



Council of the
European Union

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DRAFT MINUTES

Subject: **3413th** meeting of the Council of the European Union (**ECONOMIC AND FINANCIAL AFFAIRS**) held in Luxembourg on 6 October 2015

PUBLIC DELIBERATION ITEMS¹

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"B" ITEMS (doc. 12533/1/15 REV 1 OJ CONS 50 ECOFIN 739)

LEGISLATIVE DELIBERATIONS

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| 3. | Any other business | 3 |

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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)

2. Mandatory automatic exchange of information in the field of taxation

- Proposal for a Council Directive amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation
 - = Political agreement
 - 12525/15 FISC 119 ECOFIN 737
 - 12526/15 FISC 120 ECOFIN 738

The Council has reached a political agreement on the Presidency compromise, as set out in doc. 12774/15, with a view to adopting the Directive, subject to receiving the opinion of the European Parliament and legal-linguistic revision, as an "A" item on the agenda of a forthcoming Council. The Czech Republic and the Commission made the following statements :

Statement by the Czech Republic

"The Czech Republic shares the view that timely solutions to base erosion and profit shifting are necessary. The Czech Republic nevertheless urges the Commission to put equal emphasis on the fight against VAT frauds in near future. VAT frauds affect Member States' budgets even more than aggressive planning in corporate tax area. While working towards VAT definitive regime in the EU, the Commission shall proceed with equal vigour towards various options including wider application of reverse charge mechanism. The Czech Republic, as of now, volunteers to test this respective option through a pilot project similar to that outlined by the Commission in 2008. The Czech Republic expects the Commission to set the parameters to frame the pilot project. Ideally, the Commission should come up with the respective legislative proposal by the time the Communication on various options of definitive VAT regime is published."

Statement by the Commission

"The Commission reiterates that the fight against tax fraud, including VAT, is one its main priorities. Against this background, it will present next year new initiatives on a fraud-proof VAT system.

The Commission is currently examining different options, including a wider use of the reverse charge mechanism. This analysis should be carried out and discussed with all Member States in this framework."

3. Any other business

- **Current legislative proposals**
 - = Information from the Presidency

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