1.6.2016

**Amendment 99**

**Eva Joly**
on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 4 – paragraph 2**

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**Text proposed by the Commission**

2. Exceeding borrowing costs shall be deductible in the tax year in which they are incurred only up to 30 percent of the taxpayer’s earnings before interest, tax, depreciation and amortisation (EBITDA) or up to an amount of EUR 1 000 000, whichever is higher. The EBITDA shall be calculated by adding back to taxable income the tax-adjusted amounts for net interest expenses and other costs equivalent to interest as well as the tax-adjusted amounts for depreciation and amortisation.

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**Amendment**

2. Exceeding borrowing costs shall be deductible in the tax year in which they are incurred only up to 15 percent of the taxpayer’s earnings before interest, tax, depreciation and amortisation (EBITDA) or up to an amount of EUR 2 000 000 whichever is higher. The EBITDA shall be calculated by adding back to taxable income the tax-adjusted amounts for net interest expenses and other costs equivalent to interest as well as the tax-adjusted amounts for depreciation and amortisation.

Or. en
Amendment 100
Eva Joly
on behalf of the Verts/ALE Group

Report
Hugues Bayet
Rules against certain tax avoidance practices

Proposal for a directive
Article 4 – paragraph 2 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
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<tr>
<td>2a. The amount of EUR 2 000 000</td>
<td>Or. en</td>
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<td>shall be applicable to the group</td>
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<td>as a whole.</td>
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EN United in diversity