax laws and the Luxembourg-United States double taxation treaty, a mismatch from which McDonald's profited by arbitrating between such jurisdictions; and that such tax avoidance is enabled by the current legal framework in the EU to a point that the only means found effective by the European Commission to tackle it is through State Aid rules, something which has proved not to be possible in the case of McDonald's;

Or. en

Amendment 427

Roberts Zile

Motion for a resolution
Paragraph 50

Motion for a resolution

50. Is concerned by the magnitude of tax unpaid for all Member States over long periods³⁹ ; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation obligation incumbent on the national authorities; calls on the Commission to assess **possible** countermeasures, including fines, to prevent Member States from offering selective favourable tax treatment which constitutes State aid is non-compliant with EU rules;

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

Amendment

50. Is concerned by the magnitude of tax unpaid for all Member States over long periods³⁹ ; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation obligation incumbent on the national authorities; calls on the Commission to assess **viable** countermeasures, including fines, to **help** prevent Member States from offering selective favourable tax treatment which constitutes State aid **which** is non-compliant with EU rules;

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

Or. en

Amendment 428
Marco Valli

Motion for a resolution
Paragraph 50

Motion for a resolution

50. Is concerned by the magnitude of tax unpaid for all Member States over long periods³⁹ ; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation

Amendment

50. Is concerned by the magnitude of tax unpaid for all Member States over long periods³⁹; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo and that calculating the exact amount of aid to be repaid is part of the implementation

obligation incumbent on the national authorities; calls on the Commission to assess possible countermeasures, including fines, to prevent Member States from offering selective favourable tax treatment which constitutes State aid is non-compliant with EU rules;

obligation incumbent on the national authorities; *points out that the obligation of tax benefits be recovered by the same Member State who granted the unlawful tax advantages results in a double reward for that Member State, raising concerns of fairness and legitimacy in relation to the application of current State aid rules in the context of aggressive tax planning and harmful tax competition; urges the Commission to start working on a revision of the fiscal State aid framework in order to ensure that unpaid taxes are redistributed to the budgets of the Member States where the economic activity took place; in this context, stresses the importance of developing appropriate and transparent methodologies to quantify the amount of losses in tax revenues in the Member States affected as a result of these distortive practices*; calls on the Commission to assess possible countermeasures, including fines, to prevent Member States from offering selective favourable tax treatment which constitutes State aid is non-compliant with EU rules;

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

Or. en

Amendment 429

Louis Michel

Motion for a resolution

Paragraph 50

Motion for a resolution

50. Is concerned by the magnitude of

Amendment

50. Is concerned by the magnitude of

tax unpaid for all Member States over long periods³⁹; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation obligation incumbent on the national authorities; calls on the Commission to assess possible countermeasures, including fines, to prevent Member States from offering selective favourable tax treatment **which** constitutes State aid is non-compliant with EU rules;

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

tax unpaid for all Member States over long periods³⁹; recalls that the aim of the recovery of unlawful aid (**and interest**) is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation obligation incumbent on the national authorities; calls on the Commission to assess possible countermeasures, including fines, to prevent Member States from offering selective favourable tax treatment (**tax rulings**), **since this** constitutes State aid **and** is non-compliant with EU rules; **calls on the Commission to consider whether sums recovered could be earmarked for cross-border regions**;

³⁹ As in the case of **the** decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

Or. fr

Amendment 430

Maite Pagazaurtundúa Ruiz, Thierry Cornillet, Petr Ježek, Nils Torvalds, Wolf Klinz

Motion for a resolution

Paragraph 50

Motion for a resolution

50. Is concerned by the magnitude of tax unpaid for all Member States over long periods³⁹; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation obligation incumbent on the national authorities; calls on the Commission to assess possible countermeasures, including fines, to prevent Member States from offering selective favourable tax treatment

Amendment

50. Is **gravely** concerned by the magnitude of tax unpaid for all Member States over long periods³⁹; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation obligation incumbent on the national authorities; calls on the Commission to assess **and establish** possible countermeasures, including fines, to prevent Member States from offering

which constitutes State aid is non-compliant with EU rules;

selective favourable tax treatment which constitutes State aid is non-compliant with EU rules

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

Or. en

Amendment 431
Alfred Sant

Motion for a resolution
Paragraph 50

Motion for a resolution

50. Is concerned by the magnitude of tax unpaid for all Member States over long periods³⁹; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation obligation incumbent on the national authorities; calls on the Commission to assess possible countermeasures, including fines, to prevent Member States from offering selective favourable tax treatment which constitutes State aid is non-compliant with EU rules;

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

Amendment

50. Is concerned by the magnitude of tax unpaid for all Member States over long periods³⁹; recalls that the aim of the recovery of unlawful aid is to restore the position to the status quo, and that calculating the exact amount of aid to be repaid is part of the implementation obligation incumbent on the national authorities; calls on the Commission to assess possible countermeasures, including fines, to prevent Member States from offering selective favourable tax treatment which constitutes State aid *that* is non-compliant with EU rules;

³⁹ As in the case of decision of 30 August 2016 (SA.38373) on State aid implemented by Ireland to Apple. The tax rulings in question were issued by Ireland on 29 January 1991 and 23 May 2007.

Or. en

Amendment 432

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution Paragraph 51

Motion for a resolution

51. Reiterates its calls for guidelines clarifying what constitutes tax-related State aid *and ‘appropriate’ transfer pricing, with a view to removing legal uncertainties for both compliant taxpayers and tax administrations, and* providing a framework for Member States’ tax practices accordingly;

Amendment

51. Reiterates its calls for guidelines clarifying what constitutes tax-related State aid providing a framework for Member States’ tax practices accordingly;

Or. en

Amendment 433

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 51

Motion for a resolution

51. Reiterates its calls for guidelines clarifying what constitutes tax-related State aid and ‘appropriate’ transfer pricing, with a view to removing legal uncertainties for both compliant taxpayers and tax administrations, and providing a framework for Member States’ tax practices accordingly;

Amendment

51. Reiterates its calls *to the European Commission* for guidelines clarifying what constitutes tax-related State aid and ‘appropriate’ transfer pricing, with a view to removing legal uncertainties for both compliant taxpayers and tax administrations, and providing a framework for Member States’ tax practices accordingly;

Or. en

Amendment 434

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz

Motion for a resolution
Paragraph 51

Motion for a resolution

51. Reiterates its calls for guidelines clarifying what constitutes tax-related State aid and ‘appropriate’ transfer pricing, ***with a view to removing*** legal uncertainties for both compliant taxpayers and tax administrations, and ***providing a*** framework for Member States’ tax practices accordingly;

Amendment

51. Reiterates its calls for ***clear*** guidelines clarifying what constitutes tax-related State aid and ‘appropriate’ transfer pricing, ***to remove*** legal uncertainties for both compliant taxpayers and tax administrations, and ***provide a clear and comprehensive*** framework for Member States’ tax practices accordingly;

Or. en

Amendment 435

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 51 a (new)

Motion for a resolution

Amendment

51a. Regrets the fact that the current framework for tackling profit shifting between related parties through transfer pricing is based on the ‘arm’s length’ principle, a principle that grants a higher regard to the contractual arrangement among related parties than to the economic reality of the transactions taking place between one party and another one subject to it; deplores that the generalization of the ‘arm’s length principle’ has resulted in the ‘legalization’ of tax avoidance through transfer pricing; notes that in this context, the only effective solution within the European Union to tackle the tax evasion and tax avoidance of multinational companies has been through the identification of abuses to State aid rules;

Amendment 436

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 51 a (new)

Motion for a resolution

Amendment

51a. *Points out that the scope of state aid cases proves the urgent need to for a systemic change and approval of EU-wide reforms to curb tax avoidance including mandatory public Country-by-Country Reporting, Common Corporate Tax Base and Common Consolidate Corporate Tax Base or digital taxation; calls for a reform of the European State Aid framework in order to make tackling tax avoidance schemes between multinationals and Member States faster and more effective;*

Or. en

Amendment 437

Gilles Lebreton, Nicolas Bay

Motion for a resolution

Paragraph 51 a (new)

Motion for a resolution

Amendment

51a. *Calls for discussion to determine what should be done with the proceeds of fines imposed under European regulations for unlawful State aid, the object being to ensure that, when fines relate to laws or rulings which allow aggressive tax optimisation, they benefit countries whose public finances have been wrongfully deprived of revenue and not countries which have passed such*

laws or granted such rulings;

Or. fr

Amendment 438

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 51 b (new)**

Motion for a resolution

Amendment

51b. Deplores that Apple's new European tax structure remains shrouded in secrecy, partially due to a lack of financial transparency in Ireland and Jersey; and that most of its financial information remains secret globally^{1a}

^{1a} *Brehm Christensen, M.; Clancy, E. (2018) 'Exposed: Apple's delicious tax deals, Is Ireland Helping Apple Pay less than 1% in the EU?'; GUE/NGL; June 2018.*

Or. en

Amendment 439

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 51 c (new)**

Motion for a resolution

Amendment

51c. Deplores that with the assistance of the Irish government, Apple has successfully created a structure that has allowed it to gain a tax write-off against

almost all of its non-US sales profits; calls on the Commission to further investigate Apple's case in the context of State Aid rules;

Or. en

Amendment 440

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 51 d (new)**

Motion for a resolution

Amendment

51d. Notes that the law governing the use of capital allowances for IP is not subject to Ireland's transfer pricing legislation, but it includes a prohibition from being used for tax avoidance purposes; deplores that Apple is potentially breaking Irish law by its restructure and its exploitation of the capital allowance regime for tax purposes; notes that if the same legal reasoning used in the European Commission's state aid ruling on Apple and Ireland is applied, Apple is in breach of Irish tax law, and owes Irish Revenue at least 2.5 billion additional euros in unpaid tax annually from the period 2015-2017;^{1a}

^{1a} Brehm Christensen, M.; Clancy, E. (2018) 'Exposed: Apple's delicious tax deals, Is Ireland Helping Apple Pay less than 1% in the EU?'; GUE/NGL; June 2018.

Or. en

Amendment 441

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Subheading 2.6

Motion for a resolution

Amendment

Letterbox companies

Shell companies

Or. en

Amendment 442

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 51 a (new)

Motion for a resolution

Amendment

51a. Points out that national measures to specifically ban commercial relationships with letterbox companies exist, for example in Latvia^{1a};

^{1a} Latvian legislation defines a letterbox company as an entity having no actual economic activity and holding no documentary proof to the contrary, as being registered in a jurisdiction where companies are not required to submit financial statements, and/or as having no place of business in its country of residence;

Or. en

Amendment 443

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 52

Motion for a resolution

Amendment

52. Notes that there is no single definition of letterbox companies;

deleted

Or. en

Amendment 444

Peter Simon, Evelyn Regner, Doru-Claudian Frunzulică, Mady Delvaux, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution Paragraph 52

Motion for a resolution

Amendment

52. Notes that there is no single definition of letterbox companies;

52. Highlights that companies create cross-border operations and corporate constructions including artificial arrangements in order to avoid or circumvent national tax law; stresses that company mobility should not lead to forum shopping; notes that there is no single definition of letterbox companies; reiterates its call for a clear definition; stresses that the requirement of genuine economic activity in the destination Member States can prevent the creation of a letterbox company through a cross-border operation, as proposed in the draft report for the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions;

Or. en

Amendment 445

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé on behalf of the Verts/ALE Group

Motion for a resolution Paragraph 52

Motion for a resolution

52. Notes that there is no single definition of **letterbox** companies;

Amendment

52. Notes that there is no single definition of **shell** companies; **notes, however, that they are characterised by the absence of real economic activity in the Member State of registration, and are a means for treaty abuse or treaty shopping, usually used with the purpose of circumventing labour laws and social contributions, aggressive tax planning and tax evasion, money laundering and/or terrorist financing;**

Or. en

Amendment 446

Anne Sander

Motion for a resolution

Paragraph 52

Motion for a resolution

52. Notes that there is no single definition of letterbox companies;

Amendment

52. Notes that there is no single definition of letterbox companies; **points out, however, that simple criteria such as actual business activity or the physical presence of staff working for a company could serve to identify letterbox companies and combat their proliferation;**

Or. fr

Amendment 447

Dariusz Rosati

Motion for a resolution

Paragraph 52

Motion for a resolution

52. Notes that there is no single

Amendment

52. Notes that there is no single definition of **shell or** letterbox companies,

definition of letterbox companies;

i.e. companies registered in a jurisdiction for tax avoidance or tax evasion purposes only and without any significant economic presence;

Or. en

Amendment 448

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 52 a (new)

Motion for a resolution

Amendment

52a. Notes that shell companies offer anonymity to its ultimate beneficiaries and allow them to abuse tax treaties; notes in this regard that the central register on the beneficial ownership foreseen in AMLD4 covers shell companies but regrets that the threshold for disclosure (25% of shareholding) will not prevent owners from remaining hidden; highlights that shell companies can be used as a vehicle for money laundering, tax evasion and tax avoidance; calls on the Commission to propose an amendment to the AMLD5 requiring obliged entities to file a suspicious transaction report whenever they enter into business or help setting up a shell company;

Or. en

Amendment 449

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 53

Motion for a resolution

Amendment

53. *Points out national measures to specifically ban commercial relationships with letterbox companies; highlights, in particular, the Latvian legislation which defines a letterbox company as an entity having no actual economic activity and holding no documentary proof to the contrary, as being registered in a jurisdiction where companies are not required to submit financial statements, and/or as having no place of business in its country of residence;*

deleted

Or. en

Amendment 450

Pirkko Ruohonen-Lerner

Motion for a resolution

Paragraph 53

Motion for a resolution

Amendment

53. Points out national measures to specifically ban commercial relationships with letterbox companies; highlights, in particular, the Latvian legislation which defines a letterbox company as an entity having no actual economic activity and holding no documentary proof to the contrary, as being registered in a jurisdiction where companies are not required to submit financial statements, and/or as having no place of business in its country of residence;

(Does not affect the English version.)

Or. fi

Amendment 451

Werner Langen

Motion for a resolution

Paragraph 53

Motion for a resolution

53. Points out national measures to specifically ban commercial relationships with letterbox companies; **highlights**, in particular, the Latvian legislation which defines a letterbox company as an entity having no actual economic activity and holding no documentary proof to the contrary, as being registered in a jurisdiction where companies are not required to submit financial statements, and/or as having no place of business in its country of residence;

Amendment

53. Points out national measures to specifically ban commercial relationships with letterbox companies; **takes exception to**, in particular, the Latvian legislation which defines a letterbox company as an entity having no actual economic activity and holding no documentary proof to the contrary, as being registered in a jurisdiction where companies are not required to submit financial statements, and/or as having no place of business in its country of residence;

Or. de

Amendment 452

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 53

Motion for a resolution

53. Points out national measures to specifically ban commercial relationships with **letterbox** companies; highlights, in particular, the Latvian legislation which defines a **letterbox** company as an entity having no actual economic activity and holding no documentary proof to the contrary, as being registered in a jurisdiction where companies are not required to submit financial statements, and/or as having no place of business in its country of residence;

Amendment

53. Points out national measures to specifically ban commercial relationships with **shell** companies; highlights, in particular, the Latvian legislation which defines a **shell** company as an entity having no actual economic activity and holding no documentary proof to the contrary, as being registered in a jurisdiction where companies are not required to submit financial statements, and/or as having no place of business in its country of residence;

Or. en

Amendment 453

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 53 a (new)**

Motion for a resolution

Amendment

53a. Regrets however that the banning of letterbox companies in Latvia cannot be used to ban letterbox companies resident in EU Member States, as that would be considered discriminatory in the current EU legislative framework^{1a}; calls for the European Commission to propose changes in the current legislation that would enable to ban letterbox companies even if resident in EU Member States;

^{1a} TAX3 Delegation to Riga (Latvia), 30-31 August 2018, MISSION REPORT

Or. en

Amendment 454

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

**Motion for a resolution
Paragraph 53 a (new)**

Motion for a resolution

Amendment

53a. Notes that Latvia adopted in May 2018 a law banning financial institutions, as well as intermediaries, from cooperating and doing business with shell companies; calls on the Commission to put forward a legislative proposal to introduce the Latvian legislation in EU legislation and to encourage all EU Member States to follow this example;

Or. en

Amendment 455
David Casa

Motion for a resolution
Paragraph 54

Motion for a resolution

Amendment

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only be partially explained by real economic activities taking place in these Member States;⁴⁰ **deleted**

⁴⁰ *Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.*

Or. en

Amendment 456
Caroline Nagtegaal

Motion for a resolution
Paragraph 54

Motion for a resolution

Amendment

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only be partially explained by real economic activities taking place in these Member States;⁴⁰ **deleted**

⁴⁰ *Kiendl Kristo I. and Thirion E., An overview of shell companies in the*

Amendment 457

Barbara Kappel

Motion for a resolution

Paragraph 54

Motion for a resolution

Amendment

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only be partially explained by real economic activities taking place in these Member States;⁴⁰

deleted

⁴⁰ *Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.*

Amendment 458

Alfred Sant

Motion for a resolution

Paragraph 54

Motion for a resolution

Amendment

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only be partially

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only be partially

explained by real economic activities taking place in these Member States;⁴⁰

explained by real economic activities taking place in these Member States;⁴⁰
notes that no factual evidence is available to link this phenomenon to the existence or otherwise of letterbox companies in the Member States cited; notes moreover that by its very nature, the provision from within a given country of financial services to companies and individuals running significant cross border business, frequently involves on a fully legitimate basis the keeping on their behalf of funds, “parked” within a jurisdiction on a short or even long term basis, and this would account for the fact that countries where such financial services are provided, hold what is recorded as incoming or outgoing foreign direct investment that exceeds greatly the investment carrying capacity based on estimates of the “real” economy;

⁴⁰ Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.

⁴⁰ Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.

Or. en

Amendment 459

Roberta Metsola

Motion for a resolution

Paragraph 54

Motion for a resolution

54. ***Highlights that the high*** level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) ***can only be partially explained by real economic activities taking place in these*** Member States;⁴⁰

Amendment

54. ***Notes the*** level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands); ***notes that it is easier for small*** Member States ***to have a higher level of inward and outward foreign direct investment as a percentage of their GDP;***

⁴⁰ *Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.*

Or. en

Amendment 460
Werner Langen

Motion for a resolution
Paragraph 54

Motion for a resolution

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only ***be partially*** explained by real economic activities taking place in these Member States;⁴⁰

⁴⁰ Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.

Amendment

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only ***to a limited extent be*** explained by real economic activities taking place in these Member States⁴⁰;

⁴⁰ Kiendl Kristo I. and Thirion E.: An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p. 23.

Or. de

Amendment 461
Lefteris Christoforou

Motion for a resolution
Paragraph 54

Motion for a resolution

54. Highlights that the high level of inward and outward foreign direct

Amendment

54. Highlights that the high level of inward and outward foreign direct

investment as a percentage of GDP in *seven* Member States (***Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands***) can only be partially explained by real economic activities taking place in these Member States;⁴⁰ .

⁴⁰ Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.

investment as a percentage of GDP in *some* Member States can only be partially explained by real economic activities taking place in these Member States;⁴⁰

⁴⁰ Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.

Or. el

Amendment 462

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution Paragraph 54

Motion for a resolution

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only be partially explained by real economic activities taking place in these Member States;⁴⁰

⁴⁰ Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.

Amendment

54. Highlights that the high level of inward and outward foreign direct investment as a percentage of GDP in seven Member States (Belgium, Cyprus, Hungary, Ireland, Luxembourg, Malta, and the Netherlands) can only be partially explained by real economic activities taking place in these Member States;⁴⁰***and therefore is a clear indicator of tax avoidance opportunities granted by such Member States;***

⁴⁰ Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018, p.23.

Or. en

Amendment 463
Caroline Nagtegaal

Motion for a resolution
Paragraph 55

Motion for a resolution

55. Underlines that a high share of foreign direct investment held by special purpose entities exists in several Member States, particularly in Malta, Luxembourg and the Netherlands;⁴¹

⁴¹ *Kiendl Kristo I. and Thirion E., op. cit., p.23.*

Amendment

deleted

Or. en

Amendment 464
Alfred Sant

Motion for a resolution
Paragraph 55

Motion for a resolution

55. Underlines that a high share of foreign direct investment held by special purpose entities exists in several Member States, particularly in Malta, Luxembourg and the Netherlands;⁴¹

⁴¹ *Kiendl Kristo I. and Thirion E., op. cit., p.23.*

Amendment

55. Underlines that *subject to the observation raised in paragraph 54 above*, a high share of foreign direct investment held by special purpose entities exists in several Member States, particularly in Malta, Luxembourg and the Netherlands;⁴¹ *notes as well that special purpose entities resident in the EU reinforced their major role in FDI, accounting for 54.5 percent of the total EU FDI stocks held abroad and for 63.9 percent of the FDI stocks held by the rest of the world in the EU (Source : Eurostat 201/2017 - 21 December 2017);*

⁴¹ *Kiendl Kristo I. and Thirion E., op. cit., p.23.*

Amendment 465

David Casa

Motion for a resolution

Paragraph 55

Motion for a resolution

55. *Underlines* that a high share of foreign direct investment held by special purpose entities exists in several Member States, *particularly in Malta, Luxembourg and the Netherlands*;⁴¹

⁴¹ Kiendl Kristo I. and Thirion E., op. cit., p.23.

Amendment

55. *Notes* that a high share of foreign direct investment held by special purpose entities exists in several Member States;⁴¹

⁴¹ Kiendl Kristo I. and Thirion E., op. cit., p.23.

Amendment 466

Roberta Metsola

Motion for a resolution

Paragraph 55

Motion for a resolution

55. Underlines that a high share of foreign direct investment held by special purpose entities exists *in several Member States, particularly in Malta, Luxembourg and the Netherlands*;⁴¹

⁴¹ *Kiendl Kristo I. and Thirion E., op. cit., p.23.*

Amendment

55. Underlines that a high share of foreign direct investment held by special purpose entities exists *within the EU*;

Amendment 467

Lefteris Christoforou

Motion for a resolution
Paragraph 55

Motion for a resolution

55. Underlines that a high share of foreign direct investment held by special purpose entities exists in several Member States, ***particularly in Malta, Luxembourg and the Netherlands***,⁴¹ .

⁴¹ Kiendl Kristo I. and Thirion E., op. cit., p.23.

Amendment

55. Underlines that a high share of foreign direct investment held by special purpose entities exists in several Member States⁴¹;

⁴¹ Kiendl Kristo I. and Thirion E., op. cit., p.23.

Or. el

Amendment 468

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 55

Motion for a resolution

55. Underlines that a high share of foreign direct investment held by special purpose entities exists in several Member States, particularly in Malta, Luxembourg and the Netherlands,⁴¹

⁴¹ Kiendl Kristo I. and Thirion E., op. cit., p.23.

Amendment

55. Underlines that a high share of foreign direct investment held by special purpose entities (***SPEs***) exists in several Member States, particularly in Malta, Luxembourg and the Netherlands,⁴¹ ***highlights that foreign direct investments through SPEs can be considerably affected by small legislative changes, whether domestically or abroad, affecting tax revenues and financial stability of the concerned countries and of the EU as a whole;***

⁴¹ Kiendl Kristo I. and Thirion E., op. cit., p.23.

Or. en

Amendment 469
Werner Langen

Motion for a resolution
Paragraph 55

Motion for a resolution

55. Underlines that a high share of foreign direct investment held by special purpose entities exists in several Member States, particularly in Malta, Luxembourg and the Netherlands;⁴¹

⁴¹ Kiendl Kristo I. and Thirion E., op. cit., p.23.

Amendment

55. Underlines that a high share of foreign direct investment held by special purpose entities ***and exploiting existing tax loopholes*** exists in several Member States, particularly in Malta, Luxembourg and the Netherlands;⁴¹

⁴¹ Kiendl Kristo I. and Thirion E.: op. cit., p. 23.

Or. de

Amendment 470
Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 55 a (new)

Motion for a resolution

Amendment

55a. Recalls that the European Parliament has called on the Commission to assess the role of Special Purpose Vehicles (SPVs) and Special Purpose Entities (SPEs) revealed by the cum-ex papers and, where appropriate, to propose limiting the use of these instruments^{la}; calls on the European Commission to assess the role of the special purpose entities holding foreign direct investment in Malta, Luxembourg and the Netherlands;

Or. en

Amendment 471
David Casa

Motion for a resolution
Paragraph 56

Motion for a resolution

Amendment

56. *Notes that economic indicators such as an unusually high level of foreign direct investment, as well as foreign direct investment held by special purpose entities are ATP indicators⁴² ;*

deleted

⁴² *IHS, Aggressive tax planning indicators, prepared for the European Commission, DG TAXUD Taxation papers, Working paper No 71, October 2017.*

Or. en

Amendment 472
Alfred Sant

Motion for a resolution
Paragraph 56

Motion for a resolution

Amendment

56. Notes that economic indicators such as an unusually high level of foreign direct investment, as well as foreign direct investment held by special purpose entities are ATP indicators⁴² ;

56. Notes that, *subject to the observation raised in paragraph 54 above*, economic indicators such as an unusually high level of foreign direct investment, as well as foreign direct investment held by

special purpose entities are ATP indicators⁴² ;

⁴² IHS, Aggressive tax planning indicators, prepared for the European Commission, DG TAXUD Taxation papers, Working paper No 71, October 2017.

⁴² IHS, Aggressive tax planning indicators, prepared for the European Commission, DG TAXUD Taxation papers, Working paper No 71, October 2017.

Or. en

Amendment 473
Roberta Metsola

Motion for a resolution
Paragraph 56

Motion for a resolution

56. Notes that economic indicators such as an unusually high level of foreign direct investment, as well as foreign direct investment held by special purpose entities are ATP indicators⁴² ;

⁴² IHS, Aggressive tax planning indicators, prepared for the European Commission, DG TAXUD Taxation papers, Working paper No 71, October 2017.

Amendment

56. Notes that economic indicators such as an unusually high level of foreign direct investment, as well as foreign direct investment held by special purpose entities are *two of many* ATP indicators⁴² ;

⁴² IHS, Aggressive tax planning indicators, prepared for the European Commission, DG TAXUD Taxation papers, Working paper No 71, October 2017.

Or. en

Amendment 474
Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 56

Motion for a resolution

56. Notes that economic indicators such as an unusually high level of foreign

Amendment

56. Notes that economic indicators such as an unusually high level of foreign

direct investment, as well as foreign direct investment held by special purpose entities are **ATP** indicators⁴² ;

⁴² IHS, Aggressive tax planning indicators, prepared for the European Commission, DG TAXUD Taxation papers, Working paper No 71, October 2017.

direct investment, as well as foreign direct investment held by special purpose entities are **tax avoidance** indicators⁴² ;

⁴² IHS, Aggressive tax planning indicators, prepared for the European Commission, DG TAXUD Taxation papers, Working paper No 71, October 2017.

Or. en

Amendment 475
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 56

Motion for a resolution

56. Notes that economic indicators such as an unusually high level of foreign direct investment, as well as foreign direct investment held by special purpose entities are ATP indicators⁴²;

⁴² IHS, Aggressive tax planning indicators, prepared for the European Commission, DG TAXUD Taxation papers, Working paper No 71, October 2017.

Amendment

(Does not affect the English version.)

Or. fi

Amendment 476
Lefteris Christoforou

Motion for a resolution
Paragraph 57

Motion for a resolution

57. *Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies, and that the CCTB*

Amendment

deleted

and CCCTB would ensure that the income is attributed to where the real economic activity takes place;

Or. el

Amendment 477
Barbara Kappel

Motion for a resolution
Paragraph 57

Motion for a resolution

Amendment

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies, and that the CCTB and CCCTB would ensure that the income is attributed to where the real economic activity takes place; *deleted*

Or. en

Amendment 478
David Casa

Motion for a resolution
Paragraph 57

Motion for a resolution

Amendment

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies, and that the CCTB and CCCTB would ensure that the income is attributed to where the real economic activity takes place; *deleted*

Or. en

Amendment 479
Alfred Sant

Motion for a resolution
Paragraph 57

Motion for a resolution

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies, and that the CCTB and CCCTB would ensure that the income is attributed to where the real economic activity takes place;

Amendment

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies, and that the CCTB and CCCTB would ensure that the income is attributed to where the real economic activity takes place, ***but without prejudice to the claim by number of Member States that CCTB and CCCTB are meant to function as enabling procedures for the harmonisation of tax rates within the EU, for which there is no agreement between Member States, and even less consensus;***

Or. en

Amendment 480
Caroline Nagtegaal

Motion for a resolution
Paragraph 57

Motion for a resolution

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies, ***and that the CCTB and CCCTB would ensure that the income is attributed to where the real economic activity takes place;***

Amendment

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies;

Or. en

Amendment 481
Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 57

Motion for a resolution

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies, ***and that the CCTB and CCCTB would ensure that the income is attributed to where the real economic activity takes place;***

Amendment

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies,

Or. en

Amendment 482 Roberta Metsola

Motion for a resolution Paragraph 57

Motion for a resolution

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies, ***and that the CCTB and CCCTB would ensure that the income is attributed to where the real economic activity takes place;***

Amendment

57. Notes that the ATAD anti-abuse rules (artificial arrangements) cover letterbox companies;

Or. en

Amendment 483 Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution Paragraph 57 a (new)

Motion for a resolution

Amendment

57a. Notes that there is no yet a single definition of letterbox companies; calls therefore for a single European definition of letterbox companies;

Amendment 484
Lefteris Christoforou

Motion for a resolution
Paragraph 58

Motion for a resolution

Amendment

58. Urges the Commission and the Member States to establish coordinated substantial economic activity requirements as well as expenditure tests; *deleted*

Or. el

Amendment 485
Barbara Kappel

Motion for a resolution
Paragraph 58

Motion for a resolution

Amendment

58. Urges the Commission and the Member States to establish coordinated substantial economic activity requirements as well as expenditure tests; *deleted*

Or. en

Amendment 486
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 58

Motion for a resolution

Amendment

58. Urges the Commission and the Member States to establish coordinated

58. Urges the Commission and the Member States to establish coordinated,

substantial economic activity requirements as well as expenditure tests;

binding, enforceable and substantial economic activity requirements as well as expenditure tests;

Or. en

Amendment 487
Alfred Sant

Motion for a resolution
Paragraph 58

Motion for a resolution

58. Urges the Commission and the Member States to establish coordinated substantial economic activity requirements as well as expenditure tests;

Amendment

58. Urges the Commission and the Member States to establish coordinated substantial economic activity requirements as well as expenditure tests ***as soon as meaningful and proportional methods for how which this can be done have been devised, discussed and agreed;***

Or. en

Amendment 488
Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 58 a (new)

Motion for a resolution

Amendment

58a. Deplores that shell companies associated with anonymity, circumvention of the Posting of Workers Directive and treaty abuse, can generate serious risks of tax avoidance, tax evasion, money laundering and abuse of social rights; and that such abuses have an impact in the rise of inequalities and decreased trust in public institutions^{1a}

^{1a} **Kiendl Kristo I. and Thirion E., An overview of shell companies in the European Union, EPRS, European Parliament, October 2018.**

Or. en

Amendment 489
David Casa

Motion for a resolution
Paragraph 59

Motion for a resolution

59. Calls on the Commission to carry out, within two years, fitness checks of the interconnected legislative and policy initiatives aimed at addressing the use of letterbox companies in the context of tax fraud, tax evasion, **aggressive tax planning** and money laundering;

Amendment

59. Calls on the Commission to carry out, within two years, fitness checks of the interconnected legislative and policy initiatives aimed at addressing the use of letterbox companies in the context of tax fraud, tax evasion and money laundering;

Or. en

Amendment 490
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 59

Motion for a resolution

59. Calls on the Commission to carry out, **within two years**, fitness checks of the interconnected legislative and policy initiatives aimed at addressing the use of **letterbox** companies in the context of tax fraud, tax evasion, aggressive tax planning and money laundering;

Amendment

59. Calls on the Commission to carry out fitness checks of the interconnected legislative and policy initiatives aimed at addressing the use of **shell** companies in the context of tax fraud, tax evasion, aggressive tax planning and money laundering; ***calls on the Commission to make a proposal to ban shell companies in the EU, regarding that their use is***

associated with aggressive tax planning indicators;

Or. en

Amendment 491

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 59 a (new)

Motion for a resolution

Amendment

59a. Notes that abusive conversions, mergers or divisions constituting artificial arrangements or social dumping, but also reducing fiscal obligations or undercutting social rights of employees are therefore to be avoided in order to respect Treaty principles;^{1a}

^{1a} OPINION of the Committee on Economic and Monetary Affairs for the Committee on Legal Affairs on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions (COM(2018)0241 – C8 0167/2018 –2018/0114(COD))

Or. en

Amendment 492

Werner Langen

Motion for a resolution

Paragraph 59 a (new)

Motion for a resolution

Amendment

59a. *Calls for the identities of actual owners to be disclosed to tax authorities;*

Or. de

Amendment 493

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 59 b (new)**

Motion for a resolution

Amendment

59b. *Notes that cross-border conversions should be conditioned to the company moving its registered office together with its head office in order to carry out a substantial part of its economic activity in the Member State of destination^{1a}*

^{1a} OPINION of the Committee on Economic and Monetary Affairs for the Committee on Legal Affairs on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions (COM(2018)0241 – C8 0167/2018 –2018/0114(COD))

Or. en

Amendment 494

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 59 c (new)**

Motion for a resolution

Amendment

59c. *Calls for Member States to request that a set of financial information be published ahead of the execution of cross-border conversions, mergers or divisions; and for that financial information to be accompanied by public country by country reporting;*

Or. en

Amendment 495

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 59 a (new)

Motion for a resolution

Amendment

59a. *Notes that VAT is generally considered a regressive form of taxation, having a disproportionate impact on women and poorer people, who typically spend a higher proportion of their income on consumption¹; notes that action on VAT should consider in the context of the overall spread of burden across different groups of taxpayers; is concerned that VAT rates have steadily increased across EU Member States, while corporate income tax rates have decreased²; calls on the European Commission to investigate the impact of increasing VAT rates and decreasing corporate income tax rates on the effective tax burden of different taxpayers;*

[1] Asa Gunnarsson, Margit Schratzenstaller and Ulrike Spangenberg, Gender equality and taxation in the European Union study, Directorate-General for Internal Policies, European Parliament, 2018; Caren Grown and

Imraan Valodia (editors), Taxation and Gender Equity: A Comparative Analysis of Direct and Indirect Taxes in Developing and Developed Countries, Routledge, 2010 pp32 – 74, pp 309 – 310, and p315; Action Aid, Value-Added Tax (VAT), Progressive tax policy brief, 2018; and Janet G. Stotsky, Gender and Its Relevance to Macroeconomic Policy: A Survey, IMF Working Paper, WP/06/233, p.42

[2] Eurodad et. al., Tax Games: the Race to the Bottom, Europe's role in supporting an unjust tax system 2017, December 2017, pp. 14 - 16;

Or. en

Amendment 496
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Subheading 3 a (new)

Motion for a resolution

Amendment

(new para) Underscores the need for harmonisation of VAT rules at EU level to the extent that it is necessary to ensure the establishment and the functioning of the internal market and to avoid distortion of competition^{1c};

^{1c} *Article 113 of TFEU*

Or. en

Amendment 497
Roberts Zile

Motion for a resolution
Paragraph 60

Motion for a resolution

60. Stresses that VAT is an important revenue **source** for national budgets; notes that in 2016, VAT revenues in the EU28 Member States amounted to EUR 1 044 billion, which corresponds to 18 % of all tax revenues in the Member States; takes note of the fact that the 2017 annual EU budget amounted EUR 157 billion;

Amendment

60. Stresses that VAT is an important **source of tax** revenue for national budgets; notes that in 2016, VAT revenues in the EU28 Member States amounted to EUR 1 044 billion, which corresponds to 18 % of all tax revenues in the Member States; takes note of the fact that the 2017 annual EU budget amounted EUR 157 billion;

Or. en

Amendment 498

Miguel Urbán Crespo, Martin Schirdewan, Marisa Matias, Paloma López Bermejo

Motion for a resolution

Paragraph 60 a (new)

Motion for a resolution

Amendment

60a. Notes that VAT is generally considered a regressive form of taxation, having a disproportionate impact on women and poorer people, who typically spend a higher proportion of their income on consumption^{1a}; Notes that action on VAT should consider in the context of the overall spread of burden across different groups of taxpayers; Is concerned that VAT rates have steadily increased across EU Member States, while corporate income tax rates have decreased^{1b}; Calls on the European Commission to investigate the impact of increasing VAT rates and decreasing CIT rates on the effective tax burden of different taxpayers;

^{1a} Asa Gunnarsson, Margit Schratzenstaller and Ulrike Spangenberg, *Gender equality and taxation in the European Union study, Directorate-General for Internal Policies, European Parliament, 2018*; Caren Grown and

Imraan Valodia (editors), Taxation and Gender Equity: A Comparative Analysis of Direct and Indirect Taxes in Developing and Developed Countries, Routledge, 2010 pp 32 – 74, pp 309 – 310, and p315; ActionAid, Value-Added Tax (VAT), Progressive tax policy brief, 2018; and Janet G. Stotsky, Gender and Its Relevance to Macroeconomic Policy: A Survey, IMF Working Paper, WP/06/233, p.42

^{1b} Eurodad et. al., Tax Games: the Race to the Bottom, Europe's role in supporting an unjust tax system 2017, December 2017, pp. 14 - 16;

Or. en

Amendment 499

Anne Sander

Motion for a resolution

Paragraph 61

Motion for a resolution

61. Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud; highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³; notes that the Commission estimates that around EUR 50 billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴;

Amendment

61. Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud; highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³; notes that the Commission estimates that around EUR 50 billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴; ***deplores the fact that this tax, which is paid by all citizens, is affected by fraud of such magnitude; notes that the degree of harmonisation of VAT systems has advanced greatly in Europe, whereas cooperation is still in its infancy and not sufficiently effective; calls on the Commission and the Member States to intensify their cooperation on VAT, not***

least with a view to tackling fraud more effectively; calls on the next Commission to make completion of the definitive VAT regime a priority for its term of office;

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release: http://europa.eu/rapid/press-release_IP-17-3443_en.htm

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release: http://europa.eu/rapid/press-release_IP-17-3443_en.htm

Or. fr

Amendment 500

Roberts Zile

Motion for a resolution

Paragraph 61

Motion for a resolution

61. ***Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud;*** highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³; notes that the Commission estimates that around EUR 50 billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴;

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release:

Amendment

61. ***Notes that VAT collection in Member States needs to be improved;*** highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue,⁴³ ***although the situation is much worse in a number of Member States where the gap is close to or even above 20 % ; regrets that every year, large amounts of the expected VAT revenue are lost because of fraud;*** notes that the Commission estimates that around EUR 50 billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴;

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release:

Or. en

Amendment 501

Thomas Mann

Motion for a resolution

Paragraph 61

Motion for a resolution

61. Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud; highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³; notes that the Commission estimates that around EUR 50 billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴;

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release: http://europa.eu/rapid/press-release_IP-17-3443_en.htm

Amendment

61. Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud; highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³; notes that the Commission estimates that around EUR 50 billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴; ***notes that, as regards closing the VAT gap, there are big differences between Member States;***

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release: http://europa.eu/rapid/press-release_IP-17-3443_en.htm

Or. de

Amendment 502

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 61

Motion for a resolution

61. Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud; highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³ ; notes that the Commission estimates that around EUR 50 billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴ ;

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release: http://europa.eu/rapid/press-release_IP-17-3443_en.htm

Amendment

61. Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud; highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³ ; notes that the Commission estimates that around EUR 50 billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴ ; ***while the Europol estimates around 60 billion EUR of the VAT gap is connected to VAT fraud, partly used also organised crime and terrorism financing;***

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release: http://europa.eu/rapid/press-release_IP-17-3443_en.htm

Or. en

Amendment 503 **Markus Ferber**

Motion for a resolution **Paragraph 61**

Motion for a resolution

61. Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud; highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³ ; notes that the Commission estimates that around EUR 50

Amendment

61. Regrets, however, that every year, large amounts of the expected VAT revenue are lost because of fraud; highlights that according to the Commission's statistics, the VAT gap in 2016 amounted to EUR 147 billion, which represents more than 12 % of the total expected VAT revenue⁴³ ; notes that the Commission estimates that around EUR 50

billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud⁴⁴ ;

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release: http://europa.eu/rapid/press-release_IP-17-3443_en.htm

billion – or EUR 100 per EU citizen each year – is lost to cross-border VAT fraud *and that media reports have linked large-scale VAT fraud with organised crime including terrorism*⁴⁴ ;

⁴³ Study and Reports on the VAT Gap in the EU-28 Member States: 2018 Final Report / TAXUD/2015/CC/131.

⁴⁴ See Commission press release: http://europa.eu/rapid/press-release_IP-17-3443_en.htm

Or. en

Amendment 504

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution **Paragraph 61 a (new)**

Motion for a resolution

Amendment

61a. Highlights with concern that the VAT gap in 2016 amounted to EUR 147 billion; notes that the Commission estimates that around EUR 50 billion each year is lost to cross-border VAT fraud and that the proceeds from criminal activity in the EU are estimated to amount to EUR 110 billion per year; notes that the UNODC estimates that between 2 and 5% of global GDP is laundered each year;

Or. en

Amendment 505

Lefteris Christoforou

Motion for a resolution **Paragraph 62**

Motion for a resolution

Amendment

62. *Calls for additional statistics to estimate the VAT gap; stresses that there is no common approach to data collection and sharing within the EU;*

deleted

Or. el

Amendment 506

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 62

Motion for a resolution

Amendment

62. Calls for additional statistics to estimate the VAT gap; stresses that there is no common approach to data collection and sharing within the EU;

62. Calls for additional statistics to estimate the VAT gap; stresses that there is no common approach to data collection and sharing within the EU; ***urges the Commission to ensure that harmonised statistics are collected and published regularly in Member States;***

Or. en

Amendment 507

Louis Michel

Motion for a resolution

Paragraph 62

Motion for a resolution

Amendment

62. Calls for additional statistics to estimate the VAT gap; ***stresses that there is no*** common approach to data collection and sharing within the EU;

62. Calls for additional statistics to estimate the VAT gap; ***calls for a*** common approach to ***be developed for*** data collection and sharing within the EU;

Or. fr

Amendment 508

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution

Paragraph 62

Motion for a resolution

62. Calls for additional statistics to estimate the VAT gap; stresses ***that there is no*** common approach to data collection and sharing within the EU;

Amendment

62. Calls for additional statistics to estimate the VAT gap ***and stresses the need for a*** common approach to data collection and sharing within the EU;

Or. en

Amendment 509

Werner Langen

Motion for a resolution

Paragraph 62

Motion for a resolution

62. Calls for ***additional*** statistics to estimate the VAT gap; stresses that there is no common approach to data collection and sharing within the EU;

Amendment

62. Calls for ***reliable*** statistics to estimate the VAT gap; stresses that there is no common approach to data collection and sharing within the EU;

Or. de

Amendment 510

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 63

Motion for a resolution

63. Underlines that the feature of the current VAT (transitional) regime of applying an exemption to intracommunity supplies and exports within the EU has been abused by fraudsters, in particular in

Amendment

63. Underlines that the feature of the current VAT (transitional) regime of applying an exemption to intracommunity supplies and exports within the EU has been abused by fraudsters, in particular in

the VAT carousel fraud;

the VAT carousel fraud; ***stresses that cash transactions still remain a very high risk regarding VAT fraud;***

Or. en

Amendment 511
Anne Sander

Motion for a resolution
Paragraph 64

Motion for a resolution

64. Takes note that according to the Commission, businesses trading on a cross-border basis currently suffer from compliance costs which are 11 % higher compared to those incurred by companies that only trade domestically;

Amendment

64. Takes note that according to the Commission, businesses trading on a cross-border basis currently suffer from compliance costs which are 11 % higher compared to those incurred by companies that only trade domestically; ***calls on the Commission and the Member States to devise concrete technical solutions to lower the cost of cross-border trading;***

Or. fr

Amendment 512
Alfred Sant

Motion for a resolution
Paragraph 64

Motion for a resolution

64. Takes note that according to the Commission, businesses trading on a cross-border basis currently suffer from compliance costs which are 11 % higher compared to those incurred by companies that only trade domestically;

Amendment

64. Takes note that according to the Commission, businesses trading on a cross-border basis currently suffer from compliance costs which are 11 % higher compared to those incurred by companies that only trade domestically; ***also notes that such tax compliance costs weigh heaviest on SMEs which is one reason why most SMEs have remained wary of reaping the advantages of the Single***

market;

Or. en

Amendment 513
Tom Vandenkendelaere

Motion for a resolution
Paragraph 64

Motion for a resolution

64. Takes note that according to the Commission, businesses trading on a cross-border basis currently suffer from compliance costs which are 11 % higher compared to those incurred by companies that only trade domestically;

Amendment

64. Takes note that according to the Commission, businesses trading on a cross-border basis currently suffer from compliance costs which are 11 % higher compared to those incurred by companies that only trade domestically; ***notes that in particular SMEs suffer from disproportionate VAT compliance costs;***

Or. en

Amendment 514
Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution
Paragraph 64 a (new)

Motion for a resolution

Amendment

64a. Is of the opinion that the participation of all Member States in Eurofisc shall be mandatory and conditional for receiving EU funds; echoes the preoccupation of the European Court of Auditors on VAT reimbursement in Cohesion spending^{1a} and on the EU Anti-Fraud Programme^{1b};

^{1a} ECA, Rapid case review, VAT reimbursement in Cohesion - an error-

*prone and, sub-optimal use of EU funds,
November 2018*

*^{1b} ECA Opinion No 9/2018 concerning
the proposal for a Regulation of the
European Parliament and of the Council
establishing the EU Anti-Fraud
Programme.*

Or. en

Amendment 515
Lefteris Christoforou

Motion for a resolution
Paragraph 65

Motion for a resolution

Amendment

65. Welcomes, therefore, the Commission's VAT action plan of 6 April 2016 to reform the VAT framework and the 13 legislative proposals adopted by the Commission since December 2016 that address the shift towards the definitive VAT regime, remove VAT obstacles to e-commerce, review the VAT regime for SMEs, modernise the VAT rates policy and tackle the VAT tax gap;

deleted

Or. el

Amendment 516
Barbara Kappel

Motion for a resolution
Paragraph 65

Motion for a resolution

Amendment

65. Welcomes, therefore, the Commission's VAT action plan of 6 April 2016 to reform the VAT framework and the 13 legislative proposals adopted by the Commission since December 2016 *that*

65. Takes note of the Commission's VAT action plan of 6 April 2016 to reform the VAT framework and the 13 legislative proposals adopted by the Commission

address the shift towards the definitive VAT regime, remove VAT obstacles to e-commerce, review the VAT regime for SMEs, modernise the VAT rates policy and tackle the VAT tax gap;

since December 2016;

Or. en

Amendment 517
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 65

Motion for a resolution

65. Welcomes, therefore, the Commission's VAT action plan of 6 April 2016 to reform the VAT framework and the 13 legislative proposals adopted by the Commission since December 2016 that address the shift towards the definitive VAT regime, remove VAT obstacles to e-commerce, review the VAT regime *for* SMEs, modernise the VAT rates policy and tackle the VAT tax gap;

Amendment

65. Welcomes, therefore, the Commission's VAT action plan of 6 April 2016 to reform the VAT framework and the 13 legislative proposals adopted by the Commission since December 2016 that address the shift towards the definitive VAT regime, remove VAT obstacles to e-commerce, review the VAT regime *with reference to* SMEs, modernise the VAT rates policy and tackle the VAT tax gap;

Or. fi

Amendment 518
Roberta Metsola

Motion for a resolution
Paragraph 65

Motion for a resolution

65. Welcomes, therefore, the Commission's VAT action plan of 6 April 2016 to reform the VAT framework and the 13 legislative proposals adopted by the Commission since December 2016 that address the shift towards the definitive VAT regime, remove VAT obstacles to e-

Amendment

65. Welcomes, therefore, the Commission's VAT action plan of 6 April 2016 to reform the VAT framework and the 13 legislative proposals adopted by the Commission since December 2016 that address the shift towards the definitive VAT regime, remove VAT obstacles to e-

commerce, review the VAT regime for SMEs, modernise the VAT rates policy and tackle the VAT tax gap;

commerce, review the VAT regime for SMEs, modernise the VAT rates policy, *update the list of VAT exemptions, in order to, amongst others, tackle the current discrimination that education operators are facing when compared to other companies as they cannot claim VAT back on expenses related to their business* and tackle the VAT tax gap;

Or. en

Amendment 519

Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Doru-Claudian Frunzulică, Evelyn Regner, Elly Schlein, Dietmar Köster, Olle Ludvigsson

Motion for a resolution Paragraph 65 a (new)

Motion for a resolution

Amendment

65a. *Welcomes that a VAT Mini One Stop Shop (MOSS) on telecommunications, broadcasting and electronic services was introduced in 2015 as a voluntary system for registration, declaration and payment of VAT; welcomes the extension of the MOSS to other supplies of goods and services to final consumers as of 1 January 2021;*

Or. en

Amendment 520

Pirkko Ruohonen-Lerner

Motion for a resolution Paragraph 66

Motion for a resolution

Amendment

66. Notes that the Commission estimates that the reform to modernise

(Does not affect the English version.)

VAT is expected to reduce red tape by 95 %, which amounts to an estimated EUR 1 billion;

Or. fi

Amendment 521
Markus Ferber

Motion for a resolution
Paragraph 66 a (new)

Motion for a resolution

Amendment

66a. Calls on the European Commission to prioritise the issue of the harmonisation and simplification of the common system of value added tax; points out that several countries have implemented fraud-proof systems that allow input tax reduction based on proof of VAT payment and that could serve as a blueprint for VAT reform in the EU;

Or. en

Amendment 522
Barbara Kappel

Motion for a resolution
Paragraph 68

Motion for a resolution

Amendment

68. Welcomes the definitive VAT system proposals adopted on 4 October 2017⁴⁵ and 24 May 2018⁴⁶ ; welcomes in particular the Commission's proposal to apply the destination principle to taxation, which means that VAT would be paid in the country of the customer;

deleted

⁴⁵ COM(2017)0569, COM(2017)0568 and

COM(2017)0567.

⁴⁶ COM/2018/329.

Or. en

Amendment 523

Markus Ferber

Motion for a resolution

Paragraph 68

Motion for a resolution

Amendment

68. Welcomes the definitive VAT system proposals adopted on 4 October 2017⁴⁵ and 24 May 2018⁴⁶ ; welcomes in particular the Commission's proposal to apply the destination principle to taxation, which means that VAT would be paid in the country of the customer;

deleted

⁴⁵ COM(2017)0569, COM(2017)0568 and COM(2017)0567.

⁴⁶ COM/2018/329.

Or. en

Amendment 524

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 68

Motion for a resolution

Amendment

68. Welcomes the definitive VAT system proposals adopted on 4 October 2017⁴⁵ and 24 May 2018⁴⁶ ; welcomes in particular the Commission's proposal to apply the destination principle to taxation, which means that VAT would be paid in the country of the customer;

68. Welcomes the definitive VAT system proposals adopted on 4 October 2017⁴⁵ and 24 May 2018⁴⁶ ; welcomes in particular the Commission's proposal to apply the destination principle to taxation, which means that VAT would be paid in the country of the customer; ***notes however that tax authorities in the Member States***

of consumption's reactions will be slower and their means of action more limited, given that most of the relevant data and auditing powers will be in the hands of the Member State of identification; calls therefore on the Commission to set up a compensation mechanism in order to safeguard Member States' VAT revenues and incentivise Member States of identification to act;

⁴⁵ COM(2017)0569, COM(2017)0568 and COM(2017)0567.

⁴⁶ COM/2018/329.

⁴⁵ COM(2017)0569, COM(2017)0568 and COM(2017)0567.

⁴⁶ COM/2018/329.

Or. en

Amendment 525

Louis Michel

Motion for a resolution

Paragraph 68

Motion for a resolution

68. Welcomes the definitive VAT system proposals adopted on 4 October 2017⁴⁵ and 24 May 2018⁴⁶; welcomes in particular the Commission's proposal to apply the destination principle to taxation, which means that VAT would be paid in the **country** of the customer;

⁴⁵ COM(2017)0569, COM(2017)0568 and COM(2017)0567.

⁴⁶ COM/2018/329.

Amendment

68. Welcomes the definitive VAT system proposals adopted on 4 October 2017⁴⁵ and 24 May 2018⁴⁶; welcomes in particular the Commission's proposal to apply the destination principle to taxation, which means that VAT would be paid in the **Member State** of the **final consumer**, **the customer**, **at the rate charged in that country**;

⁴⁵ COM(2017)0569, COM(2017)0568 and COM(2017)0567.

⁴⁶ COM/2018/329.

Or. fr

Amendment 526
Roberts Zile

Motion for a resolution
Paragraph 69

Motion for a resolution

69. Welcomes in particular the progress made by the Council towards the definitive VAT regime by adopting the Quick Fixes⁴⁷ on 4 October 2018; expresses its concern, however, that no safeguards in relation to its fraud-sensitive aspects were adopted along the lines of Parliament's position⁴⁸ on the Certified Taxable Person (CTP) proposal⁴⁹, as expressed in its opinion of 3 October 2018⁵⁰; ***profoundly regrets*** that the Council postponed the decision on introduction of CTP status until the adoption of the definitive VAT regime;

⁴⁷ Proposal for a Council Directive amending Directive 2006/112/EC as regards harmonising and simplifying certain rules in the value added tax system and introducing the definitive system for the taxation of trade between the Member States (COM(2017)0569).

⁴⁸ European Parliament legislative resolution of 3 October 2018 on the proposal for a Council directive amending Directive 2006/112/EC as regards harmonising and simplifying certain rules in the value added tax system and introducing the definitive system for the taxation of trade between Member States, texts adopted, P8_TA(2018)0366.

⁴⁹ Proposal for a Council Directive amending Directive 2006/112/EC as certain value added tax obligations for supplies of services and distance sales of goods (COM(2016)0757).

⁵⁰ Texts adopted, P8_TA(2018)0367.

Amendment

69. Welcomes in particular the progress made by the Council towards the definitive VAT regime by adopting the Quick Fixes⁴⁷ on 4 October 2018; expresses its concern, however, that no safeguards in relation to its fraud-sensitive aspects were adopted along the lines of Parliament's position⁴⁸ on the Certified Taxable Person (CTP) proposal⁴⁹, as expressed in its opinion of 3 October 2018⁵⁰; ***notes*** that the Council postponed the decision on introduction of CTP status until the adoption of the definitive VAT regime;

⁴⁷ Proposal for a Council Directive amending Directive 2006/112/EC as regards harmonising and simplifying certain rules in the value added tax system and introducing the definitive system for the taxation of trade between the Member States (COM(2017)0569).

⁴⁸ European Parliament legislative resolution of 3 October 2018 on the proposal for a Council directive amending Directive 2006/112/EC as regards harmonising and simplifying certain rules in the value added tax system and introducing the definitive system for the taxation of trade between Member States, texts adopted, P8_TA(2018)0366.

⁴⁹ Proposal for a Council Directive amending Directive 2006/112/EC as certain value added tax obligations for supplies of services and distance sales of goods (COM(2016)0757).

⁵⁰ Texts adopted, P8_TA(2018)0367.

Or. en

Amendment 527
Roberts Zile

Motion for a resolution
Paragraph 69 a (new)

Motion for a resolution

Amendment

69a. *Is of the view that the granting of certified taxable person (CTP) status to businesses considered reliable taxpayers remains problematic as the criteria for granting the status are vague and thus may result in different approaches taken by the Member States; remains concerned about the potential difficulties for medium enterprises to obtain the CTP status which in turn could in effect result in only the biggest companies being considered reliable taxpayers;*

Or. en

Amendment 528
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 69 a (new)

Motion for a resolution

Amendment

69a. *Calls on the Council to ensure that the CTP status is consistent with the Authorised Economic Operator (AEO) status which is delivered by customs authorities;*

Or. en

Amendment 529
Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Paragraph 69 b (new)

Motion for a resolution

Amendment

69b. *Calls for a minimal EU transparent coordination on the definition of CTP status, including a regular assessment by the Commission on how Member states grant CTP status; demands exchange of information between Member States' tax authorities about refusals to grant CTP status to certain companies, in order to enhance coherence and common standards*

Or. en

Amendment 530
Roberts Zile

Motion for a resolution
Paragraph 69 b (new)

Motion for a resolution

Amendment

69b. *Stresses the problems that could arise from two parallel systems of accounting for VAT depending on whether the buyer has obtained a CTP status or not;*

Or. en

Amendment 531
Tom Vandenkendelaere

Motion for a resolution
Paragraph 70

Motion for a resolution

Amendment

70. Welcomes, furthermore, the revision of the special schemes for SMEs⁵¹

70. Welcomes, furthermore, the revision of the special schemes for SMEs⁵¹

which is key to ensuring a level playing field, and can contribute to the reduction of VAT; calls on the Council to take Parliament's opinion of 11 September 2018⁵² into account, particularly when it comes to further administrative simplification for SMEs; calls, therefore, on the Commission to set up an online portal through which SMEs willing to avail themselves of the exemption in another Member State are required to register, and to put in place a one-stop shop through which small enterprises can file VAT returns for the different Member States in which they operate;

which is key to ensuring a level playing field *as VAT exemption schemes are currently only available to domestic players*, and can contribute to the reduction of VAT *compliance costs for SMEs*; calls on the Council to take Parliament's opinion of 11 September 2018⁵² into account, particularly when it comes to further administrative simplification for SMEs; calls, therefore, on the Commission to set up an online portal through which SMEs willing to avail themselves of the exemption in another Member State are required to register, and to put in place a one-stop shop through which small enterprises can file VAT returns for the different Member States in which they operate;

⁵¹ Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises (COM(2018)0021).

⁵² European Parliament legislative resolution of 11 September 2018 on the proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises, Texts adopted, P8_TA(2018)0319.

⁵¹ Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises (COM(2018)0021).

⁵² European Parliament legislative resolution of 11 September 2018 on the proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises, Texts adopted, P8_TA(2018)0319.

Or. en

Amendment 532

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution Paragraph 70

Motion for a resolution

70. Welcomes, furthermore, the revision of the special schemes for SMEs⁵¹ which is key to ensuring a level playing

Amendment

70. Welcomes, furthermore, the revision of the special schemes for SMEs⁵¹ which is key to ensuring a level playing

field, and can contribute to the reduction of VAT; calls on the Council to take Parliament's opinion of 11 September 2018⁵² into account, particularly when it comes to further administrative simplification for SMEs; calls, therefore, on the Commission to set up an online portal through which SMEs willing to avail themselves of the exemption in another Member State are required to register, and to put in place a one-stop shop through which small enterprises can file VAT returns for the different Member States in which they operate;

⁵¹ Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises (COM(2018)0021).

⁵² European Parliament legislative resolution of 11 September 2018 on the proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises, Texts adopted, P8_TA(2018)0319.

field, and can contribute to the reduction of VAT **compliance costs**; calls on the Council to take Parliament's opinion of 11 September 2018⁵² into account, particularly when it comes to further administrative simplification for SMEs; calls, therefore, on the Commission to set up an online portal through which SMEs willing to avail themselves of the exemption in another Member State are required to register, and to put in place a one-stop shop through which small enterprises can file VAT returns for the different Member States in which they operate;

⁵¹ Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises (COM(2018)0021).

⁵² European Parliament legislative resolution of 11 September 2018 on the proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax as regards the special scheme for small enterprises, Texts adopted, P8_TA(2018)0319.

Or. en

Amendment 533

Werner Langen

Motion for a resolution **Paragraph 70 a (new)**

Motion for a resolution

Amendment

70a. Calls for the introduction of the reverse charge system as an optional and, at the same time, optimum system of rules for EU Member States;

Or. de

Amendment 534
Gabriel Mato

Motion for a resolution
Paragraph 70 a (new)

Motion for a resolution

Amendment

70a. *Notes the adoption by the European Parliament and the European Council on the Commission proposal for a General Reverse Charge Mechanism, proposal that will allow temporary derogations from normal VAT rules in order to better prevent mainly carousel fraud in those member states that are most severely affected by this type of fraud. However, the GRCM should by no means delay the swift implementation of a definite VAT system.*

Or. en

Amendment 535
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 70 a (new)

Motion for a resolution

Amendment

70a. *Regards with concern the Council's adoption of a Proposal to amend the common system of value added tax as regards the temporary application of a generalised reverse charge mechanism (GRCM) in relation to supplies of goods and services above a certain threshold of 2 October 2018, which allows for a GRCM with much weaker criteria than those approved by the European Parliament; acknowledges that a generalised application of the RCM*

shifts the tax liability to the retail stage, transforming the VAT system into a Sales Tax, jeopardising the in-built faithful reporting incentives of the VAT fractional payments system by concentrating the risk of fraud at the end of the value chain; notes that this creates risks for other types of fraud to arise, through underreporting of sales volumes and the exploitation of the variability of VAT rates across Member States, and that VAT fraud can be passed on to neighbouring countries, creating market disruptions in those borders where some Member States apply GRCM and others do not; calls on the Commission to closely monitor the application and consequences of this new legislation;

Or. en

Amendment 536
Thierry Cornillet, Wolf Klinz

Motion for a resolution
Paragraph 70 a (new)

Motion for a resolution

Amendment

70a. Welcomes the spirit of the proposed implementing rules adopted December 11 by the European Commission according to which, notably, from 2021, large online marketplaces will have the responsibility to ensure that VAT is collected on sales of goods by non-EU companies to EU consumers taking place on their platforms; marks its willingness to work as swiftly as possible in the consultation process;

Or. en

Amendment 537

Luděk Niedermayer, Jeppe Kofod

Motion for a resolution
Subheading 3.2 a (new)

Motion for a resolution

Amendment

(new para) Recalls that the European Parliament has called for addressing the factors contributing to the tax gap, namely regarding VAT;

Or. en

Amendment 538
Lefteris Christoforou

Motion for a resolution
Paragraph 71

Motion for a resolution

Amendment

71. Welcomes the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that they stop offering unlawful favourable tax treatment for private yachts, which distorts competition in the maritime sector;

deleted

Or. el

Amendment 539
Roberta Metsola

Motion for a resolution
Paragraph 71

Motion for a resolution

Amendment

71. Welcomes the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that

deleted

they stop offering unlawful favourable tax treatment for private yachts, which distorts competition in the maritime sector;

Or. en

Amendment 540
Tom Vandenkendelaere

Motion for a resolution
Paragraph 71

Motion for a resolution

71. Welcomes the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that they stop offering unlawful favourable tax treatment for private yachts, which distorts competition in the maritime sector;

Amendment

71. Welcomes the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta, *and on 8 November 2018 against Italy and the Isle of Man*, to ensure that they stop offering unlawful favourable tax treatment for private yachts, which distorts competition in the maritime sector;

Or. en

Amendment 541
Alfred Sant

Motion for a resolution
Paragraph 71

Motion for a resolution

71. *Welcomes* the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that they stop offering unlawful favourable tax treatment for private yachts, which distorts competition in the maritime sector;

Amendment

71. *Without prejudging the issue since for Malta at least the tax treatment being applied for yachts was initially approved by the Commission itself, takes note of* the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that they stop offering unlawful favourable tax treatment for private yachts, which distorts

competition in the maritime sector; *is compelled to note the discrimination demonstrated by the European Commission, which took action against smaller Member States, whereas such practices have been introduced in the yachting industry and continued by Member States like France and Italy;*

Or. en

Amendment 542
Roberta Metsola

Motion for a resolution
Paragraph 71

Motion for a resolution

71. ***Welcomes*** the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta ***to ensure that they stop offering unlawful favourable*** tax treatment for private yachts, ***which distorts competition in the maritime sector;***

Amendment

71. ***Notes*** the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta ***on*** tax treatment for private yachts; ***considers it strange that infringement procedures were opened against Malta, Cyprus and Greece when other Member States have similar systems in place; understands that assurances have been received by Malta to have its system fully in line with EU law;***

Or. en

Amendment 543
David Casa

Motion for a resolution
Paragraph 71

Motion for a resolution

71. ***Welcomes*** the opening of infringement procedures by the Commission on 8 March 2018 against

Amendment

71. ***Notes*** the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to

Cyprus, Greece and Malta to ensure that they stop offering unlawful favourable tax treatment for private yachts, *which distorts competition in the maritime sector*;

ensure that they stop offering unlawful favourable tax treatment for private yachts;

Or. en

Amendment 544
Barbara Kappel

Motion for a resolution
Paragraph 71

Motion for a resolution

71. Welcomes the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that they stop offering unlawful favourable tax treatment for private yachts, which *distorts* competition in the maritime sector;

Amendment

71. Welcomes the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that they stop offering unlawful favourable tax treatment for private yachts, which *could distort* competition in the maritime sector;

Or. en

Amendment 545
Louis Michel

Motion for a resolution
Paragraph 71

Motion for a resolution

71. Welcomes the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that they stop offering *unlawful* favourable tax treatment for private yachts, which distorts competition in the maritime sector;

Amendment

71. Welcomes the opening of infringement procedures by the Commission on 8 March 2018 against Cyprus, Greece and Malta to ensure that they stop offering favourable tax treatment for private yachts, *facilitated by national rules that are legal under domestic law, but not in accordance with Union law, and* which distorts competition in the maritime sector;

Or. fr

Amendment 546
David Casa

Motion for a resolution
Paragraph 71 a (new)

Motion for a resolution

Amendment

71a. Condemns the singling out of some member states on the tax treatment of private yachts despite some larger member states having similar systems;

Or. en

Amendment 547
David Coburn
on behalf of the EFDD Group
Raymond Finch

Motion for a resolution
Paragraph 72

Motion for a resolution

Amendment

72. Calls on the Commission and Eurofisc to rapidly conclude their investigations on the Isle of Man's VAT collection practices on private yachts and aircraft, as revealed by the Paradise papers; and, if necessary, to open infringement procedures;

deleted

Or. en

Amendment 548
Tom Vandenkendelaere

Motion for a resolution
Paragraph 72

Motion for a resolution

72. Calls on the Commission and Eurofisc to rapidly conclude their investigations on the Isle of Man's VAT collection practices on private yachts and aircraft, as revealed by the Paradise papers; ***and, if necessary, to open infringement procedures;***

Amendment

72. Calls on the Commission and Eurofisc to rapidly conclude their investigations on the Isle of Man's VAT collection practices on private yachts and aircraft, as revealed by the Paradise papers; ***urges Member States to adopt a specific anti-abuse rule that would allow to ignore the leasing agreement in the case where the importer and the beneficiary are the same person or are related persons;***

Or. en

Amendment 549

Peter Simon, Arndt Kohn, Evelyn Regner, Dietmar Köster, Olle Ludvigsson

Motion for a resolution

Paragraph 72

Motion for a resolution

72. ***Calls on*** the Commission and Eurofisc to rapidly conclude their investigations on the Isle of Man's VAT collection practices on private yachts and aircraft, as revealed by the Paradise papers; ***and, if necessary, to open infringement procedures;***

Amendment

72. ***Welcomes the infringement procedures opened by*** the Commission ***on 8 November 2018 against Italy*** and the Isle of Man ***to ensure that they put an end on illegal tax breaks for*** yachts and aircraft as revealed by the Paradise Papers;

Or. en

Amendment 550

Louis Michel

Motion for a resolution

Paragraph 72

Motion for a resolution

72. Calls on the Commission and Eurofisc to rapidly conclude their investigations on the Isle of Man's VAT

Amendment

72. Calls on the Commission and Eurofisc to rapidly conclude their investigations on the Isle of Man's VAT

collection practices on private yachts and aircraft, as revealed by the Paradise papers; *and, if necessary, to open infringement procedures;*

collection practices on private yachts and aircraft, as revealed by the Paradise papers;

Or. fr

Amendment 551
Louis Michel

Motion for a resolution
Paragraph 72 a (new)

Motion for a resolution

Amendment

72a. Takes note of the letter of formal notice sent on 8 November 2018 to the United Kingdom concerning the Isle of Man's abusive practices regarding aircraft deliveries and leasing; maintains that compliance with tax justice implies that every individual or business should pay the right amount of VAT on such products; notes that infringement procedures have been initiated; welcomes the fact that the Commission's programme to combat tax evasion has been strengthened where yachts and aircraft are concerned;

Or. fr

Amendment 552
Peter Simon, Pervenche Berès, Ramón Jáuregui Atondo, Arndt Kohn, Paul Tang, Virginie Rozière, Evelyn Regner, Mady Delvaux, Hugues Bayet, Elly Schlein, Dietmar Köster

Motion for a resolution
Paragraph 74

Motion for a resolution

Amendment

74. Welcomes the adoption of the Protection of Financial Interests (PIF)

74. Notes that the Commission has recently proposed additional control tools

Directive⁵³ which clarifies the issues of cross-border cooperation and mutual legal assistance between Member States, Eurojust, the European Public Prosecutor's Office (EPPO) and the Commission in tackling VAT fraud;

and an enhanced role for Eurofisc as well as mechanisms for closer cooperation between customs and tax administrations and greater involvement of the European Public Prosecutor's Office; welcomes the adoption of the Protection of Financial Interests (PIF) Directive⁵³ which clarifies the issues of cross-border cooperation and mutual legal assistance between Member States, Eurojust, the European Public Prosecutor's Office (EPPO), *the European Anti-Fraud Office (OLAF)* and the Commission in tackling VAT fraud;

⁵³ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law, OJ L 198, 28.7.2017, p. 29, in particular Articles 3 and 15 thereof.

⁵³ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law, OJ L 198, 28.7.2017, p. 29, in particular Articles 3 and 15 thereof.

Or. en

Amendment 553

Louis Michel

Motion for a resolution

Paragraph 74

Motion for a resolution

74. Welcomes the adoption of the Protection of Financial Interests (PIF) Directive⁵³ which clarifies the issues of cross-border cooperation and mutual legal assistance between Member States, Eurojust, the European Public Prosecutor's Office (EPPO) and the Commission in tackling VAT fraud;

⁵³ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the

Amendment

74. Welcomes the adoption of the Protection of Financial Interests (PIF) Directive⁵³, which clarifies the issues of cross-border cooperation and mutual legal assistance between Member States, Eurojust, ***Europol***, the European Public Prosecutor's Office (EPPO) and the Commission in tackling VAT fraud (***OLAF***);

⁵³ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the

Union's financial interests by means of criminal law, OJ L 198, 28.7.2017, p. 29, in particular Articles 3 and 15 thereof.

Union's financial interests by means of criminal law, OJ L 198, 28.7.2017, p. 29, in particular Articles 3 and 15 thereof.

Or. fr

Amendment 554

Louis Michel, Thierry Cornillet

Motion for a resolution

Paragraph 74 a (new)

Motion for a resolution

Amendment

74a. Welcomes the Commission proposal to reform OLAF; calls for account to be taken of the opinion delivered on 28 November 2018 in which the Court of Auditors recommends that OLAF investigations should be reviewed by the Court of Justice in order to ascertain that procedural safeguards are being observed; calls for more thoroughgoing reform to enhance of effectiveness of OLAF investigations, proceeding on the basis of a study summarising the problems encountered by OLAF (operating deadlines, recovery of funds, etc.);

Or. fr

Amendment 555

Peter Simon, Arndt Kohn, Doru-Claudian Frunzulică, Mady Delvaux, Evelyn Regner, Dietmar Köster, Olle Ludvigsson, Virginie Rozière

Motion for a resolution

Paragraph 75

Motion for a resolution

Amendment

75. Points, however, to the need for better cooperation between the administrative, judicial and law-

75. Points, however, to the need for better cooperation between the administrative, judicial and law-

enforcement authorities within the EU, as highlighted by experts during the hearing held on 28 June 2018 and in a study commissioned by the TAX3 Committee;

enforcement authorities within the EU, as highlighted by experts during the hearing held on 28 June 2018 and in a study commissioned by the TAX3 Committee;
calls on the EPPO, OLAF, Eurofisc, Europol and Eurojust to closely cooperate with a view to coordinating their efforts against VAT fraud and to identifying and adapting to new fraudulent practices;

Or. en

Amendment 556

Tom Vandenkendelaere

Motion for a resolution Paragraph 75

Motion for a resolution

75. Points, however, to the need for better cooperation between the administrative, judicial and law-enforcement authorities within the EU, as highlighted by experts during the hearing held on 28 June 2018 and in a study commissioned by the TAX3 Committee;

Amendment

75. Points, however, to the need for better cooperation between the administrative, judicial and law-enforcement authorities within the EU, as highlighted by experts during the hearing held on 28 June 2018 and in a study commissioned by the TAX3 Committee;
calls on all Member States to more actively participate in the Transactional Network Analysis (TNA) system in the framework of Eurofisc;

Or. en

Amendment 557

Tom Vandenkendelaere

Motion for a resolution Paragraph 75 a (new)

Motion for a resolution

Amendment

75a. Urges the Commission to examine the possibilities of real-time collection and

communication of transactional VAT data by the Member States, as this would increase the effectiveness of Eurofisc and would allow further development of new strategies to defeat VAT fraud;

Or. en

Amendment 558
Barbara Kappel

Motion for a resolution
Paragraph 76

Motion for a resolution

Amendment

76. Calls on the EPPO to begin operating as soon as possible and by 2022 at the latest; calls for exemplary sanctions to be pronounced; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity;

deleted

Or. en

Amendment 559
Louis Michel

Motion for a resolution
Paragraph 76

Motion for a resolution

Amendment

76. Calls on the EPPO to begin operating as soon as possible and by 2022 at the latest; calls for exemplary sanctions to be pronounced; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity;

76. Calls on the EPPO to begin operating in 2020; calls for a coherent, effective, and fair penalty system to be put in place with a view to establishing dissuasive, clear, and proportionate sanctions; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity; calls for an office of European financial prosecutor to be

established, not least for the purpose of combating terrorism and money laundering;

Or. fr

Amendment 560

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 76

Motion for a resolution

76. Calls on the **EPPO to** begin operating as soon as possible and by 2022 at the latest; calls for exemplary sanctions to be pronounced; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity;

Amendment

76. Calls on the **Commission and Member States to ensure that EPPO will** begin operating as soon as possible and by 2022 at the latest; calls for exemplary sanctions to be pronounced; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity;

Or. en

Amendment 561

Wolf Klinz, Thierry Cornillet, Petr Ježek, Nils Torvalds, Maite Pagazaurtundúa Ruiz

Motion for a resolution

Paragraph 76

Motion for a resolution

76. Calls on the **EPPO to** begin operating as soon as possible and by 2022 at the latest; calls for exemplary sanctions to be pronounced; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity;

Amendment

76. Calls on the **Commission to ensure the EPPO can** begin operating as soon as possible and by 2022 at the latest; calls for exemplary sanctions to be pronounced; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity;

Amendment 562
Monica Macovei

Motion for a resolution
Paragraph 76

Motion for a resolution

76. Calls on the EPPO to begin operating as soon as possible and ***by 2022 at the latest***; calls for exemplary sanctions to be pronounced; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity;

Amendment

76. Calls on the EPPO to begin operating as soon as possible and ***no later than 2022, ensuring close cooperation with the already established institutions, bodies agencies and offices of the Union, in charge with the protection of the financial interests of the Union***; calls for exemplary sanctions to be pronounced; considers that anyone engaged in an organised VAT fraud scheme should be severely sanctioned in order to avoid a perception of impunity;

Amendment 563
David Coburn
on behalf of the EFDD Group
Raymond Finch

Motion for a resolution
Paragraph 77

Motion for a resolution

77. ***Considers that one of the main issues allowing fraudulent behaviour in relation to VAT to occur is the ‘cash profit’ that a fraudster can make; calls, therefore, on the Commission to analyse the proposal made by experts⁵⁴ to place cross-border transactional data on a blockchain, and to use secured digital currencies that can only be used for VAT payments (single purpose) instead of***

Amendment

deleted

using fiat currency;

⁵⁴ Ainsworth, R. T., Alwohabi, M., Cheetham, M. and Tirand, C.: 'A VATCoin Solution to MTIC Fraud: Past Efforts, Present Technology, and the EU's 2017 Proposal', Boston University School of Law, Law and Economics Series Paper, No 18-08, 26 March 2018. See also: Ainsworth, R. T., Alwohabi, M. and Cheetham, M.: 'VATCoin: Can a Crypto Tax Currency Prevent VAT Fraud?', *Tax Notes International*, Vol 84, 14 November 2016.

Or. en

Amendment 564

Dariusz Rosati

Motion for a resolution

Paragraph 77

Motion for a resolution

77. Considers that one of the main issues allowing fraudulent behaviour in relation to VAT to occur is the 'cash profit' that a fraudster can make; calls, therefore, on the Commission to analyse the proposal made by experts⁵⁴ to place cross-border transactional data on a blockchain, ***and to use secured digital currencies that can only be used for VAT payments (single purpose) instead of using fiat currency;***

⁵⁴ Ainsworth, R. T., Alwohabi, M., Cheetham, M. and Tirand, C.: 'A VATCoin Solution to MTIC Fraud: Past Efforts, Present Technology, and the EU's 2017 Proposal', Boston University School of Law, Law and Economics Series Paper, No 18-08, 26 March 2018. See also: Ainsworth, R. T., Alwohabi, M. and

Amendment

77. Considers that one of the main issues allowing fraudulent behaviour in relation to VAT to occur is the 'cash profit' that a fraudster can make; calls, therefore, on the Commission to analyse the proposal made by experts⁵⁴ to place cross-border transactional data on a blockchain;

⁵⁴ Ainsworth, R. T., Alwohabi, M., Cheetham, M. and Tirand, C.: 'A VATCoin Solution to MTIC Fraud: Past Efforts, Present Technology, and the EU's 2017 Proposal', Boston University School of Law, Law and Economics Series Paper, No 18-08, 26 March 2018. See also: Ainsworth, R. T., Alwohabi, M. and

Cheetham, M.: 'VATCoin: Can a Crypto Tax Currency Prevent VAT Fraud?', Tax Notes International, Vol 84, 14 November 2016.

Cheetham, M.: 'VATCoin: Can a Crypto Tax Currency Prevent VAT Fraud?', Tax Notes International, Vol 84, 14 November 2016.

Or. en

Amendment 565

Emil Radev

Motion for a resolution

Paragraph 77

Motion for a resolution

77. Considers that one of the main issues allowing fraudulent behaviour in relation to VAT to occur is the 'cash profit' that a fraudster can make; calls, therefore, on the Commission to analyse the proposal made by experts⁵⁴ to place cross-border transactional data on a blockchain, ***and to use secured digital currencies that can only be used for VAT payments (single purpose) instead of using fiat currency;***

⁵⁴ Ainsworth, R. T., Alwohabi, M., Cheetham, M. and Tirand, C.: 'A VATCoin Solution to MTIC Fraud: Past Efforts, Present Technology, and the EU's 2017 Proposal', Boston University School of Law, Law and Economics Series Paper, No 18-08, 26 March 2018. See also: Ainsworth, R. T., Alwohabi, M. and Cheetham, M.: 'VATCoin: Can a Crypto Tax Currency Prevent VAT Fraud?', Tax Notes International, Vol 84, 14 November 2016.

Amendment

77. Considers that one of the main issues allowing fraudulent behaviour in relation to VAT to occur is the 'cash profit' that a fraudster can make; calls, therefore, on the Commission to analyse the proposal made by experts⁵⁴, to place cross-border transactional data on a blockchain;

⁵⁴ Ainsworth, R. T., Alwohabi, M., Cheetham, M. and Tirand, C.: 'A VATCoin Solution to MTIC Fraud: Past Efforts, Present Technology, and the EU's 2017 Proposal', Boston University School of Law, Law and Economics Series Paper, No 18-08, 26 March 2018 See also: Ainsworth, R. T., Alwohabi, M. and Cheetham, M.: 'VATCoin: Can a Crypto Tax Currency Prevent VAT Fraud?', Tax Notes International, Vol 84, 14 November 2016.

Or. bg

Amendment 566

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution
Paragraph 77 a (new)

Motion for a resolution

Amendment

77a. Recalls that VAT competences lie in the hand of both the EU institutions and the Member States; considers that a comprehensive strategy of modernising the operational VAT framework is needed; calls on all relevant authorities to use various statistical and data-mining technologies to identify anomalies, suspicious relationships and patterns, enabling tax agencies to better address a wide spectrum of noncompliance behaviours in a proactive, targeted and cost-effective way; underlines that such digitalisation is a complement to professional experience in the field;

Or. en

Amendment 567

Peter Simon, Arndt Kohn, Evelyn Regner, Mady Delvaux, Dietmar Köster, Olle Ludvigsson

Motion for a resolution
Paragraph 78 a (new)

Motion for a resolution

Amendment

78a. Calls on Member States to mandate Eurofisc to develop new strategies to track goods under Customs procedure 42, the mechanism which allows the importer to obtain a VAT exemption when the imported goods are intended to be eventually transported to a business customer in another Member State than the Member State of importation;

Or. en

Amendment 568

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 78 a (new)

Motion for a resolution

Amendment

78a. Highlights the importance of the implementation of a register of beneficial owners as an important tool to tackle VAT fraud; stresses the need and calls on Member States to create specialised units of police and tax services as well as to appoint specialised prosecutors and judges to deal with this type of fraud;

Or. en

Amendment 569

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 79 a (new)

Motion for a resolution

Amendment

79a. Recalls that effective cross checks of the data held by tax authorities with data held by customs authorities are crucial to detect and eliminate VAT fraud linked to imports; and recalls on Member States and on the Commission to act in order to facilitate the flow of information between tax and customs authorities regarding imports under Customs Procedure 42, as recommended by the European Court of Auditors^{1a}; considering that experience has shown that administrative cooperation between tax authorities is suboptimal;^{1b}

^{1a} P8_TA(2016)0453European Parliament resolution of 24 November 2016 on towards a definitive VAT system and fighting VAT fraud (2016/2033(INI))

^{1b} Study entitled 'VAT fraud: Economic impact, challenges and policy issues', European Parliament, Directorate-General for Internal Policies, Policy Department for Economic, Scientific and Quality of Life Policies, 15 October 2018.

Or. en

Amendment 570

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 79 b (new)**

Motion for a resolution

Amendment

79b. *Notes that among the most used crimes in VAT fraud, the one known as "Missing Trader fraud (MTIC fraud) or Carousel fraud" is the most widespread and most used; notes that a particularity of this fraud is that it is carried out, for the most part, by organized crime; notes that in recent years, this fraud has diversified to include online commerce; notes that the extension of this type of fraud to online commerce is partly due to the suboptimal cooperation between tax administrations^{1a}; calls for EU Member States and the European Commission to keep on developing swift cooperation between tax administrations;*

^{1a} Study entitled 'VAT fraud: Economic impact, challenges and policy issues', European Parliament, Directorate-

Or. en

Amendment 571

**Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric,
Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt
Carthy, Miguel Viegas**

Motion for a resolution

Paragraph 79 c (new)

Motion for a resolution

Amendment

79 c. Notes that the extension of e-commerce is posing an important challenge for the economic and fiscal authorities, to whom, this type of economic transactions, poses enormous difficulties, e.g. absence of registration, VAT declarations well below the real value of the declared transactions, ghost transactions for criminal purposes, fraudulent use of customer data; notes that national legislations continue to present enormous deficiencies in the control of e-commerce; notes that the improvement of cooperation between administrations and a more efficient use of the resources available at European level can help to reduce the impact of this type of crime and its consequences, as well as the improvement of European legislation;

Or. en

Amendment 572

**Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric,
Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt
Carthy, Miguel Viegas**

Motion for a resolution
Paragraph 79 d (new)

Motion for a resolution

Amendment

79d. *Notes that the "reverse charge mechanism" should be used only and exclusively in exceptional cases, and that the Commission and the Council should encourage countries to use existing resources more effectively; notes that at present, a group of bodies and institutions such as Eurofisc, OLAF, Europol or EPPO (European Public Prosecutor Office) provide a panel of options with a very high potential to combat VAT fraud;*

Or. en

Amendment 573

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz

Motion for a resolution
Paragraph 80

Motion for a resolution

Amendment

80. Calls on the Commission to investigate seriously the possibility of new fraud risks in the definitive VAT system, notably the potentially missing supplier in cross-border transactions supplanting the missing customer type of carousel fraud;

80. Calls on the Commission to investigate seriously the possibility of new fraud risks in the definitive VAT system, notably the potentially missing supplier in cross-border transactions supplanting the missing customer type of carousel fraud; ***stresses in this regard that the custom transit system can certainly facilitate trade within the EU however, abuses are possible and criminal organisations, by avoiding the payment of taxes and duties, may cause a huge loss both to Member States (mainly through avoiding VAT and excises) and the EU (avoiding VAT); calls therefore on the Commission to monitor the custom transit system and come with proposals building on recommendations notably by OLAF, Europol and Eurofisc;***

Amendment 574

Dariusz Rosati

Motion for a resolution

Paragraph 80

Motion for a resolution

80. Calls on the Commission to investigate seriously the *possibility* of new fraud risks in the definitive VAT system, notably the potentially missing supplier in cross-border transactions supplanting the missing customer type of carousel fraud;

Amendment

80. Calls on the Commission to investigate seriously the *possibilities* of new fraud risks in the definitive VAT system, notably the potentially missing supplier in cross-border transactions supplanting the missing customer type of carousel fraud;

Or. en

Amendment 575

Pirkko Ruohonen-Lerner

Motion for a resolution

Paragraph 80 a (new)

Motion for a resolution

Amendment

80a. Recalls that VAT fraud can also be used on a large scale for terrorist financing purposes; considers that combating terrorist financing is an effective way of thwarting the activities of terrorist organisations; points out that around 2% of those who commit VAT fraud make some 80% of the profits from crime, for which reason exchanges of information between the police, tax authorities and other authorities should be expedited, including in cross-border cases;

Or. fi

Amendment 576

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 80 a (new)

Motion for a resolution

Amendment

80a. Deplores that VAT fraud in the European Union reaches colossal magnitudes: approximately 150 billion euros in 2017; notes that the figure hide, however, huge differences between countries, from percentages of fraud of minor importance (less than 2%); to countries with fraud indicators of around 30%;^{1a}

^{1a} European Parliament; VAT Fraud, economic impact, challenges and policy issues. October 2018.

Or. en

Amendment 577

Werner Langen

Motion for a resolution

Paragraph 80 a (new)

Motion for a resolution

Amendment

80a. Regrets the hesitant approach of some Member States to the reverse charge system;

Or. de

Amendment 578

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds, Maite Pagazaurtundúa Ruiz, Louis Michel

Motion for a resolution
Paragraph 80 a (new)

Motion for a resolution

Amendment

80a. *Believes that a large majority of European citizens expect clear European and national legislation that enables those who do not pay the tax which they are due to pay to be identified, sanctioned and for the missing tax to be recuperated in a timely manner;*

Or. en

Amendment 579

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 80 b (new)

Motion for a resolution

Amendment

80b. *Notes that the preservation of VAT fraud has, in addition to the negative economic effects, perverse consequences for inadequate social commitment with the payment of taxes and with a view to improving tax justice;*

Or. en

Amendment 580

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 80 c (new)

80c. Regrets that tax fraud has become a crime whose effects are to be managed, rather than a crime to be suppressed; calls on the Commission and the EU Member States to have policy design as a guiding principle, and for such policy design to be driven by efficiency considerations; notes that when efficiency is focused only in the enforcement, but not in the policy design, the credibility of the tax system is undermined, representing a serious risk to the rule of law^{1a}

^{1a} *De la Feria, Rita (2018) 'Tax Fraud and the Rule of Law'; WP18/02; Oxford University Centre for Business Taxation; January 2018.*

Or. en

Amendment 581

Peter Simon, Evelyn Regner, Mady Delvaux, Dietmar Köster, Arndt Kohn, Virginie Rozière, Olle Ludvigsson

Motion for a resolution

Paragraph 81

Motion for a resolution

81. Emphasises that natural persons do not generally exercise their freedom of movement for the purposes of tax fraud, tax evasion and aggressive tax planning; underlines, however, that some natural persons have a tax base large enough to span several tax jurisdictions;

Amendment

81. Emphasises that natural persons do not generally exercise their freedom of movement for the purposes of tax fraud, tax evasion and aggressive tax planning; underlines, however, that some natural persons have a tax base large enough to span several tax jurisdictions; ***stresses that tax evasion is highly concentrated among the rich, with the 0.01% richest households evading about 25% of their taxes^{1a}***;

Or. en

Amendment 582

Miguel Urbán Crespo, Marisa Matias, Martin Schirdewan, Paloma López Bermejo

Motion for a resolution

Paragraph 81

Motion for a resolution

81. Emphasises that natural persons do not generally exercise their freedom of movement for the purposes of tax fraud, tax evasion and aggressive tax planning; underlines, however, that some natural persons *have a tax base large enough to span several tax jurisdictions*;

Amendment

81. Emphasises that natural persons do not generally exercise their freedom of movement for the purposes of tax fraud, tax evasion and aggressive tax planning; underlines, however, that some natural persons *with high income and/or high wealth use inconsistent definitions of tax residence, special regimes and insufficient enforcement within or beyond the EU to achieve double non-taxation of their income*;

Or. en

Amendment 583

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 81

Motion for a resolution

81. Emphasises that natural persons do not generally exercise their freedom of movement for the purposes of tax fraud, tax evasion and aggressive tax planning; underlines, however, that some natural persons *have a tax base large enough to span several tax jurisdictions*;

Amendment

81. Emphasises that natural persons do not generally exercise their freedom of movement for the purposes of tax fraud, tax evasion and aggressive tax planning; underlines, however, that some natural persons *with high income and/or high wealth use inconsistent definitions of tax*

residence, special regimes and insufficient enforcement within or beyond the EU to achieve double non-taxation of their income

Or. en

Amendment 584
Roberts Zile

Motion for a resolution
Paragraph 81

Motion for a resolution

81. Emphasises that natural persons do not generally exercise their freedom of movement for the purposes of tax fraud, tax evasion and aggressive tax planning; underlines, however, that some natural persons have a tax base large enough to span several tax jurisdictions;

Amendment

81. Emphasises that natural persons do not generally exercise their freedom of movement for the purposes of tax fraud, tax evasion and aggressive tax planning; underlines, however, that some natural persons **can** have a tax base large enough to span several tax jurisdictions;

Or. en

Amendment 585
Louis Michel

Motion for a resolution
Paragraph 81 a (new)

Motion for a resolution

Amendment

81a. Draws attention to the obligation under Article 8(2) of the European Convention on Human Rights (ECHR) to observe privacy laws at all times;

Or. fr

Amendment 586
Werner Langen

Motion for a resolution
Paragraph 82

Motion for a resolution

82. Regrets that high net worth individuals (HNWI) and ultra HNWI (UHNWI) continue to have the possibility to shift their earnings and funds or their purchases through different tax jurisdictions to obtain substantially reduced or zero liability by using the services of wealth managers and other intermediaries;

Amendment

deleted

Or. de

Amendment 587

Miguel Urbán Crespo, Martin Schirdewan, Marisa Matias, Paloma López Bermejo

Motion for a resolution
Paragraph 82

Motion for a resolution

82. Regrets that high net worth individuals (HNWI) and ultra HNWI (UHNWI) continue to have the possibility to shift their earnings and funds or their purchases through different tax jurisdictions to obtain substantially reduced or zero liability by using the services of wealth managers and other intermediaries;

Amendment

82. Regrets that high net worth individuals (HNWI) and ultra HNWI (UHNWI) continue to have the possibility to shift their earnings and funds or their purchases through different tax jurisdictions to obtain substantially reduced or zero liability by using the services of wealth managers and other intermediaries; *Further notes that the threat of evasion and avoidance have created a race to the bottom regarding taxation of wealth, inheritance and capital incomes visible in the fact that –even without all the loopholes and avoidance strategies – the headline rates for labour income are usually higher than for effortless income from wealth and capital throughout the EU;*

Or. en

Amendment 588

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 82

Motion for a resolution

82. Regrets that high net worth individuals (HNWI) and ultra HNWI (UHNWI) continue to have the possibility to shift their earnings and funds or their purchases through different tax jurisdictions to obtain substantially reduced or zero liability by using the services of wealth managers and other intermediaries;

Amendment

82. Regrets that ***even without shifting tax residence*** high net worth individuals (HNWI) and ultra HNWI (UHNWI) continue to have the possibility to shift their earnings and funds or their purchases through different tax jurisdictions to obtain substantially reduced or zero liability by using the services of wealth managers and other intermediaries; ***deplores that some EU Member States have implemented tax schemes to attract high net worth individuals and create space for double non-taxation;***

Or. en

Amendment 589

Alfred Sant

Motion for a resolution

Paragraph 82

Motion for a resolution

82. Regrets that high net worth individuals (HNWI) and ultra HNWI (UHNWI) continue to have the possibility to shift their earnings and funds or their purchases through different tax jurisdictions to obtain substantially reduced or zero liability by using the services of wealth managers and other intermediaries;

Amendment

82. Regrets that ***mainly as a result of the elimination of capital controls,*** high net worth individuals (HNWI) and ultra HNWI (UHNWI) continue to have the possibility to shift their earnings and funds or their purchases through different tax jurisdictions to obtain substantially reduced or zero liability by using the services of wealth managers and other intermediaries;

Or. en

Amendment 590
Barbara Kappel

Motion for a resolution
Paragraph 83

Motion for a resolution

Amendment

83. Notes with regret that corporate tax fraud, tax evasion and aggressive tax planning contribute to shifting the tax burden on to honest and fair taxpayers;

deleted

Or. en

Amendment 591
Alfred Sant

Motion for a resolution
Paragraph 83

Motion for a resolution

Amendment

83. Notes with regret that corporate tax fraud, tax evasion and aggressive tax planning contribute to shifting the tax burden on to honest and fair taxpayers;

83. Notes with regret that corporate tax fraud, tax evasion and aggressive tax planning contribute to shifting the tax burden on to honest and fair taxpayers; *notes though that this shift is also being achieved by budgetary policies that as in France, remain anchored on high taxation and high public expenditure levels which fail to deliver adequate returns that benefit the welfare of citizens;*

Or. en

Amendment 592
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 83

Motion for a resolution

83. Notes with regret that corporate tax fraud, tax evasion and aggressive tax planning contribute to shifting the tax burden on to honest and fair taxpayers;

Amendment

83. Notes with regret that corporate tax fraud, tax evasion and aggressive tax planning contribute to shifting the tax burden on to honest and fair taxpayers, ***undermining the social contract and requiring law-abiding citizens to contribute a higher proportion of their earnings to the exchequer, as well as increasing inequality between those benefiting from the schemes and those who do not;***

Or. en

Amendment 593

Pirkko Ruohonen-Lerner

Motion for a resolution

Paragraph 83

Motion for a resolution

83. Notes with regret that corporate tax fraud, tax evasion and aggressive tax planning contribute to shifting the tax burden on to honest and fair taxpayers;

Amendment

(Does not affect the English version.)

Or. fi

Amendment 594

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 83 a (new)

Motion for a resolution

Amendment

83a. Notes that the threat of tax evasion and avoidance has created a race to the bottom regarding taxation of wealth,

inheritance and capital incomes visible in the fact that – even without all the loopholes and avoidance strategies – the headline rates for labour income are usually higher than for effortless income from wealth and capital throughout the EU;

Or. en

Amendment 595

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 83 b (new)

Motion for a resolution

Amendment

83b. *Recognizes that low top marginal rates, whether on labour income or on capital income, incentivise certain behaviour from Chief Executive Officers that result in poorer corporate economic governance and increased income inequality;*

Or. en

Amendment 596

Lefteris Christoforou

Motion for a resolution

Paragraph 84

Motion for a resolution

Amendment

84. *Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;*

deleted

Or. el

Amendment 597

David Casa

Motion for a resolution

Paragraph 84

Motion for a resolution

Amendment

84. *Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;* **deleted**

Or. en

Amendment 598

David Coburn

on behalf of the EFDD Group

Raymond Finch

Motion for a resolution

Paragraph 84

Motion for a resolution

Amendment

84. *Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;* **deleted**

Or. en

Amendment 599

Barbara Kappel

Motion for a resolution
Paragraph 84

Motion for a resolution

84. ***Deplores*** the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, ***hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;***

Amendment

84. ***Expresses concern about*** the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits;

Or. en

Amendment 600
Louis Michel

Motion for a resolution
Paragraph 84

Motion for a resolution

84. Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;

Amendment

84. Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens; ***calls on the Member States to establish a model for society based on financial and tax solidarity, as well as on cooperation, with a view to combating tax fraud by, for example, imposing dissuasive, clear, and proportionate penalties when fiscal oversight by the proper authorities is impeded;***

Or. fr

Amendment 601
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 84

Motion for a resolution

84. Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;

Amendment

84. Deplores the fact that some Member States, ***such as Portugal***, have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens; ***these regimes offer benefits such as such as non-taxation of foreign possessions and income, lump-sum tax on foreign income, tax-free allowances on a part of incomes earn in the country, lower tax rate on pensions remitted to the country;***

Or. en

Amendment 602
Alfred Sant

Motion for a resolution
Paragraph 84

Motion for a resolution

84. Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;

Amendment

84. Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens; ***proclaims that on a Europe-wide basis, a register should be established by the European Commission to list and publicise objectively all such policies;***

Or. en

Amendment 603
Dariusz Rosati

Motion for a resolution
Paragraph 84

Motion for a resolution

84. Deplores the fact that some Member States have created tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;

Amendment

84. Deplores the fact that some Member States have created *opaque* tax regimes allowing non-nationals to obtain income tax benefits, hereby undermining other Member States' tax base and fostering harmful policies which discriminate against their own citizens;

Or. en

Amendment 604
Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution
Paragraph 84 a (new)

Motion for a resolution

Amendment

84a. Notes that corporation and wealth taxes play a crucial role in reducing inequality through redistribution within the tax system and in providing revenues to fund social provisions and social transfers;

Or. en

Amendment 605
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 84 a (new)

84a. *Reminds that the Commission in its communication of 2001 suggested to include special regimes for expatriates in its list of harmful tax practices¹ but has not provided any data on the scope of the problem since; calls on the Commission to reactivate its work on this issue and to start by collecting information on the users and costs of existing regimes, including the costs of double non-taxation of cross-border capital income that is usually ignored by cost estimates of national tax agencies.*

[1] COM (2001) 260: Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee Tax policy in the European Union - Priorities for the years ahead (<https://eur-lex.europa.eu/procedure/EN/164839>)

Or. en

Amendment 606

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

**Motion for a resolution
Paragraph 84 b (new)**

84b. *Calls on the Member States to eliminate gender gaps in wealth across the EU in terms of financial assets, property ownership, business assets, insurance entitlements, pension savings and stock options^{1a}; notes that the reduction in capital gains and property taxes primarily benefits men, as they are more likely to control such resources^{1b};*

^{1a} Action Aid. Making tax work for women's rights

^{1b} Institute of Development Studies (2016). Redistributing Unpaid Care Work – Why Tax Matters for Women's Rights. Policy Briefing. Issue 109.

Or. en

Amendment 607

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 84 c (new)

Motion for a resolution

Amendment

84c. Deplores the fact that, overall, the contribution of wealth-based taxes to overall tax revenues has remained rather limited, at 5.8 % of overall tax revenues in the EU-15 and 4.3 % in the EU-28^{1a};

^{1a} European Parliament Policy Department C, Gender equality and taxation in the European Union, 2017.

Or. en

Amendment 608

Miguel Urbán Crespo, Emmanuel Maurel, Marie-Pierre Vieu, Patrick Le Hyaric, Martin Schirdewan, Stelios Kouloglou, Marisa Matias, Paloma López Bermejo, Matt Carthy, Miguel Viegas

Motion for a resolution

Paragraph 84 d (new)

Motion for a resolution

Amendment

84d. Deplores the fact that the share of taxes on capital has shown a declining trend since 2002 as a consequence, inter alia, of the general tendency of no longer applying the regular personal income tax schedule to capital incomes, but rather taxing them at relatively moderate flat rates, observable in many Member States^{1a}

^{1a} European Parliament Policy Department C, Gender equality and taxation in the European Union, 2017.

Or. en

Amendment 609

Miguel Urbán Crespo, Martin Schirdewan, Marisa Matias, Paloma López Bermejo

Motion for a resolution

Paragraph 84 e (new)

Motion for a resolution

Amendment

84e. Recalls the Commission communication of 2001^{1a}, which suggested to include special regimes for expatriates in its list of harmful tax practices but has not provided any data on the scope of the problem since; Calls on the Commission to reactivate its work on this issue and to start by collecting information on the users and costs of existing regimes, including the costs of double non-taxation of cross-border capital income that is usually ignored by cost estimates of national tax agencies;

^{1a} COM (2001) 260: Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee Tax policy in the European Union - Priorities for the years ahead (<https://eur->

Amendment 610

Alfred Sant

Motion for a resolution

Paragraph 85

Motion for a resolution

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made;

Amendment

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; ***accepts that on the record of how citizenship and/or residency has been accorded in the past by European states, these schemes – whether one wants to approve them or not – are completely legal and legitimate; notes that in international economic practice, such schemes have a long history, such as for the US system by which green permanent residence cards were granted to non-citizens in exchange for investing and creating jobs in the US;*** observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made; ***notes that as an ongoing arrangement, Member States also regularly grant citizenship on grounds that are not publicised because they are carried out on an “in camera” and “private” basis, and are justified as following from considerations related to national security, acknowledgement of an individual's contribution to a country's welfare (even if the value of such a contribution is never publicly quantified), another arbitrary reasons that are***

basically of a political or economic nature;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Or. en

Amendment 611

Anne Sander

Motion for a resolution

Paragraph 85

Motion for a resolution

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; *observes* that these programmes *do not necessarily require applicants to spend* time on the territory *in which* the investment is made;

Amendment

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; *maintains* that these programmes *have to be governed by clear-cut conditions relating, for example, to the need to be physically present in a Member State and to make investments that benefit the real economy by promoting the economic development of the Member State concerned; deplores the fact that, in a great many cases, schemes of this kind are not strict enough and that there are no requirements attaching to the*

obligation of spending time on the territory *where* the investment is made;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled ‘Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU’, EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled ‘Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU’, EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Or. fr

Amendment 612

Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution

Paragraph 85

Motion for a resolution

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made;

Amendment

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as **golden** visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes **of state-facilitated corruption** do not necessarily require applicants to spend time on the territory in which the investment is made^{57a}; **acknowledges, however, that there is a difference between those schemes run on a large commercial scale and those contributing to legitimate and legal value creation;**

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled ‘Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU’, EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. ***At least 5000 non-EU citizens have obtained EU citizenship through citizenship by investment schemes.*** Source: study entitled ‘Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU’, EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

^{57a} In the OECD’s view, the visa schemes which are potentially high-risk for the integrity of the CRS are those that give a taxpayer access to a low personal income tax rate of less than 10 % on offshore financial assets, and do not require a significant physical presence of at least 90 days in the jurisdiction offering the golden visa scheme; is concerned that Malta and Cyprus have schemes among those that potentially pose a high risk to the integrity of CRS

Or. en

Amendment 613

Roberts Zile

Motion for a resolution

Paragraph 85

Motion for a resolution

85. ***Observes*** that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by

Amendment

85. ***Is concerned*** that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as ***golden*** visa or investor

which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes **do not necessarily** require applicants to spend time on the territory in which the investment is made;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes require applicants to spend **little or no** time on the territory in which the investment is made;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Or. en

Amendment 614 **Roberta Metsola**

Motion for a resolution **Paragraph 85**

Motion for a resolution

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; **observes** that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made;

Amendment

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; **deplores the fact** that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made, **or if they do, this obligation is not applied in practice**;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Or. en

Amendment 615

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 85

Motion for a resolution

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to **non-EU** citizens in exchange for financial investment; observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria,

Amendment

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to citizens, ***whether they are from EU or non-EU countries***, in exchange for financial investment; observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria,

Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Or. en

Amendment 616
Louis Michel

Motion for a resolution
Paragraph 85

Motion for a resolution

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Amendment

85. Observes that a majority of Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made, ***thus making it easier to enter the Schengen area without a passport;***

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Amendment 617
Werner Langen

Motion for a resolution
Paragraph 85

Motion for a resolution

85. Observes that *a majority of* Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Amendment

85. Observes that *II EU* Member States have adopted citizenship by investment (CBI) or residency by investment (RBI) schemes⁵⁷, generally known as visa or investor programmes, by which citizenship or residence is granted to non-EU citizens in exchange for financial investment; observes that these programmes do not necessarily require applicants to spend time on the territory in which the investment is made;

⁵⁷ 18 Member States have some form of RBI scheme in place, including four Member States that operate CBI schemes in addition to RBI schemes: Bulgaria, Cyprus, Malta, Romania. 10 Member States have no such schemes: Austria, Belgium, Denmark, Finland, Germany, Hungary, Poland, Slovakia, Slovenia and Sweden. Source: study entitled 'Citizenship by investment (CBI) and residency by investment (RBI) schemes in the EU', EPRS, October 2018, PE: 627.128; ISBN: 978-92-846-3375-3.

Amendment 618
Thierry Cornillet, Petr Ježek, Wolf Klinz, Nils Torvalds

Motion for a resolution
Paragraph 86

Motion for a resolution

Amendment

86. *Observes that at least 5 000 non-EU citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸ ;*

deleted

⁵⁸ See the above-mentioned study.

Or. en

Amendment 619

Alfred Sant

Motion for a resolution

Paragraph 86

Motion for a resolution

Amendment

86. Observes that at least 5 000 non-EU citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸ ;

86. Observes that at least 5 000 non-EU citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸ ; *recognizes from a security point of view, as this figure refers to citizenship granted over a number of years, it is quite puny compared to the residence citizenship influx within the EU from outside that ran into the millions into the same period;*

⁵⁸ See the above-mentioned study.

⁵⁸ See the above-mentioned study.

Or. en

Amendment 620

Pirkko Ruohonen-Lerner

Motion for a resolution

Paragraph 86

Motion for a resolution

Amendment

86. Observes that at least **5 000** non-EU

86. Observes that at least **5 000** non-EU

citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸;

⁵⁸ See the above-mentioned study.

citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸; ***notes that, according to a study published by Transparency International and Global Witness, at least 6 000 people have been granted citizenship and almost 100 000 residence permits have been issued;***

⁵⁸ See the above-mentioned study.

Or. fi

Amendment 621 **Roberts Zile**

Motion for a resolution **Paragraph 86**

Motion for a resolution

86. Observes that at least 5 000 non-EU citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸ ;

⁵⁸ See the above-mentioned study.

Amendment

86. Observes that at least 5 000 non-EU citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸ ; ***stresses that the potential financial benefits of these schemes are not reaped by the society as a whole and those benefits only occur in the Member States running the schemes, whereas the potential risks are shared by the Union as a whole;***

⁵⁸ See the above-mentioned study.

Or. en

Amendment 622 **Werner Langen**

Motion for a resolution **Paragraph 86**

Motion for a resolution

86. Observes that ***at least 5 000*** non-EU citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸;

⁵⁸ See the above-mentioned study.

Amendment

86. Observes that ***tens of thousands of*** non-EU citizens have obtained EU citizenship through citizenship by investment schemes⁵⁸;

⁵⁸ See the above-mentioned study.

Or. de

Amendment 623

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 86 a (new)

Motion for a resolution

Amendment

86a. Notes that Citizenship by investment and residency by investment schemes in Member States such as Latvia, Austria or the UK have been used by a significant number of actors originating from Russia and countries under Russian influence; deplores that the secrecy surrounding these money flows has significantly increased the political, economic and security risks for European countries, particularly the risks of money laundering.

Or. en

Amendment 624

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 86 b (new)

Motion for a resolution

Amendment

86b. Notes that CBI and RBI schemes offered by third countries might pose EU security risks regarding visa issuing, and may increase the potential for tax evasion; highlights that, according to the OECD, CBI and RBI schemes are even more problematic when implemented by low or no-taxation jurisdiction and when no minimum presence is required;

Or. en

Amendment 625
Alfred Sant

Motion for a resolution
Paragraph 87

Motion for a resolution

87. Stresses that CBI and RBI schemes carry **significant** risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Amendment

87. Stresses that CBI and RBI schemes **might** carry risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion **unless due diligence procedures are followed to vet applicants** ; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out, **but accepts that no evidence has been presented that such due diligence is not being carried out or that when it fails, appropriate corrective action is not being taken, such as by the revocation of the grant of citizenship**; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; **requests that similar investigations are carried out with regard to the granting of citizenship by Member States on the basis of “private” ad hoc arrangements, which are never publicised ; understands that for some states, CBI and RBI schemes are seen as**

tools by which to attract investment and counter the disadvantages of small size and/or peripherality when operating within a continental single market; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain *but that indeed it might be premature to factually launch wide-ranging and dogmatic conclusions, positive or negative, about CBI/RBI arrangements;*

Or. en

Amendment 626
Barbara Kappel

Motion for a resolution
Paragraph 87

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, including *a devaluation of EU citizenship and the potential for* corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Amendment

87. Stresses that CBI and RBI schemes carry significant risks, including potential corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Or. en

Amendment 627
Dariusz Rosati

Motion for a resolution
Paragraph 87

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Amendment

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; ***emphasizes that these schemes might serve as a possibility to escape EU sanctions, especially in the case of Russian citizens who were put on the sanctions list after the illegal annexation of Crimea and the aggression of Russia on Ukraine***; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Or. en

Amendment 628
Roberts Zile

Motion for a resolution
Paragraph 87

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, including ***a*** devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted

Amendment

87. Stresses that CBI and RBI schemes carry significant risks, including ***potential security risks***, devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or

through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes **remain uncertain**;

residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out, **leading to possibility whereby third country nationals which pose security risk or are of questionable reputation obtain a residence permit or EU citizenship**; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the **net economic benefits as well as sustainability and viability of the investments provided through these schemes are highly questionable**; notes **that some of these schemes have contributed to distortions in the local housing market**;

Or. en

Amendment 629 **Roberta Metsola**

Motion for a resolution **Paragraph 87**

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without **proper** or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Amendment

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU **and national** citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without **an effective** or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; **notes that no formal investigations directly related to CBI and RBI schemes have been launched in other**

EU Member States even when reports on clear cases of corruption have emerged;
underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Or. en

Amendment 630
Pirkko Ruohonen-Lerner

Motion for a resolution
Paragraph 87

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence *could* be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, *the economic sustainability and viability* of the investments provided through these schemes *remain uncertain*;

Amendment

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship, *threats to security* and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence *can* be granted through these schemes without proper or indeed any customer due diligence (CDD) *by the competent authorities* having been carried out; *points out that the requirements of the Fifth Anti-Money Laundering Directive (AMLD5) compelling obliged entities to consider persons who have submitted applications under CBI and RBI schemes as being high risk for purposes of the due diligence process, do not reduce the risks associated with such schemes and must not absolve Member States from their responsibility to establish, comply with and monitor enhanced customer due diligence*; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, *there is no evidence of economic benefits and sustainability* of the investments provided

through these schemes; *stresses that, as a result of freedom of movement, systemic risks affect all Member States*;

Or. fi

Amendment 631

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 87

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Amendment

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion *as well as security risks*; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out *by competent authorities*; *notes that the obligations contained in AMLD5 subjecting obliged entities to consider CBI or RBI applicants as a high-risk factor in the course of their due diligence process do not mitigate the risks associated with the schemes and should not constitute a way to absolve Member States from their responsibility to establish, abide by and monitor enhanced due diligence standards*; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain; *notes that one Member State's decision to implement CBI and RBI schemes have spillover effects on other EU Member States*;

Amendment 632
Monica Macovei

Motion for a resolution
Paragraph 87

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Amendment

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out ***by competent authorities; notes that the obligations contained in AMLD5 subjecting obliged entities to consider CBI or RBI applicants as a high-risk factor in the course of their due diligence process do not mitigate the risks associated with the schemes and should not constitute a way to absolve Member States from their responsibility to establish, abide by and monitor enhanced due diligence standards***; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Amendment 633
Emil Radev

Motion for a resolution
Paragraph 87

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its **concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out**; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, **at the same time**, the economic sustainability and viability of the investments provided through these schemes **remain uncertain**;

Amendment

87. Stresses that CBI and RBI schemes **can** carry significant risks **if they are not checked and monitored**, including a devaluation of EU citizenship and the potential for corruption, money laundering and tax evasion; reiterates its **view that proper customer due diligence should be carried out for the implementation of these schemes as they may result in the granting of citizenship or the right to residence in the European Union**; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that **a guarantee should be provided of the economic sustainability and viability of the investments provided through these schemes**;

Or. bg

Amendment 634 **Louis Michel**

Motion for a resolution **Paragraph 87**

Motion for a resolution

87. Stresses that CBI and RBI schemes carry significant risks, **including** a devaluation of EU citizenship **and** the potential for corruption, money laundering and tax evasion; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at national and EU level directly related to CBI and RBI schemes; underlines that, at

Amendment

87. Stresses that CBI and RBI schemes carry significant risks, **such as** a devaluation of EU citizenship, **a new form of competition within the EU**, the potential for corruption, money laundering and tax evasion, **and the security risks which that entails**; reiterates its concern that citizenship or residence could be granted through these schemes without proper or indeed any customer due diligence (CDD) having been carried out; notes that several formal investigations into corruption and money laundering have been launched at

the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

national and EU level directly related to CBI and RBI schemes; underlines that, at the same time, the economic sustainability and viability of the investments provided through these schemes remain uncertain;

Or. fr

Amendment 635

Peter Simon, Evelyn Regner, Mady Delvaux, Dietmar Köster, Arndt Kohn, Olle Ludvigsson

Motion for a resolution Paragraph 87 a (new)

Motion for a resolution

Amendment

87a. Alerts for the dangers of CBI and RBI schemes allowing associated family reunification, whereby family members of CBI/RBI beneficiaries can acquire residence or citizenship with minimum or no checks;

Or. en

Amendment 636

Emil Radev

Motion for a resolution Paragraph 88

Motion for a resolution

Amendment

88. Notes that these programmes regularly involve tax privileges or special tax regimes for the beneficiaries; ***is concerned that these privileges could hamper the objective of making all citizens contribute fairly to the tax system;***

88. Notes that these programmes regularly involve tax privileges or special tax regimes for the beneficiaries;

Or. bg

Amendment 637
Alfred Sant

Motion for a resolution
Paragraph 88

Motion for a resolution

88. Notes that these programmes regularly involve tax privileges or special tax regimes for the beneficiaries; is concerned that these privileges could hamper the objective of making all citizens contribute fairly to the tax system;

Amendment

88. Notes that these programmes regularly involve tax privileges or special tax regimes for the beneficiaries; ***understands that such tax treatment if and when given, has to be evaluated against the background of the financial commitment that applicant beneficiaries are being asked to make***; is concerned that these privileges could hamper the objective of making all citizens contribute fairly to the tax system ***but accepts that no factual evidence that such is the case has been made available***;

Or. en

Amendment 638
Werner Langen

Motion for a resolution
Paragraph 88

Motion for a resolution

88. ***Notes*** that these programmes regularly involve tax privileges or special tax regimes for the beneficiaries; is concerned that these privileges ***could hamper*** the objective of making all citizens contribute fairly to the tax system;

Amendment

88. ***Takes exception to the fact*** that these programmes regularly involve tax privileges or special tax regimes for the beneficiaries; is concerned that these privileges ***aim to thwart*** the objective of making all citizens contribute fairly to the tax system;

Or. de

Amendment 639
Roberts Zile

Motion for a resolution
Paragraph 88

Motion for a resolution

88. Notes that these programmes regularly involve tax privileges *or* special tax regimes for the beneficiaries; is concerned that these privileges could hamper the objective of making all citizens contribute fairly to the tax system;

Amendment

88. Notes that these programmes regularly involve tax privileges, special tax regimes *or other privileges* for the beneficiaries *and in some cases their families*; is concerned that these privileges could hamper the objective of making all citizens contribute fairly to the tax system *and the society*;

Or. en

Amendment 640

Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 88 a (new)

Motion for a resolution

Amendment

88a. Deplores that the financial benefits of such schemes accrue to a limited number of Member States whereas the potential costs of providing services to those who buy them may be borne by other states, creating an injustice across the Union;

Or. en

Amendment 641
Werner Langen

Motion for a resolution
Paragraph 89

Motion for a resolution

Amendment

89. Worries that there is *very little*

89. Worries that there is *no*

transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; *appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;*

transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes;

Or. de

Amendment 642
Alfred Sant

Motion for a resolution
Paragraph 89

Motion for a resolution

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Amendment

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; *worries too about the total lack of transparency about the granting of citizenship by countries that on the side of CBI/RBI schemes or without operating such schemes, grant citizenship on an ad hoc, “private” manner;* appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Or. en

Amendment 643
Molly Scott Cato, Sven Giegold, Eva Joly, Ernest Urtasun, Max Andersson, Jordi Solé
on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 89

Motion for a resolution

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; ***appreciates the fact that some*** Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Amendment

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; ***notes that only a minority of*** Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes; ***calls on the Member States implementing these schemes to publish and share with other EU countries the names of all applicants, or at least the names of the politically exposed persons;***

Or. en

Amendment 644

Pirkko Ruohonen-Lerner

Motion for a resolution

Paragraph 89

Motion for a resolution

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; ***appreciates the fact that some*** Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Amendment

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; ***observes that only a few*** Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes; ***calls on all Member States currently providing CBI and RBI to increase their transparency in this regard as soon as possible;***

Or. fi

Amendment 645
Monica Macovei

Motion for a resolution
Paragraph 89

Motion for a resolution

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; ***appreciates the fact that some*** Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Amendment

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; ***notes that only a minority of*** Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes; ***calls on all other Member States that have implemented CBI and RBI schemes to adopt and implement transparency measures in this sense;***

Or. en

Amendment 646
Roberta Metsola

Motion for a resolution
Paragraph 89

Motion for a resolution

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Amendment

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes; ***urges other Member States, such as Malta, to provide stand-***

alone lists of individuals who made use of cash-for-citizenship schemes and those who received citizenship through naturalisation;

Or. en

Amendment 647
Barbara Kappel

Motion for a resolution
Paragraph 89

Motion for a resolution

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Amendment

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes; ***calls on the other Member States to be equally transparent in this field;***

Or. en

Amendment 648
Roberts Zile

Motion for a resolution
Paragraph 89

Motion for a resolution

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; appreciates the fact

Amendment

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes ***or the origin and***

that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

legality of the funding; appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Or. en

Amendment 649
Emil Radev

Motion for a resolution
Paragraph 89

Motion for a resolution

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes; appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Amendment

89. Worries that there is very little transparency in relation to the number and origin of applicants, the numbers of individuals granted citizenship or residency by these schemes and the amount invested through these schemes *in some Member States*; appreciates the fact that some Member States make explicit the name and nationalities of the individuals who are granted citizenship or residency under these schemes;

Or. bg