



Council of the
European Union

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DRAFT MINUTES

Subject: **3324th** meeting of the Council of the European Union (**ECONOMIC AND FINANCIAL AFFAIRS**) held in Luxembourg on 20 June 2014

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¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

"A" ITEMS

1. Proposal for a Council Directive amending Directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity

– Progress report

10417/14 FISC 91 ENER 209 ENV 496 ECOFIN 528
approved by Coreper, Part 2, on 11.06.2014

The Council took note of the Presidency progress report and endorsed the conclusions as set out in the second part of the Progress report entitled "II. Future Work".

2. Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards a standard VAT return

– Progress report

10276/14 FISC 87 ECOFIN 517
+ COR 1 REV 1 (de)
approved by Coreper, Part 2, on 11.06.2014

The Council took note of the Presidency progress report and endorsed the conclusions as set out at the end of the Progress report.

"B" ITEMS

3. Draft general budget for 2015

= Presentation by the Commission

The Council took note of the presentation by the Commission of its draft budget for 2015 and held an exchange of views.

4. Taxation of parent companies and subsidiaries

- = Proposal for a Council Directive and Directive 2011/96/EU on the common system of taxation applicable in the case of parent companies and subsidiaries of Member States
 - Political agreement

10419/14 FISC 92 ECOFIN 529

The Council has reached a political agreement on the Presidency compromise, as set out in doc. 10419/14 FISC 92, with an additional paragraph for the Commission statement (Annex III). It will be entered in the Minutes of the Council meeting at which the Directive will be formally adopted, and reads as below.

Statement by the Commission

"The Commission:

- Stresses that the proposed amendments to Article 4.1 (a) of the Parent subsidiary directive are applicable in situations of double non-taxation deriving from mismatches in the tax treatment of profit distributions between Member States which generate unintended tax benefits;
- confirms that the proposed amendments to Article 4.1 (a) of the Parent Subsidiary directive are not intended to be applicable if there is no double non-taxation or if their application would lead to double taxation of the profit distributions between parent and subsidiary companies;
- and, in the light of the above, confirms that the adoption of this proposal does not oblige Member States to subscribe to any future legislative proposals in the field of direct taxation."

5. Any other business

a) Current legislative proposals

- Information from the Presidency

The Council took note of the state-of-play in relation to key financial services legislative files.

b) Level 2 legislation concerning bank contributions under BRRD/SRM

- State of play

The Council exchanged views on the preparatory work being carried out by the Commission for the adoption of the delegated act and of the proposal for a Council implementing act regarding the contributions to the resolution arrangements provided for under the Bank Recovery and Resolution Directive and the Single Resolution Mechanism Regulation.