

Inaugural speech
at the European School of Advanced Fiscal Studies
Bologna, 11 January 2008

Steering Brief

The Commissioner has been invited by the European School of Advanced Fiscal Studies in Bologna (Scuola Europea di Alti Studi Tributari) to deliver an inaugural speech on "Company taxation in Europe and CCCTB: current state of play and future perspectives".

The European School of Advanced Studies in Bologna have been recently set up. The European School has its own statute, integrated with Bologna University's one, with administrative and financial autonomy.

Several universities in Europe are members of the Bologna school (university Robert Schuman in Strasbourg, the Katholieke Universiteit Tilbourg in the Netherlands, the University Castilla-La Mancha in Spain and the University of Bourgogne in France).

The School guarantees the implementation of Bologna declaration for the harmonisation of three phases of university education in Europe.

Mr Micossi (former director general of industry at the EU Commission and currently director general of ASSONIME) may attend the event (see programme) and may take the floor to criticise the CCCTB project.

In March 2006, in an article bearing the title 'What corporate tax for Europe' he had vehemently criticised the CCCTB project, using many misleading arguments and creating the false impression that he could speak on behalf of the Commission, given his former position.

Some correspondence between Mr Micossi and DG Taxud is enclosed for information on his main points.

In attachment you will find the following documents:

- the article written by Mr Micossi,
- the letter send by Taxud,
- the counter reaction by Mr Micossi
- internal note summarizing his new points and concluding that no further reply was needed.

Speech
Company taxation in Europe and CCCTB: current state of play and future perspectives

Ladies and gentlemen,

I am very pleased and honoured to have the opportunity to say a few words at the launching of the European school of advanced fiscal studies of Bologna. But first of all I shall express apologies on behalf of Commissioner László Kovács, who for unforeseen reasons can not be present today. I shall also express his best wishes for you and for the newly established European school of advanced fiscal studies of Bologna.

I particularly welcome the potential contribution that such an EU tax law school will make to the diffusion of the EU tax law in the Member States and in the rest of the world. This will be achieved by organizing specific programs for young students and researchers from the new Member States and through the participation of foreign universities in the activities of the school, the exchange of researchers and the development of common research programs.

I also welcome this type of initiative in general as EU tax law will grow in terms of importance for tax administrations and tax judges in the coming years.

This need for an improved diffusion of tax law knowledge and competences leads on to the Common consolidated corporate tax base (CCCTB) I would like to cover today. I am almost sure that this issue will become very soon the future framework of profit taxation and thus a suitable topic for tax studies in this university and in others.

Before coming to a detailed presentation of this project, let me recall quickly the perspectives of European tax policy and explain why the CCCTB constitutes the key project.

(Taxation policy in the revised Lisbon strategy)

As you know, the 2005 Spring European Council has endorsed a new start for the so-called 'Lisbon strategy', with a focus on growth, competitiveness and jobs.

A major priority of the European Union is to improve its competitiveness while preserving its social model, based on a high level of social protection coupled with high levels of public goods.

Meeting the Lisbon objectives implies ensuring that Europe is made a more attractive place in which to invest and work; promoting knowledge and innovation; and shaping policies that allow European businesses to create more and better jobs.

In a Communication adopted in October 2005, the European Commission highlighted how taxation and customs policies can contribute to the attainment of the growth and jobs objectives. In particular, sound tax policies can contribute to raising the efficiency of our economies and the competitiveness of our companies.

At present, EU enterprises have to deal with up to 27 different tax systems. The European Single market is thus impeded by tax obstacles such as double taxation, high compliance costs, tax costs involved in business restructuring and, in general, tax measures which induce firms to invest and operate domestically rather than in another EU Member State.

DG Taxud has been able to show that there are significantly higher tax compliance costs for companies operating across borders in the EU than for those acting solely within one Member State. Since one of the corner stones of European integration is the creation of one single market for all the EU countries, we are very keen on ensuring that companies expanding beyond their national borders are not put at a disadvantage compared to domestic companies.

Tax barriers can be considered comparable to technical barriers the relief from which can induce liberalisation effects. Moreover, compliance costs constitute, in general terms, a pure deadweight loss, as they correspond to unproductive and recurrent activities.

The removal of such obstacles would allow businesses to make sounder economic choices that are based on the productivity of factors and are less distorted by the influence of certain extra costs. This would lead to an increase in the output of the economies of European Member States. This, in turn, would result in welfare gains.

Let me now turn to our concrete initiatives in the corporate tax area.

(Comprehensive and targeted measures to dismantle tax obstacles in the Single Market)

To address the problems arising from the coexistence of 27 different tax systems and in order to improve the competitiveness of the EU business, the European agenda in the field of corporate taxation includes both comprehensive and targeted policy measures.

(Targeted measures)

Targeted measures, which address specific tax problems, are foreseen in order to eliminate specific tax obstacles thus simplifying the tax environment and creating a level playing field. However, although these targeted measures will go some way to relieve some of the obstacles, only a comprehensive approach via the introduction of the CCCTB can provide the largest overall benefits as regards the problems related to the taxation of companies' profits in the Internal Market.

You will be familiar with the targeted measures that the Commission has been implementing over the last few years such as the improved Parent/subsidiary and Merger Directives and the establishment of the Joint Transfer Pricing Forum and its ongoing work.

(Targeted measures: coordination)

Alongside these developments you will also have been aware of the growing number of decisions by the European Court of Justice (ECJ) in the field of company taxation and the effects these have had on Member States' taxation systems. To conduct taxation policy by resort to individual tax cases has never been a desired, or efficient course of action and that is one of the reasons why we came forward with our proposals for coordination between tax systems.

The first areas we looked at concerned loss relief and 'exit' taxation and more recently the area of anti-abuse measures – all of which are areas where the ECJ has been instrumental in forcing change. Unfortunately the ECJ can do no more than say what is not permitted under the Treaty and cannot develop a new tax policy itself. This leads to the unsatisfactory state of affairs whereby individual Member States are left to contemplate a series of complex decisions which they are forced to react to in a 'piecemeal' way without any coordination across the EU. The reactions from Member States to the Commission's Coordination Communications have been positive and this will continue into specific actions. However, these initiatives will not

address the roots of the problems and we therefore need a comprehensive solution, such as the Common Consolidated Corporate Tax Base.

(Comprehensive solution: CCCTB)

This comprehensive solution aims at eliminating in the longer term, most of the corporate tax obstacles faced by EU firms when operating in the European single market.

This project is an answer to a need expressed by three EU institutions and the business community at EU level.

The Commission identified the tax obstacles as long ago as 2001 and we have specific problems with specific tax provisions as highlighted by the ECJ. However, we also have other Community institutions pressing for action on a Community level. The European Parliament in several reports and the Economic and Social Committee have both called for action on company taxation in the last couple of years, highlighting in particular the opportunities offered by the CCCTB.

Certainly the business world is also constantly raising the difficulties that they experience in the Internal Market as a result of the tax obstacles.

In addition several Member States have individually expressed interest in Commission work in this area.

Our response to this was to establish the Working Group on the CCCTB. The Commission has issued two Communications, in April 2006 and again in May 2007 outlining progress and concluding that a legislative proposal should be presented in 2008.

However, there is still plenty of work to be done. There is not yet 100% support for a single particular course of action, but then that should not be a surprise. The issues are complex and there is not a single solution. That is why we continue to work on the targeted issues alongside the comprehensive ones. However, as regards the CCCTB when the issue was discussed in the June 2007 ECOFIN, I think that we can be pleased by the degree of support for this ambitious project. However to take a firm decision on the project, the Member States are keen to examine as soon as possible the legislative proposal to be adopted by the Commission.

DG Taxud have responded by presenting at the Working Group Meeting in September 2007 a relatively detailed outline of some of the major principles for the common base and the consolidation mechanism, and a month ago two other outlines: one on the sharing mechanism and the other on the administrative framework.

In common with all our work in this area we have been transparent – the papers have been published on the DG Taxation and Customs Union web-site and we are seeking comments from all interested parties. We also had a discussion with Member State experts and, in

December also with academics and business representatives, which was encouraging and we have received a significant number of written comments.

The comprehensive approach we are following is that of the CCCTB – an optional, broad consolidated tax base with an emphasis on simplicity and efficiency. And, because we do not see the need for action on tax rates, one which does not involve any proposals on tax rates. We believe that this offers the greatest benefits for the EU as a whole, reducing compliance costs, removing many of the difficulties caused by intra group transfer pricing, enabling cross border loss relief and generally creating a framework in which enterprise can flourish.

(Broad outline of the CCCTB)

Let me now tell you a few words on the technical aspects of the future common base.

First, we are looking to propose a broad tax base which is as simple to operate as possible, without of course opening up opportunities for companies to escape the taxation of their profits.

We want it to be significantly more straightforward to operate under one common tax base than under the current 27 different bases.

Second, we want it to be consolidated. Consolidation is important for two main reasons – (1) it helps to resolve the problems created by the absence of cross border loss relief and (2) it will help us simplify the current problems caused by the complexities of applying the arms length pricing method to transactions between group companies within the single market.

This means we have to design a method of 'sharing out' the consolidated base between Member States for them to tax at their chosen rates but I firmly believe we will be able to design a method that is simpler than the current one.

Third, we believe it should be optional. In other words we are not proposing a single tax base to be used exclusively throughout Europe. Of course for companies who opt for the CCCTB it will be their 'single' tax base; but it is not for the Commission to propose a compulsory new tax base for all companies in the EU. We intend to propose a tax base which Member States must make available to eligible companies who wish to choose it. However, whether Member States continue with their existing tax base alongside the CCCTB, in particular for companies who operate only within their territory, is for Member States to decide for themselves.

One final point on optionality, I should add that we will not be suggesting a choice every year for every company – the choice will be for a whole group to decide, for a number of years.

(On the working document "possible technical outline")

I do not think this is the occasion to enter into detailed technical debate but nevertheless I should like to highlight some of the most important areas covered by the working document presenting the possible technical outline of the common base that was discussed for the first time at the Working group meeting last September and deliberate on the other two technical outlines presented at the December meeting.

First, the document explains the legal form that the new tax base should take – a Directive, and explains in some detail the entities to be covered and who would be eligible to opt for the CCCTB. The document covers the basic rules for a single company, a company with branches and groups of companies which qualify for consolidation.

It does not at this stage cover the particular situation of financial institutions which, we currently believe, need special consideration in some areas and we will be addressing this in the coming months. We do want the CCCTB to cover financial institutions but we have to recognise that we cannot progress on 'all fronts' at the same pace.

Nevertheless, it is the current intention that when the CCCTB is implemented it should include appropriate rules for financial institutions.

Second, another area I should draw your attention to is the relationship of the tax base to the financial accounts. The rules for the CCCTB to be included in a future draft Directive would define the tax base itself. Although these rules will in many cases be inspired by the International Accounting Standards, we must recognise that companies will potentially be starting from accounts prepared under 27 different national accounting rules. We will not therefore define the adjustments that would be necessary to move from accounting records to the tax base – there are too many different possibilities – but the base itself, the end result.

Third, as regards the territorial scope, in order to make the CCCTB as complete as possible, and to avoid having some types of income still subject to many different national treatments, the working document suggests that the CCCTB should cover the foreign income of tax payers. However, unless this is subject to extremely low rates of tax, such as those in some 'tax havens', we believe it should be exempted from taxation in order to avoid double taxation.

Fourth, the paper explains in detail how consolidation could work – for example, which companies would form part of a consolidated group, which companies would have to remain outside a group and continue to be dealt with on an arm's length basis.

(On the working document "possible outline of a sharing mechanism")

Concerning the sharing mechanism, we are currently considering a three factor allocation keys based on assets, labour and sales by destination. We insist on the need for a uniform formula for all MS and express support for a labour factor based both on the amount of wages and on headcount (number of employees). Regarding the asset factor, we explain that the inclusion on intangibles would have many drawbacks and stress that the value of the intangible is very likely to be reflected in other factors. Finally we are convinced that sales by destination are conceptually and practically superior to sales measured at origin.

(On the working document "possible outline of an administrative framework")

As regards the administrative framework possible outline, we strongly underline the need for a "one stop shop" approach where a principal taxpayer would have the primary responsibility to submit all the supporting documentation to a principal tax administration, which would be then in charge of disseminating the information to the other involved tax administrations. We are aware that some key elements of the administrative framework will need to be harmonised (deadlines for option, submission of tax return, statute of limitation etc) but for others the existing architecture in the Member States (like the judicial system) will remain in use as well as on the EU level (ECJ). A high

level of coordination between involved tax administrations will be necessary (especially regarding the tax audits to be carried out at the local level in each Member State where a group operates).

There are more than just the technical details to consider. We need to ensure that what we are going to propose, in addition to being technically 'fit for purpose', is also acceptable and capable of support from both Member States and business. As regards business I was particularly struck by a recent survey carried out by KPMG which reported significant business support for the CCCTB: almost 80 % of interviewees. Taken together with the results of ongoing discussions and meetings DG Taxud has with business representatives, I believe that business is ready for the CCCTB, indeed even anxious to see a formal proposal.

So, we have institutional interest (the Parliament and Economic and Social Committee), ongoing technical input from a range of tax professionals and growing interest from business. And we are beginning to bring together our technical ideas – as evidenced by the recent working document on a technical outline.

At the last December working group meeting, we included a day and a half of discussion with invited representatives from business and academia – an 'extended' meeting with Member State experts following on from the successful extended meetings we held in 2006

and 2005. Some experts of the sharing mechanism currently in place in the US participated in the meeting and provided a significant and impressive input especially on the sharing mechanism to apply in the CCCTB.

An additional aspect of the work is our Impact Assessment. In common with all significant Commission legislative proposals, the CCCTB proposal will be accompanied by a detailed impact assessment in which we will examine a number of different ways of resolving the obstacles. This is a major exercise and we are seeking the assistance of Member State tax administrations, business and academic experts. In addition, we have drafted a questionnaire on administrative costs and are actively seeking a Ministry to test out the questionnaire before we ask all Finance Ministries to complete it. Only when the Impact Assessment is completed will we be in a position to make a formal proposal. This Assessment is particularly important because the CCCTB generates strong feelings in some parts of the EU.

(Opposition to the CCCTB project)

I do not wish to dwell on the arguments against the CCCTB put forward in the press by a few parties. Not because I do not see the need to address their concerns, but more because I find it difficult to understand why some commentators wish to take such a firm position before they have seen the proposal. To be so vehemently opposed to something which has not yet been proposed strikes me as premature. It

would be more constructive to put forward ideas on how the CCCTB can meet the needs of Europe rather than just saying 'I don't like it', 'It won't work etc'. Just look at the obstacles which our companies are suffering from!

In my opinion, no one can deny that today the mission of the EU is to meet the expectation of nearly 500 million citizens, who want to have better life, more security, more solidarity and sustainability.

In order to be able to meet this expectation, we have to tackle the global challenges, first of all we have to be successful in the global competition against the United States, China, Japan, Russia, India and others. So competitiveness is of paramount importance for the EU. I know that there is already a great deal of support for the CCCTB from Member States and I believe that, as our work progresses, this will further increase. I am convinced, that only a common base with consolidation and apportionment will guarantee the full economic benefits of the internal market for nearly 500 million consumers. Anything less, for example a common base without consolidation would seriously reduce the attractiveness and the economic efficiency of a proposal. It would represent a very modest response to what I believe is a serious issue which demands a bold and comprehensive response. I hope all Member States will eventually be convinced, and that is one of the reasons why we are working on a proposal for all Member States.

However, if no unanimous agreement can be reached within a reasonable period of time in the Council, then as a last resort,

consideration would have to be given to making use of the enhanced cooperation procedures in the Treaty. Under this approach providing certain conditions are met a group of Member States can adopt legislation to apply only to themselves; thereby avoiding being 'vetoed' from taking action.

I think this is worth reminding but today it is too early to envisage such an extreme procedure. The aim is for now to concentrate on the preparation of a proposal able to fit all MS.

The next few months will be particularly important as we begin the process of drafting possible legislative articles.

This is where you and your colleagues come in. Our work on the CCCTB has been carried out in transparency. All the working documents of the Working Group have been made available on our website, including several detailed submissions and opinions from industry groups. Now that we have begun to bring these together – I am thinking in particular of the documents we discussed at the Working Group in September and in December – you have a further opportunity to give us your views.

So, please, if you are interested in the CCCTB and the opportunities it can offer to businesses in the EU, then do take the time to look at the

papers on our website. The next few months are of great importance for the CCCTB.

This year, we will then be on 'the home straight' as far as our work on the CCCTB goes, finishing with our proposal later in September 2008.

We will be examining in detail the impacts of a range of possible proposals, and reporting on our findings in a formal Impact Assessment.

In conclusion ladies and gentlemen, we believe this project is a key part of the future of Company Taxation in Europe and will help the EU to achieve its ambitions for economic growth and prosperity. The CCCTB represents an excellent opportunity to simplify tax systems, improve the competitiveness of the EU as a place to do business and therefore to make an important contribution to reaching the Lisbon objectives of growth, employment and competitiveness. Objectives which are supported across the EU.

Ladies and gentlemen, thank you for listening so patiently, and I wish good luck to the European school for tax studies of Bologna.

Defensive points (Questions and Answers)

Is it true that your directorate has committed itself to carry out a "low profile policy" as regards the CCCTB project in order to take into account the concerns raised in Ireland in the context of the ratification by referendum of the Lisbon Treaty?

Why has the reference to a legislative proposal been removed from the Commission's Legislative and Work Programme for 2008?

As foreseen in the Commission's Legislative and Work Programme for 2008 work will continue in order to establish an EU-wide tax base. An impact assessment has been launched to examine the options and their implementation.

The need for a thorough technical preparation has always been our priority in this project.

Our ambition is still to present a legislative proposal in 2008 and there is no particular need for proposals to be mentioned in the annexes to the work programme.

Regarding the reported concerns in some MS, I would just add that instead of raising artificial concerns, it would be better to comment on what could improve the content of the future proposal itself rather than just criticise and attempt to raise concerns. Moreover, it does not make much sense to campaign against a proposal which is not tabled yet and thus to have a firm position on something that does not exist yet.

In conclusion, we are committed to the CCCTB project and see no reason why this technical work should impact on the ratification process of the Lisbon treaty in any MS.

Do you have evidence of the costs incurred by companies due to the existence of different national corporation tax systems?

The Commission Services recently conducted a European Tax Survey which confirms our general analysis of tax-induced compliance costs in the EU. The survey indicates that compliance costs related to taxation represent an amount equivalent to 1.9% of taxes paid for large companies and a considerably higher amount for small and medium sized companies. Overall, companies with cross-border activities are significantly more sensitive to taxation when deciding the financial and legal structure of their operations than those who are active only in one country.

Background

- Scene setting

The Commission's policy of working towards a CCCTB dates back to 2001¹ and was confirmed in 2003². The main aim of a CCCTB is to address the corporate tax obstacles and tax-induced inefficiencies in the Internal Market. The policy was linked explicitly to the Lisbon goals in the October 2005 Communication³ on the Implementation of the Community Lisbon Programme and it is now a political objective to present a Community legislative measure in 2008. It does not include any action on tax rates.

- CCCTB in summary

In summary a CCCTB will enable companies operating in the Internal Market to follow the same rules for calculating their tax base across the EU, rather than in accordance with up to the existing 27 systems, thereby improve efficiency and reduce compliance costs. This may also resolve the problems which some MS currently have with their tax systems contravening the Treaty and the consequential adverse rulings by the European Court of Justice.

- CCCTB & IAS/IFRS

The compulsory use of International Financial Reporting Standards ("IFRS", formerly IAS) by the 7,000 listed companies in the EU from 2005 was identified as potentially useful for work on the CCCTB. However, more emphasis should be placed on their role as a 'tool' for use in discussion to avoid the misapprehension that IFRS accounts could themselves represent the tax base without any adjustments.

- Working group & 6 technical sub-groups

In July 2004 a 'non-paper' was presented by the Commission and discussed at the informal ECOFIN in September 2004 with the aim of gauging the level of support for further work. Specifically, the open commitment by at least eight MS to participate in further work was sought (eight being the minimum required for any eventual recourse to enhanced cooperation). The discussions revealed broad support among MS for the creation of a Commission Working Group.

A Working Group dealing with the CCCTB was established in autumn 2004 and met for the first time in November 2004. Now the group is fully active and there will be about four meetings of the CCCTB main Working Group per year. It has been supplemented by six technical sub-groups, five chaired by Member States (Germany on assets, Italy on provisions, France on taxable income, Spain on international aspects and Denmark on group taxation) and one chaired by the Commission (on the sharing mechanism).

The CCCTB Working Group is composed of MS' tax experts and chaired by the Commission services. Experts from business and academia contribute to the work of the Working Group by means of written contributions and the CCCTB Working Group held four 'extended'

¹ Communication COM(2001)582 and SEC(2001)1681

² Communication COM(2003)726

³ Communication COM(2005) 532 'Implementation of the Community Lisbon Programme, the Contribution of Taxation and Customs Policies to the Lisbon Strategy'

meetings (i.e. open to interested parties) in December 2005, June 2006⁴ and December 2006 and in December 2007.

At the first meeting of the CCCTB Working Group a tentative work programme was agreed. Four main categories of work were identified (general issues, structural technical elements of the tax base, structural legal aspects, and consolidation at group level and allocation of the tax base).

The work carried out by the sub-groups was broadly completed in 2006 and 2007. All major issues have been tabled, although important decisions have to be taken whenever two or more options are available; in this respect the work carried out has to be revisited and fine-tuned taking into account the inter-relations with other elements of the tax base.

- Most recent WG meeting

The most recent meeting of the Working Group took place on 11, 12 and 13 December 2007 where an outline of the tax base and of the consolidation mechanism, an outline of the sharing mechanism and an outline on the administrative framework were examined.

As in 2005 and 2006, the working group meeting was partly held in extended format to include representatives of the business community and academics. On the last day the WG held a session in classical format (experts sent by MS only). The working documents were generally well received.

- Political issues and political level kept informed

A number of political issues will have to be resolved before such a base can be introduced (e.g. optionality, consolidation, enhanced cooperation).

In parallel with the technical discussions among experts from MS, the Commission intends to keep the political level informed and involved. On 2 May 2007 the Commission issued a Communication to the Council, the European Parliament and the European Economic and Social Committee⁵. The Commission's goal is not to get political commitment from Member States on supporting the CCCTB (the shape of which is still unknown), but to report on progress to-date made by the Working Group and on drawing attention to those areas where further political support was desirable from MS. Indeed, there are areas where more than one alternative is possible, and the CCCTB Working Group could not reach consensus on a specific solution, but still a decision has to be taken before finalising the proposal.

The Communication was discussed at an international tax conference organised by the Germany Presidency in Berlin on 15 and 16 May 2007.

At the ECOFIN Council meeting held on 05 June 2007, several MS supported strongly the work carried out by the Commission Services.

Activities of other institutions:

- The European Parliament issued several reports on company taxation (Bersani Report at the end of 2005 - Wagenknecht Report at the end of 2007). These reports are supportive of Commission policy.

⁴ At that meeting representatives of the financial sector were invited to discuss the specificity of the financial institutions (banks, insurance etc.)

⁵ 'Implementing the Community Programme for improved growth and employment and the enhanced competitiveness of EU business: Further Progress during 2006 and next steps towards a proposal on the Common Consolidated Corporate Tax Base (CCCTB)'

- The European Economic and Social Committee issued an own initiative report (Nyberg Report) on the CCCTB on 14 February 2006. This is broadly supportive of Commission policy.
- CEPS – the Centre for European Policy Studies issued a report 'Corporate Tax Base Harmonisation in the EU' on 7 November 2005 which is broadly supportive of Commission policy.

A new report "Corporate Taxation and the European Company Statute (ECS)" which should be made public mid-January 2008 remains generally supportive of the project. However some doubts (which are not justified according to TAXUD) are expressed over whether the European company would be allowed to use the CCCTB regime as any other company operating in the EU.

- European Business federations and associations such as 'Business Europe' are also broadly speaking in favour of CCCTB.
- In cooperation with Taxud, the Institute for Austrian and international tax law (Wirtschaft Universität) will hold a conference on the CCCTB in Vienna in February 2008. Numerous tax law academics should attend the event.

Procédure d'infraction contre l'Italie en matière fiscale

- Les cas d'infraction actuellement en cours contre l'Italie ne semblent pas être particulièrement "sensibles" du point de vue politique et/ou du large public
- En connexion indirecte au thème de l'exposé (CCCTB), on peut seulement citer le cas **2006/4451** concernant le régime d'imposition de groupe de sociétés résidentes à l'étranger ("Consolidato mondiale") à l'égard duquel une plainte a été déposée, mais qui n'a pas encore été objet d'une décision d'ouverture formelle. En effet, le projet de lettre de mise en demeure mettant en cause certaines modalités d'application du régime du consolidato mondiale par rapport à celles applicables au niveau national ("consolidato nazionale") a été bloqué afin de ne pas préjuger l'intérêt de l'Italie en faveur d'une coordination entre les Ems sur les questions soulevées par la COMMUNICATION de la Commission sur le Transfert Transfrontalier des pertes (COMM 2006/824)
- Le cas italien qui a fait plus "la une" en 2007 est le **2007/4777** (avec ses "cas traités sous") concernant les taxes sur les immeubles de tourisme et sur les aéronefs introduites par la région Sardaigne. Une dizaine des plaintes allèguent l'existence d'une discrimination, les personnes domiciliées en Sardaigne étant exemptées de ces taxes. La Commission n'a pas jusqu'à présent ouvert la procédure, une lettre administrative a, néanmoins, été envoyée en fin octobre 2007.
- En termes de gravité du manquement, on peut souligner le cas **2004/4350** concernant le régime discriminatoire appliqué aux dividendes sortants EU/EEE pour lequel la saisine à la Cour qui a été déposée devrait être réglée par l'entrée en vigueur, au début janvier, de la loi de finances pour 2008.
- A titre d'information, le listing de cas italiens fiscalité directe traités par TAXUD.