



Council of the
European Union

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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

To: Delegations

No. prev. doc.: 9638/18 FISC 242 ECOFIN 556

Subject: Code of Conduct (Business Taxation)
– Council conclusions (22 June 2018)

Delegations will find in the Annex the Council conclusions on the Code of Conduct (Business Taxation), adopted by the Council at its meeting held on 22 June 2018.

Council conclusions on the Code of Conduct (Business Taxation)

With regard to the Code of Conduct (Business Taxation), the Council:

1. WELCOMES the progress achieved by the Code of Conduct Group during the Bulgarian Presidency as set out in its report (doc. 9637/18), in particular with regard to the monitoring of commitments taken by jurisdictions in the context of the EU listing exercise;
2. ENDORSES the new multiannual work package set out in annex to the progress report by the Group;
3. ASKS the Group to continue monitoring standstill and the implementation of the rollback, including with regard to jurisdictions screened in 2017;
4. NOTES WITH SATISFACTION the various initiatives undertaken by the Group since the beginning of the year to increase the visibility of its work and further transparency;
5. WELCOMES in particular the publication of a compilation of the guidance agreed by the Group (doc. 5814/1/18 REV 1) and of an overview of the preferential tax regimes it has examined since its creation in March 1998 (doc. 9639/18), as well as the publication of compilations of all the letters seeking commitments by jurisdictions (doc. 6671/18) and the commitment letters received in return on which consent was given by the jurisdiction concerned (doc. 6972/18);
6. Equally WELCOMES the progress achieved with regard to the monitoring of the implementation of agreed guidance, including the priority list agreed by the Group (doc. 6603/18);

7. INVITES the Group to continue exploring possible defensive measures that could be applied to non-cooperative jurisdictions in a coordinated manner, without prejudice to Member States' obligations under EU and international law;
8. WELCOMES the procedural guidelines for carrying out the process of monitoring commitments concerning the EU list of non-cooperative jurisdictions for tax purposes (doc. 6213/18) agreed by the Group in February 2018;
9. ENDORSES the way forward proposed by the Group with regard to the revision of the geographical scope of the EU listing exercise;
10. ENDORSES the scoping paper on criterion 2.2. set out in annex to the progress report by the Group;
11. ENDORSES the guidance on the interpretation of the third criterion set out in annex to the progress report by the Group;
12. INVITES the Group to report back to the Council on its work during the Austrian Presidency.
