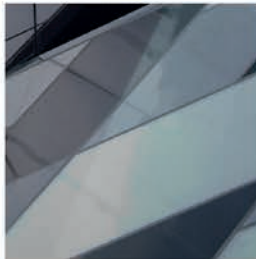
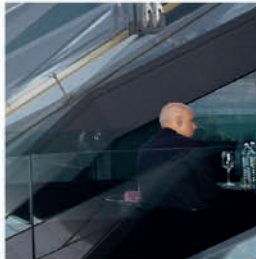


Annual Report 2015



CONFEDERATION
FISCALE
EUROPEENNE

MEMBER ORGANISATIONS / OBSERVERS / STANDING GUEST IN 2015

 AT	Kammer der Wirtschaftstrehänder	 MT	Malta Institute of Taxation
 BE	Institut des Experts-Comptables et des Conseils Fiscaux / Instituut van de Accountants en de Belastingconsulenten	 NL	Register Belastingadviseurs De Nederlandse Orde van Belastingadviseurs
 CH	EXPERTsuisse	 PT	Associação Portuguesa de Consultores Fiscais
 CZ	Komora Daňových Poradců ČR	 PL	Krajowa Izba Doradców Podatkowych
 ES	Asociación Española de Asesores Fiscales Registro de Economistas de Asesores Fiscales	 RO	Camera Consultantilor Fiscali
 FI	Suomen verokonsulttien Yhdistys Ry Suomen Veroasiantuntijat ry (Association for Finnish Tax Professionals)	 SI	Zbornica Davcnih Svetovalcev Slovenije (ZDSS)
 FR	Institut des Avocats Conseils Fiscaux Union Professionnelle des Sociétés d'Avocats	 SK	Slovenská komora danových poradcov
 IT	Associazione Nazionale Tributaristi Italiani Consiglio Nazionale dei Dottori Commercialisti e degli Esperti Contabili	 UK	The Chartered Institute of Taxation Tax Faculty – Institute of Chartered Accountants in England and Wales
 IE	The Irish Tax Institute	 UA	The Union of the Tax Advisers of Ukraine
 LU	Ordre des Experts-Comptables	Observers:	
 LV	Latvijas Nodokļu Konsultantu Asociācija	 RU	Palata Nalogovykh Konsultantov (Chamber of Tax Advisers)
		Standing guest:	
		 UZ	The Chamber of Tax Advisors of Uzbekistan

CFE is the umbrella organisation representing the tax profession in Europe. On 31 December 2015, our members were 27 professional organisations from 21 European countries (18 EU member states) with more than 200,000 individual members and 1 standing guest organisation from Uzbekistan. Our functions are to safeguard the professional interests of tax advisers, to assure the quality of tax services provided by tax advisers, to exchange information about national tax laws and professional law and to contribute to the coordination of tax law in Europe.

CFE is registered in the EU Transparency Register (ID 3543183647-05).

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WELCOME



Alain Lamassoure,
Member of the European Parliament, Chairman of the TAX committee

A few days before Christmas 2015 I was invited by the ending Luxembourgish EU Presidency to a conference on "*European and international taxation, towards a change of paradigm?*" The only question really was about this question mark.

Indeed the last two years have seen rising a new era in taxation, in Europe and overseas it seems that a new leaf is turned over. It started with a scandal, *Luxleaks*. It was not the first, but this was a bombshell: *Luxleaks* is now to corporate taxation policies what *Lehman Brothers* has been for financial and banking regulation, that is to say, a game changer.

Yet the very fact that a member of European Parliament takes up the pen to give a foreword on corporate taxation is symptomatic of this change. Indeed, taxation is at the core of national sovereignties under sacred provisions of EU treaties. Contrary to national Parliaments, parliamentarians in Strasbourg do not have powers whatsoever regarding tax matters. They are not even given the power at the source of all parliamentary democracies, the right to levy taxes.

Yet, no government has contested the EP initiative to tackle the issue of corporate taxation, passing on urgent public concerns to shed light on obscure and unfair practices. Who would have pictured eighteen months ago the finance ministers of Germany, France, Italy and Spain altogether in a public hearing of the EP, making concrete commitments in favour of more transparency and fairness in corporate taxation in their domestic laws?

There was, and there still is, a political momentum to make a change in taxation policies since the EP has taken a seat at the table.

The stake for the EP is not to have a say on tax rates for which there is an everlasting competition between member states. Nevertheless, alongside the European Commission, the EP aims at ensuring that the internal market is not hampered by unfair tax practices as it is for examples by non-tariff barriers. It is both a question of fair competition and credibility. Fair competition in particular for SMEs which do not have the means to design complex efficient worldwide tax schemes as some multinationals do. Credibility in the effort to enhance a consistent and strong internal market, and now a digital market.

Political will can make this happen, as it did in 1997, a cornerstone year in the decades of debates and attempts to reform direct corporate tax. In 1997, the European Community

reformed savings, payments and interest and set up a political group supervised under Mrs Dawn Primarolo, *the Code of Conduct* group, which led two years later to the removal of 66 tax preferential regimes and practices.

2015 has made the European tax policy stone roll again with great achievements and public awareness. Namely the transparency package with a broad exchange of information's regime and the endorsement of the 15 OECD *Base Erosion and Profit Shifting* Recommendations by the G20 in Antalya. And it is ongoing with the European implementation of BEPS in the anti-tax avoidance package of January 2016, the upcoming VAT upgrade, a public country by country reporting proposal and, last but not least, a European definition of the corporate tax base.

Thus, the dynamics now are somewhat different because they involves a strong cooperation of the EU institutions, national parliaments and the OECD. As a matter of fact, the conference I was invited to in December was organised by the EU presidency, hosted by the OECD and with panelists representing all institutions including the European Parliament. This cooperation has become more and more necessary to address a single question: how is it possible to tackle multinational activities with unilateral tax policies? In the era of digitalization, convergence of technologies breaking down so many market barriers, this is a global challenge requiring international response.

Within the European Union, working hand in hand, be it soft law or hard law, is the best chance for all to keep our sovereignties on tax collection. Yet, long is the way for a global answer to a problem that our American friends suffer just as much, with the latest symbolic jump above the pond of the giant Pfizer, from New York to the Emerald isle.

The European Parliament is fully committed to pursuing the efforts in the fight against tax avoidance. A revamped and enhanced political Code of Conduct group and more involvement of national parliaments and developing countries will push in that direction in 2016.

But we will need everyone on board, especially the people with the know-how, this is why the *Confédération Fiscale Européenne* should help us deliver technically in order to lead the field of international taxation.

FOREWORD



Henk Koller
CFE President

Welcome to this CFE Annual Report for the year 2015, another year marked by intense public controversy on tax policy and taxpayer behaviour.

It might go a bit too far to call 2015 the year 1 after *Lux Leaks*. Still, the publication in November 2014 of confidential documents relating to tax rulings given to multinationals marks an important turn in discussion. While placing additional blame on tax firms involved in the negotiations, its merit is that it has shifted public attention to the role that governments, also in other countries than Luxembourg, play in encouraging tax minimisation, and has rightfully widened the scope of the discussion to the importance of good legislation and equal treatment of taxpayers.

Lux Leaks also provoked the appearance of another major player on the European tax policy stage: the European Parliament, through its newly created *Special Committee on Tax Rulings and other Measures Similar in Nature or Effect* (TAXE) to which I had the pleasure of being invited in April 2015.

The Parliament has intensively discussed tax law and policy and concluded the year by giving abundant food for thought to the European Commission, in addition to the recommendations completing the BEPS Action Plan of the OECD and G20.

Some of the proposed and discussed measures affect core values of our profession: Should there be EU rules on conflicts of interest for tax firms advising both governments and multinationals? Should the EU protect whistleblowers in tax firms, and how does this relate to the principle of professional secrecy which is essential for a client relationship based on trust? Is it reconcilable with this principle if tax advisers are obliged to report tax planning arrangements to tax authorities?

Recently adopted and proposed reporting and information exchange measures concerning tax rulings, bank account information and country by country reporting will feed tax administrations' databases with previously unavailable taxpayer information. More powerful data processing and new data analytics techniques will facilitate risk assess-

ment. While it is essential that tax administration is in a position to detect illegal behaviour and becomes aware of unintended consequences of its laws, exchange of information should not discourage taxpayers from fully making use of their rights under tax and procedural law.

Therefore, initiatives aimed at recognising taxpayer rights and benchmarking their level of protection are important. 2015 saw two major initiatives in this area: In September, the International Fiscal Association published a *Report on the practical protection of taxpayers' fundamental rights*, and in November, CFE, together with AOTCA and STEP, presented the final version of the *Model Taxpayer Charter*. It is all the more regrettable that the project for an *EU Taxpayer Code*, despite being close to finalisation, seems to have vanished from the European Commission's priorities. CFE has had a very active year and yet there is still a lot to be done.

For CFE, 2015 has also been a year of reflection and re-focus, not least due to the above-mentioned debate which has caused CFE to occasionally leave its familiar territory and become more public. We have formed a working group to revise CFE's structure and priorities where it seems necessary. I am looking forward to further discuss these topics with our members in 2016 and am really curious to see how all present trends will develop.

HIGHLIGHT OF THE YEAR: 10 FUNDAMENTAL PRINCIPLES FOR MORE FAIRNESS IN TAXATION: FINALISATION OF THE MODEL TAXPAYER CHARTER



Henk Koller presenting the Model Taxpayer Charter

The 13 November 2015 marks the public launch of the final version of the Model Taxpayer Charter. This Charter of rights and responsibilities of taxpayers towards tax administration has been designed as a balanced document to become a global benchmark in tax good governance and to be acceptable both to governments and taxpayers.

The Final Report also contains an overview of the status quo of the recognition of taxpayer rights and responsibilities in 41 countries across the globe.

The presentation of the Final Report concludes four years of work by the CFE and two partner organisations representing tax advisers in other parts of the world: The Asia-Oceania Tax Consultants' Association (AOTCA) and the Society of Trust and Estate Practitioners (STEP). On the basis of a survey on existing taxpayer rights and responsibilities, carried out by the three organisations in 2011/2012, the three authors, Michael Cadesky (STEP), Ian E. Hayes (CFE) and David Russell (AOTCA) identified which of these rights and responsibilities can be considered good practice.

A Preliminary Report was presented in May 2013, on which governments, scholars, professional organisations and other stakeholders were invited to comment. The draft Charter was discussed in meetings with the cabinet of then-European Commissioner Algirdas Šemeta and with Pascal Saint-Amans, Director of the OECD Centre for Tax Policy and Administration, and presented to the United Nations' Committee of Tax Experts at one of its meetings. The input received from these discussions has fed into the Final Report.

One of the main novelties are the ten Fundamental Principles, nicknamed "Ten Commandments", which contain the essence of the 34 articles of the Model Charter. Each of these principles is two-fold, to demonstrate that rights and obligations can only be read in conjunction.

The Final Report also includes chapters on further relevant aspects such as the role of tax advisers, and developments since the Preliminary Report, in particular in the area of BEPS (base erosion and profit shifting) project and the OECD report on "co-operative compliance".

The Final Report is available on www.taxpayercharter.com. The printed version has been released by IBFD in March 2016.



Two of the three authors: Ian Hayes and David Russell

I. TECHNICAL AND POLICY WORK

TAXATION

FISCAL COMMITTEE

The Fiscal Committee (chaired by Piergiorgio Valente) and its two sub-committees on direct and indirect taxes (headed by Ian Young and Petra Pospíšilová respectively) cast a critical eye on draft tax legislation and other developments in tax law and policy at national, EU and international level that have relevance for European tax advisers, beyond the borders of the EU. Among their main tasks is the issuing of opinions to European institutions, the OECD and other international organisations. These representations are written from the viewpoint of the tax adviser and may where circumstances permit give insight into the views of his client. 18 Opinion Statements in tax matters were issued in 2015 (including the ECJ Task Force and joint statements with the PAC).

The Committee met on 27 January and 27 March in Brussels and on 17/18 September in Vienna.

Like in 2014, the Fiscal Committee followed closely the agenda of the OECD BEPS (base erosion and profit shifting) Action Plan, keeping pace with the OECD's ambitious stakeholder consultation timetable by issuing nine Opinion Statements related to seven BEPS Actions in the first months of the year. The Statements were drafted by members of the BEPS working group (Brendan Crowley, Miriam Galandová, Jos Goubert, Dick Hofland, Petra Pospíšilová, Stella Raventós, Rudolf Reibel, Geraldine Schembri, Piergiorgio Valente and Ian Young). Where possible and time permitting, the responses were coordinated with AOTCA, the Asia-Oceania Tax Consultants' Association. This cooperation resulted in seven joint Opinion Statements (marked with an asterisk below):

- FC 1/2015* and 10/2015* on artificial avoidance of permanent establishment status (BEPS Action 7), January and June 2015;
- FC 2/2015* and 11/2015*, follow-up statements on tax treaty abuse (BEPS Action 6); January and June 2015;
- FC 3/2015* on making dispute resolution more effective (BEPS Action 14), January 2015;
- FC 4/2015, follow-up on hybrid mismatch arrangements (BEPS Action 2), February 2015;
- FC 5/2015 on interest deductions and other financial payments (BEPS Action 4), February 2015;
- FC 8/2015* on strengthening CFC rules (BEPS Action 3), May 2015.

Committee member Stella Raventós represented CFE in the OECD public consultation meeting on artificial avoidance of PE status (BEPS Action 7) on 21 January in Paris.

2015 was also characterised by considerations by the EU



Piergiorgio Valente and Dick Barmantlo



Dick Hofland

and the OECD on how to increase corporate tax transparency. The main initiatives in this area were the EU Directive proposal of March for mandatory exchange of information on tax rulings, the OECD discussion draft on mandatory disclosure rules obliging tax advisers to report certain tax planning arrangements to tax authorities, and the European Commission's public consultation on further corporate tax transparency held in summer, dealing with country by country reporting of tax information, but also referring to mandatory disclosure rules for tax advisers.

In the area of tax transparency, the Direct Tax Sub-Committee prepared the following Opinion Statements:

- FC 7/2015* on mandatory disclosure rules (BEPS Action 12), jointly with the PAC, April 2015;
- FC 9/2015 on mandatory exchange of information on tax rulings, June 2015;
- FC 12/2015, public consultation on further corporate tax transparency, September 2015.

In autumn, following the publication of the final BEPS Recommendations by the OECD, the Fiscal Committee's focus shifted towards the planned re-launch of the CCCTB and measures to counter tax avoidance at EU level. The Committee formed a CCCTB working group (members are largely identical to the BEPS working group, including Aidan

I. TECHNICAL AND POLICY WORK

Lucey and Rupert Shiers) which prepared an opinion in response to the European Commission's public consultation, submitted in January 2016.

At its September meeting, the Committee agreed to form a Tax Strategy Group of which the BEPS and CCCTB working groups should form part. That group is also to deal with VAT.

Surveys involving technical questionnaires have gained importance in the work of the Committee. They provide the European institutions with valuable information on the situation in the member states and demonstrate the usefulness of involving CFE in the tax technical work and expert groups. For practitioners, such overviews can provide a starting point when investigating the legal situation in other countries.

- In June, the Committee submitted a survey on transparency in tax rulings in 16 European countries to the European Commission.
- In October, the Committee updated the CFE Tax Havens Survey, containing blacklists, blacklisting criteria and defensive measures by 11 European countries against non-cooperative or low-tax jurisdictions. The survey was submitted to the Commission's Platform for Tax Good Governance.
- The Fiscal Committee also worked on updates of the CFE survey on transfer pricing documentation (Transfer Pricing Survey) and the survey on Anti Avoidance and Aggressive Tax Planning Rules (GAAR Survey).

The Indirect Tax Sub-Group discussed, among other, the functioning of the VAT mini-one stop shops for electronic, telecom and broadcasting services, changes to VAT rules in cross-border e-commerce as mentioned in the European Commission's Digital Single Market Communication and the VAT place of supply rules.

The Indirect Tax Sub-Committee drafted the following statements:

- FC 6/2015 on two new elements of the OECD International VAT/GST Guidelines, February 2015;
- FC 13/2015 on VAT rates, October 2015;
- FC 14/2015 on modernising VAT in cross-border e-commerce, December 2015. The members of the Committee prepared two National Reports on tax changes at national level, published in April and October.

The Fiscal Committee regularly invites guest speakers to its meetings. In January, it discussed current initiatives in company taxation with Uwe Ihli from the European Commission. In March, Andrew Packman from PwC gave a presentation on PwC's Tax Transparency and Building Public Trust studies.

The Fiscal Committee also participated in the preparation of the CFE Forum on 26 March in Brussels. The topic selected was "Tax governance and tax risk management in a post-BEPS world".

ECJ TASK FORCE

The CFE ECJ Task Force is a group of tax academics and renowned tax practitioners which meets regularly to discuss and issue opinions on selected decisions of the EU Court of Justice. It is chaired by Georg Kofler.

The ECJ Task Force met on 23 January in Luxembourg, on 17 April in Barcelona, on 30 September in Amsterdam and on 19 November in Vienna.

The group adopted four Opinion Statements on Court decisions:

- ECJ-TF 1/2015 on cases C-127/12, Commission v. Spain and C-211/13, Commission v. Germany, on inheritance taxation, May 2015;
- ECJ-TF 2/2015 on the case C-172/13, Commission v. United Kingdom ("Marks & Spencer 2") on final losses, October 2015;



Georg Kofler



Ian Young

I. TECHNICAL AND POLICY WORK

- ECJ-TF 3/2015 on the case C-512/13, Sopora and horizontal discrimination, October 2015;
- ECJ-TF 4/2015 on the case C-386/14, Steria and the French “intégration fiscale”, December 2015.

Several members of the ECJ Task Force organised a conference on 22 January on “Primary Law Limits to Direct Taxation: Fundamental Rights, Fundamental Freedoms and State Aid” in Luxembourg, in cooperation with the Universities of Linz and Luxembourg. The Fiscal Committee Chairman spoke as a panelist at the event.

CFE MEMBERSHIP IN EUROPEAN COMMISSION ADVISORY GROUPS IN TAXATION

The CFE regularly took part in the meetings of four European Commission expert groups to which it has been admitted:

- Platform of Tax Good Governance, Aggressive Tax Planning and Double Taxation: CFE representatives are Piergiorgio Valente and Stella Raventós.
- EU VAT Forum: CFE’s membership was renewed in July for another three-year term; CFE representatives are Ian Hayes and Christian Amand.
- VAT Expert Group: CFE representatives are Petra Pospíšilová and Jeremy Woolf.
- Expert Group on Taxation of Individuals: The group completed its mandate in 2015 by finalising two reports on inheritance tax problems and other selected tax obstacles for individuals, due to be published in 2016. CFE representatives to this group were Volker Heydt and Isabelle Richelle.

OTHER TAX POLICY WORK (selection)

Involvement with the European Parliament and national Parliaments

In January, PAC Chairman Dick Barmentlo, together with

Uta Gayer and Rudolf Reibel from the CFE Office, met with Dutch MEP Cora van Nieuwenhuizen to discuss current tax policy issues included in the European Parliament’s Annual Tax Report that was adopted in March.

On 8 April, Vice President Bruno Gouthière spoke, together with members of Parliament and representative bodies, as a panellist on tax competition and tax harmonization in a global world at a symposium in Paris organised under the patronage of the French Parliament.

On 16 April, President Henk Koller was invited to speak at a hearing of the European Parliament’s Special Committee on Tax Rulings and Other Measures Similar in Nature or Effect (TAXE). The speech was followed by a debate with the Committee members. In addition to the answers given, the CFE responded to the Committee members’ unanswered questions in May.

European Commission

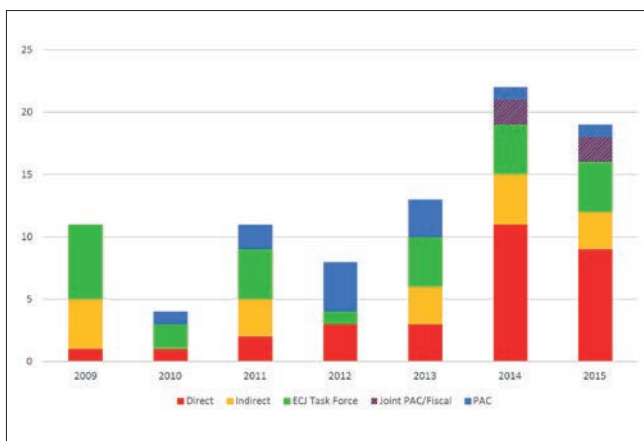
Henk Koller was invited on 13 April by the European Commission to a stakeholder meeting on the „Action Plan for Fairer Corporate Taxation in the EU“.

European Economic and Social Committee

On 1 June, Henk Koller was invited to speak at the European Economic and Social Committee on “A European tax as an EU own resource”.

United Nations Tax Committee

Direct Tax Chairman Ian Young took part in the annual meeting of the United Nation’s Committee of Experts in International Cooperation in Tax Matters from 19 to 23 October in Geneva.



Number of CFE Opinion Statements since 2009



Paul Cramer, Paolo Centore

I. TECHNICAL AND POLICY WORK



Alejandro Puyo, Ján Polóny, Branislav Kováč

PROFESSIONAL AFFAIRS

PROFESSIONAL AFFAIRS COMMITTEE

The Professional Affairs Committee (PAC), chaired by Dick Barmentlo, deals with non- tax technical matters affecting the profession and practice of tax advisers, e.g. professional regulation, qualification, ethics, anti-money laundering, cross-border operation and the relationship to clients and tax authorities.

The PAC met on 25 March in Brussels and on 17 September in Vienna. The main PAC topics in 2015 were the OECD

discussion draft on mandatory disclosure of tax planning arrangements, the changing role of tax advisers with regard to governments' fight against tax avoidance and the use of IT by tax administration.

At the March meeting, a working group was formed to prepare a CFE paper on the changing role of tax advisers. Members of this group were Dick Barmentlo, Heather Brehcist, Christine Cloquet, Radek Neužil, Rudolf Reibel, John Roberts, Friedrich Rödler and Piergiorgio Valente. The group decided to focus on aspects related to tax avoidance and drew up a comparison of developments in



Radek Neužil



Friedrich Rödler, Uta Gayer, Wim Gohres, Dick Barmentlo

I. TECHNICAL AND POLICY WORK

a number of CFE countries. On the basis of this, a draft statement was developed which was still under discussion at the end of the year.

On mandatory disclosure, the PAC drafted a response, together with the Fiscal Committee. At the public consultation meeting on 11 May in Paris, Chairman Dick Barmentlo defended the CFE position, arguing that the OECD discussion draft did not pay sufficient regard to the taxpayers' right against self-incrimination.

The September PAC meeting discussed IT in tax administration both as a means to offer service to taxpayers and to screen taxpayers' and tax advisers' behaviour, in preparation of the upcoming PAC Conference in Amsterdam.

The Committee drafted the following Opinion Statements:

- PAC 1/2015 on mandatory disclosure rules (BEPS Action 12), jointly with the Fiscal Committee, April 2015;
- PAC 2/2015 on further corporate tax transparency, jointly with the Fiscal Committee, September 2015;
- PAC 3/2015 on aspects relating to tax advisers in the draft EP TAXE report, August 2015.

The PAC members also prepared a National Report on professional affairs developments at national level which was published in October.

OTHER PROFESSIONAL AFFAIRS POLICY WORK

On 21 October, Vice President Ian Hayes spoke at an OECD conference on "The changing landscape for tax service providers" in The Hague.



Frits Sobels, Job Zaad



Radek Neužil, Jiří Nekovář, Branislav Kováč



Ilze Birzniece, Walo Stählin, Mikhail Milovidov, Franciso Sousa da Câmara

A MODEL TAXPAYER CHARTER

AS A TAXPAYER YOU HAVE THE RIGHT TO:		AND THE RESPONSIBILITY TO:
<p>Integrity and equality The tax system shall be designed and administered fairly, honestly and with integrity, according to the law, without bias or preference.</p>	<p>1</p>	<p>Be truthful Be truthful in all tax matters including legally required disclosures.</p>
<p>Certainty The tax system will be designed and administered to provide as far as possible certainty, clarity and finality in one's tax affairs.</p>	<p>2</p>	<p>Provide information Provide information on a timely basis as and when reasonably required.</p>
<p>Efficiency and effectiveness The tax system will be designed and administered fairly and cost effectively taking into account the attainment of its purposes.</p>	<p>3</p>	<p>Be cooperative Be cooperative in dealings with the tax administration, filing tax returns and information reporting, the conduct of an audit, and payment of taxes.</p>
<p>Appeal and the right to dispute resolution In cases of disputes as to tax liability an independent, objective, speedy and cost effective appeal process. Disputes as to actions of the tax authority will be followed up without fear of reprisal under independent oversight.</p>	<p>4</p>	<p>Make payment Pay tax on time without deduction or offset subject to the right to appeal.</p>
<p>Appropriate assistance Taxpayers who face difficulties in carrying out their responsibilities as taxpayers will be given appropriate assistance by the tax administration.</p>	<p>5</p>	<p>Comply with the law Comply with tax responsibilities and seek assistance if necessary.</p>

FUNDAMENTAL PRINCIPLES

AS A TAXPAYER YOU HAVE THE RIGHT TO:

AND THE RESPONSIBILITY TO:

Confidentiality and privacy

A taxpayer's affairs and records will be kept confidential and private except in the case of public hearings in litigation or criminal prosecutions.

6

Maintain records

Maintain accurate financial records and supporting information for such period as may be reasonably required.

Pay correct amount of tax

A taxpayer is required to pay no more than the amount of tax based on tax laws.

7

Take due care

Exercise an appropriate degree of care and diligence in taxation matters.

Representation

A taxpayer may be represented by a person of the taxpayer's choosing.

8

Retain responsibility for advisors

Be held accountable for the correctness and completeness of the information supplied to the tax administration whether or not another person has been engaged to prepare, assemble and/or submit the information on your behalf.

Proportionality

Enforcement action including audits, collections, reassessment, penalties and prosecutions will be proportionate to the circumstances.

9

Show courtesy

Treat tax officers with courtesy and respect, noting that abuse of tax officers in performance of their duties is never acceptable.

Honesty

In the absence of any evidence to the contrary to be presumed honest.

10

Comply cross border

Ensure that all legitimate cross border compliance requirements are met.

II. CFE EVENTS



The CFE Forum 2015 attracted 136 participants

CFE FORUM 2015

„Tax governance and tax risk management in a post-BEPS world“

The 2015 Forum aimed at discussing how business and their advisers should react to the uncertainty resulting from changes to established concepts in international taxation foreseen in the OECD´s BEPS Action Plan and related EU measures. Moderator Piergiorgio Valente explained that as greater importance will have to be paid to tax risk management, tax policy will not be a matter for financial officers alone but will be part of the overall corporate strategy discussed in the board room. Businesses fear an increase in administrative burden due to country by country reporting as well as reputation concerns, data security concerns where tax information is exchanged, and a risk of a surge of double taxation cases. In EU member states, there is a worry that OECD recommendations will not take sufficient account of the EU internal market freedoms, and that stricter standards introduced at EU level will put EU businesses at a competitive disadvantage, even if the BEPS Recommendations will be implemented consistently at international level, which in itself is far from certain. OECD and EU countries should avoid unilateral actions which might not only result in double taxation but also in unintended non-taxation. Will Morris (OECD BIAC) mentioned various OECD reports in the area of corporate governance, in particular the 2015

update of the Principles of Corporate Governance, explaining how tax governance has gained importance and specifying that although these principles do not provide for sanctions, non-compliance can be a reputational risk. This can be difficult to handle where the principles make use of non-defined terms.

Tom Neale (European Commission) explained the Commission´s two-fold strategy relying both on substantial changes of member states´ tax laws to hinder tax base erosion and on sharing of information, as had just been proposed in the area of tax rulings. He also hinted at future initiatives of corporate tax base harmonisation and corporate tax transparency. The BEPS actions in the light of EU law were discussed by Ana Paula Dourado (University of Lisbon) who focused in particular on the ECJ case law on abuse of law, saying that she believed that there is a single common principle of abuse of law and the EU was gradually moving there. She went on comparing the EU concept of abuse to the principle purpose test in the OECD paper on tax treaty abuse and pointed at situations where the EU freedoms might prevent the application of “limitation of benefits” rules.

Jeffrey Owens (Vienna University of Economics and Business, formerly OECD) described how tax authorities are using risk-based assessments when selecting cases for inquiries and audits and how the various political initiatives at EU and international level will increase tax administration´s availability of information globally, arguing that multinationals should start

II. CFE EVENTS

embracing transparency and arranging their tax affairs in a globally consistent way.

Steef Huibregtse (Transfer Pricing Associates) and Chas Roy-Chowdhury (ACCA) joined the discussion on how business can face additional double taxation risks resulting from the lack of a BEPS implementation monitoring mechanism and more assertive emerging economies. Steef Huibregtse pointed out the risks inherent in reallocating people functions and IP rights. It was noted that rulings and advance pricing agreements, in particular the possibility of obtaining bi- or multilateral decisions, would become more important. All agreed that the OECD draft on dispute resolution was unambitious and EU Arbitration Conventions should be reshaped, ideally as an EU Directive.

Romain Bontemps (Grant Thornton Weber & Bontemps), criticised that recent changes to legislation in member states offer tax administration too much discretion. The outcome of BEPS would bear the risk of an unpredictable tax system based on theoretical considerations and higher administrative burden. Given the relatively low importance of corporate income tax revenues for states' budgets, a fairer tax system could be achieved by abolishing corporate income tax and relying on VAT.

Susana Bokobo (Repsol) and Paul Morton (RELX Group), discussed the concepts of economic substance and value creation, from the viewpoint of two very different industries, the oil and gas industry and IP- based digital businesses. In Paul Morton's example of a company marketing 3D printed chocolates designed by unpaid and independent users from across the globe, a combination of traditional tax concepts, proposed BEPS measures and unilateral responses to digital businesses could lead to multiple taxation.

The final session dealt with the BEPS implications in VAT. Paolo Centore (Studio Centore & Associati) analysed where action on BEPS is incompatible with the principles and speci-

tics of the EU VAT system and where coordinated action could create synergies; the latter could be the case for defining permanent/fixed establishments and digital economy issues. Donato Raponi (European Commission) explained that destination-based VAT as applies in the EU for supplies of digital services from third countries since 2004 and for intra-EU digital supplies since 2015 is in line with the OECD Ottawa prin-



Donato Raponi, Petra Pospíšilová, Paolo Centore, Arthur Kerrigan



Andrew Clarke, Ian Hayes, Susanne Metzler, Dick Barmiento



Will Morris, Ana Paula Dourado, Piergiorgio Valente, Tom Neale



Stella Raventós, Susana Bokobo, Paul Morton, Romain Bontemps

II. CFE EVENTS

ciples adopted in 1998 and contributes to a level playing field. Extending the destination-based taxation to goods ordered electronically should be the next step.

Arthur Kerrigan (KPMG, formerly European Commission) expected that the likely adoption of the revised OECD VAT/GST Guidelines will lead to more non-EU countries implementing mini-one-stop-shop-like solutions, which would create a more level playing field but may also increase the compliance burden especially for smaller cross-border businesses which should not be forced to use large trading platforms. Sessions II to IV were moderated by Ian Young, Stella Raventós and Petra Pospíšilová respectively.

Award of the CFE Albert J. Rädler Medal 2014

On the occasion of the Forum, the CFE awarded for the second time the Albert J. Rädler Medal, launched to encourage academic excellence in European taxation and to commemorate the tax adviser and professor Albert J. Rädler (1933-2012) for his outstanding contribution to taxation in Europe. The 2014 laureate was Dorota Malinowska from Warsaw University for her master's thesis on „Fairness in allocating taxation rights between source and residence states“. The jury consisted of Professors Michael Lang and Pasquale Pistone from Vienna University of Economics and Business and Stephen Coleclough.



Winner of the Albert J. Rädler Medal 2014: Dorota Malinowska



The PAC Conference gathered 86 participants

CFE PAC CONFERENCE 2015

„Big Data - a threat to taxpayer rights?“ on 13 November 2015 in Amsterdam“

Against the backdrop of ever more taxpayer information being available to administration, the 8th CFE Professional Affairs Conference, organised jointly with the Dutch member organisation NOB, examined possible benefits and threats for taxpayers and new initiatives to protect and recognise taxpayer rights.

Recently adopted or proposed initiatives will provide tax administration with large amounts of taxpayer data. An efficient use of IT will provide tools for risk assessment, targeting tax audits and countering tax avoidance.

If well-designed, transparency-enhancing measures and the use of IT can benefit the taxpayer. On-line taxpayer accounts, pre-filled tax returns and a transparent communication policy explaining tax administrations' positions may facilitate compliance. However, some of these initiatives may touch on the taxpayer's rights to privacy and effective representation and may make taxpayers pay more tax than legally owed, by discouraging them from tax planning within the limits of the law.

The first session of the conference was devoted to the possibilities of IT used by tax administration. Albert L.J. Bouwen from the Belgian Ministry of Finance introduced the participants to techniques like data mining already applied by tax administration to detect cases of serious fraud, but also aggressive tax planning.

Ylva Larsson (University of Örebro and formerly Swedish tax administration) added the perspective from a country where online taxpayer accounts and pre-filled tax returns are well-accepted and that has a tradition of publicity of tax payments even by private persons as well as a right

II. CFE EVENTS

of citizens to access decisions by public administration. Eelco van der Enden (PwC) warned against an erosion of taxpayer rights through codes of conduct and technology like data analytics and prescribed use of specific software.

The second panel dealt with a revived interest in the protection and recognition of taxpayer rights. The International Fiscal Association (IFA) had recently published a country benchmark on the protection of taxpayer rights, identifying minimum standards and best practices. This was presented by Philip Baker (Gray’s Inn Tax Chambers) who placed a special emphasis on data protection in an EU and fundamental rights context.

This was followed by an intervention from Eric Poelmann (Maastricht University and Dutch Ministry of Finance) who had been involved in the European Commission’s projects to draft a (yet-to-be-published) “EU Taxpayers’ Code”.

David Russell (Outer Temple Chambers and Ground Floor Wentworth Chambers) presented the Model Charter of taxpayer’s rights and responsibilities, developed jointly by CFE, AOTCA and STEP.

The last session shed a light on tax advisers whose traditional role is the protection of taxpayers’ rights, asking whether this concept required adaptation in a digital tax world based on transparency.

Korstiaan Kool (OECD) provided insights from the OECD Tax Administration 2015 survey that promotes increased engagement of tax administration with tax advisers. One specific aspect mentioned was the emergence of new tax-related services by providers outside the tax profession like IT companies.

Alejandro Puyo (Spanish Association of Tax Advisers, AEDAF) examined tax advisers’ professional issues such as professional secrecy and liability towards tax administration and the client.

Chris Davidson (KPMG) who had been working on the 2006-2008 OECD study on the role of tax intermediaries, advocated a triangular relationship between client, tax authorities and tax adviser. Referring in particular to the developments in the UK, he discussed the idea of responsible tax advice and the role of tax advisers in tax avoidance, drawing inspiration from the UK standard “Professional Conduct in Relation to Taxation” agreed between tax authorities and professional bodies.

The conference was moderated by Dick Barmentlo.



The venue: The Koninklijke Industrieele Groot Club



Chris Davidson, Alejandro Puyo



Albert L.J. Bouwen



Ian Hayes, David Russell, Henk Koller, Dick Barmentlo, Philip Baker

III. SERVICES AND PUBLICATIONS

PRINTED PUBLICATIONS

EUROPEAN TAXATION

The tax law journal *European Taxation*, edited by IBFD, regularly publishes articles on CFE conferences and selected Opinion Statements. In 2015, it published the following articles and Opinion Statements of CFE:

- Opinion Statements FC 14/2014, ECJ-TF 3/2014, ECJ-TF 4/2014, FC 15/2014 and FC 1/2015
- Report from the PAC Conference 2014 by Rudolf Reibel;
- Report from CFE Forum 2015 by IBFD.

The publication of four CFE Opinion Statements issued in 2015 is scheduled for spring 2016.

ELECTRONIC PUBLICATIONS



CFE'S TAX TOP 5 –KEY TAX NEWS OF THE WEEK

Throughout 2015, the CFE continued the free and public weekly e-newsletter introduced in 2014. The “Tax Top 5” are sent on Mondays, showing a selection of news in European and international taxation and related areas of the past week. More than 1,000 people receive the “Tax Top 5” directly through CFE. In addition, several CFE member organisations have decided to make the newsletter available to their individual members, which is encouraged by CFE.

CFE EUROPEAN TAX & PROFESSIONAL LAW REPORT

The Tax & Professional Law Report is a more comprehensive selection of news in European and international taxation, tax-related areas and professional law of the previous month. The Tax & Professional Law Report is free and available to the interested public.

NATIONAL REPORTS

The CFE regularly publishes National Reports which contain summaries of tax and professional affairs developments at national level, provided by the members of CFE's two technical Committees. National Reports were published in April (Fiscal Committee) and October (Fiscal Committee and PAC).

A MODEL TAXPAYER CHARTER

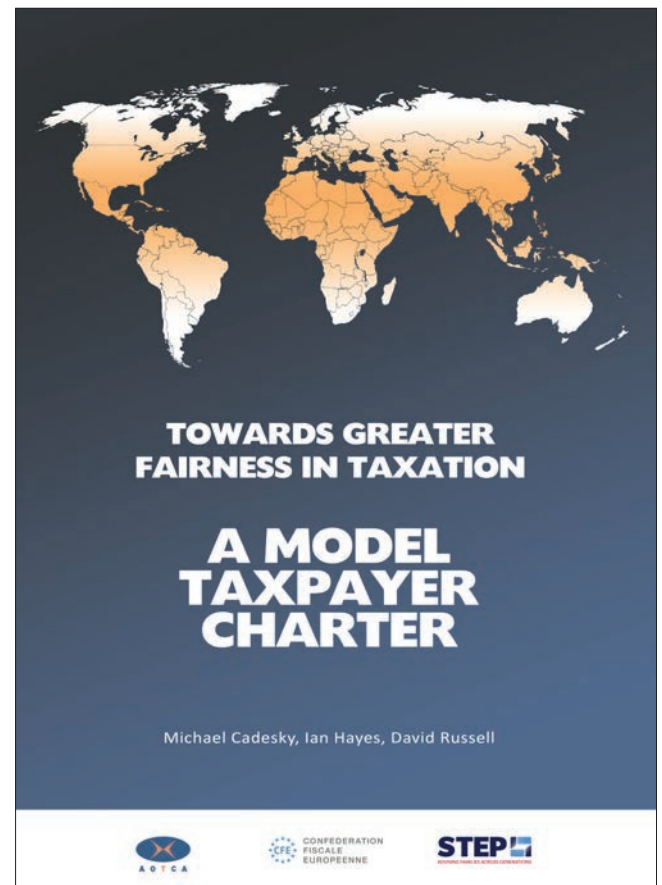
The Final Report “Towards greater fairness in taxation: A Model Taxpayer Charter” was published on www.taxpayercharter.com in November 2015 (see page 4 of this Annual Report). A printed version has been published by IBFD in March 2016.

EUROPEAN REGISTER OF TAX ADVISERS

The European Register of Tax Advisers has been created to respond to the practical need of taxpayers and tax advisers to find a tax adviser in another European country. Any individual tax professional who is a member of a CFE member organisation may seek to register. By registering, they accept the CFE guidelines on qualification and professional conduct. Registered tax advisers benefit from further advantages, e.g. discounts on CFE events and the receipt of CFE electronic publications. There are between 500 and 600 tax advisers in the Register.

SOCIAL MEDIA

The CFE is active on LinkedIn (link) and had 370 followers on 31 December 2015 which is an increase of 55% within one year. Followers receive updates on CFE events and selected e-publications, including the European Tax & Professional Law Report and the National Reports on tax and professional affairs developments at national level.



IV. THE NETWORK OF CFE

EUROPEAN INSTITUTIONS

To strengthen the good working relations with European institutions, apart from the regular exchange on technical issues, the CFE organises an annual Tax Dinner in Brussels to allow for an informal exchange of views between EU institution representatives working in taxation and members of the CFE Board, the Fiscal Committee Chairmen and the CFE Office.

MEP Theodor Dumitru Stolojan, Valère Moutarlier (Director Direct Taxes, DG Taxud, European Commission), Donato Raponi (Head of Unit VAT, DG Taxud), Bert Zuidendorp (Head of Unit Company Taxation Initiatives, DG Taxud) and Gilles Mourre (Head of Unit Fiscal Policy and Surveillance, DG Ecfm) kindly accepted CFE's invitation on 26 January.

GLOBAL TAX ADVISERS' COOPERATION FORUM

The Global Tax Advisers' Co-operation Forum (GTACF) was set up in 2014 to provide a global response of tax advisers to the work on the international tax environment undertaken by organisations such as the OECD and the UN.

The CFE hosted the GTACF meeting on 27 March in Brussels, at which the CFE, the Asia-Oceania Tax Consultants' Association (AOTCA) and the West African Union of Tax Institutes (WAUTI) agreed that WAUTI should join the GTACF as a founding member, which reflects the three organisations' intention expressed in their 2013 Saint Petersburg Declaration. This was formally endorsed by the three organisations on 14 October at the GTACF meeting in Osaka, at which past President Jiří Nekovář represented the CFE.

Already uniting more than 500,000 tax advisers worldwide, the GTACF remains open to like-minded tax professional organisations from other regions. The GTACF is not a global professional organisation, nor is there any intention to create one. It is, as stated, a forum for co-operation on

specific tax issues which have global significance. Potential joint GTACF projects have been identified. The operations of the GTACF are coordinated by the CFE office.

The CFE and AOTCA have cooperated at technical level on BEPS, resulting in the submission of seven joint Opinion Statements (for details, see section Fiscal Committee).

INVOLVEMENT WITH OTHER ORGANISATIONS

Apart from the institutions of the European Union, the CFE maintains regular and strong relations with a number of international organisations: The CFE Fiscal Committee regularly contributes to the work of the OECD by submitting Opinion Statements and taking part in stakeholder meetings and through active participation in the OECD Business and Industry Advisory Committee (BIAC).

CFE enjoys Special Consultative Status with the United Nation's ECOSOC Committee and participates in the regular meetings of the Committee of Experts in International Cooperation in Tax Matters.

In Brussels, regular exchange of views at working level takes place between European and national associations of liberal professions, such as lawyers or accountants, and business representatives.



Bruno Gouthière, Valère Moutarlier



MEP Theodor Dumitru Stolojan



WAUTI President Teju Somorin, AOTCA Vice President Chung Ku Chung

V. GENERAL ASSEMBLY

The General Assembly met twice, on 27 March in Brussels and on 19 September in Vienna.

At the Brussels meeting, a Strategy 2020 Group was set up to define new priorities for CFE regarding membership, organisational structure and political involvement and preparing any changes to the CFE Statutes resulting from this work. The Strategy 2020 Group met in June in Brussels and reported back to the General Assembly in September.

At the General Assembly meeting in Vienna, the Italian professional body CNDCEC (Consiglio Nazionale dei Dottori Commercialisti e degli Esperti Contabili) was welcomed as new member organisation of CFE. CNDCEC has 116,000 members almost all of which deal with tax. CNDCEC is a public entity under the supervision of the Ministry of Justice. Its members are subject to an ethics code, continuing professional development requirements and disciplinary procedures.

Andrew Clarke from Ireland was elected new Secretary-General of CFE, replacing Stephen Coleclough.

The meetings in Vienna and social events were hosted by the Austrian CFE member organization Kammer der Wirtschaftstrehänder (KWT). Participants were invited to a reception at Vienna town hall and a festive dinner at Stadtpalais Liechtenstein on the following day.



KWT President Klaus Hübner, Henk Koller, Friedrich Rödler



Bruno Gouthière, Friedrich Rödler



Ugo Pollice and Noemi Di Segni (CNDCEC), Piergiorgio Valente



Aleš Budja, Martin Tuček



Mario Boidi, Walter Vilardi, Alberto Velasco, Jesús Sanmartín

V. GENERAL ASSEMBLY



J. Roberts, C. and W. Gohres, A. Thomas, H. Brehcist



Klaus Hübner, Silvia Hallová, Milan Tomiček



Diāna Kļuškina, Ilze Birzniece, Ruta Tereško



Mr and Mrs Van Coile, Bert and Vanclooster



Gala Dinner at Stadtpalais Liechtenstein



Friedrich Rödler, Piergiorgio Valente, Dick Barmentlo



Cristina Mogos, Ionuț Ștefan, Anca Teau, Florentina Șuşnea

VI. ORGANISATIONAL STRUCTURE

The General Assembly is the governing body of the CFE. Each country may take up to six seats; observer countries may send up to two delegates. The General Assembly is to decide in particular on the election of the office holders within the CFE Executive Board and the election of the auditor. It adopts the business report of the Executive Board, approves the accounts and the budget, fixes the contributions, receives the report of the auditor, discharges the Executive Board, accepts and excludes members and observers, adopts all statutory amendments, decides upon the dissolution of the association and upon the place of the General Assembly meeting. Administrative and management responsibilities may be delegated to the Executive Board.

DELEGATES OF THE GENERAL ASSEMBLY IN 2015

AT	Klaus Hübner, Friedrich Rödler, Herbert Houf, Jakob Schmalzl, Franz X. Priester
BE	Philippe Vanclooster, André Bert, Christine Cloquet, Jos de Blay
CH	Massimo Bianchi, Kaloyan Stoyanov
CZ	Petr Toman, Martin Tuček, Jana Skalova, Radek Neužil, Petra Pospíšilová, Jiří Nekovář
ES	Jesús Sanmartin, Andrés Diaz, Alejandro Puyo
FI	Ilkka Merimaa, Pasi Puranen, Timo Matikkala, Ossi Sopen-Luoma
FR	Pascal Coudin, Georges-Marie Duclos, Jean-Yves Mercier, Yves de Sevin
IT	Mario Boidi, Pietro Mastrapasqua, Giuseppe Antonio Barranco Di Valdivieso, Francesco Rossi Ragazzi, Giuseppe Zizzo, Walter Vilardi
IE	Martin Lambe, Andrew Clarke
LU	Eric Jolas
LV	Diāna Kļušķina, Ainis Dābols, Inga Kursīte-Priedīte, Daiga Zēna-Zēmane
MT	Renald Micallef, George Farrugia
NL	Frits Sobels, Wim Gohres, Paul Cramer, Wil Vennix, Job Zaad, Frank van Merrienboer
PT	Francisco Sousa da Câmara
PL	Dariusz Michal Malinowski, Jacek Andrzej Zieliński, Anna Misiak
RO	Toni Teau, Mihaela Mitroi
SI	Aleš Budja, Dejan Petkovič
SK	Milan Chovan, Anna Fábryová, Milan Vargan, Miriam Galandová, Lubomir Alezár, Branislav Kováč
UA	Leonid Rubanenko, Oleg Shmal
UK	Gary Ashford, Peter Fanning, Bob Davies, Anthony D. Thomas, Carl Bayley
	Observer:
RU	Tatiana Ioffe
	Standing guest:
UZ	Bahadir S. Nabijanov, Botir Mansurov

THE MEMBERS OF THE EXECUTIVE BOARD

The Executive Board is in charge of the day-to-day business of the CFE and reports to the General Assembly. It is composed of 8 persons, i. e. the President, three Vice Presidents, the Secretary General, the Treasurer, the Chairman of the Fiscal Committee and the Chairman of the Professional Affairs Committee.

EXECUTIVE BOARD 2015



President
Henk Koller



Vice-President
Bruno Gouthière



Vice-President
Ian Hayes



Vice-President
Mihaela Mitroi



Secretary-General
Stephen Coleclough
(until September 2015)



Secretary-General
Andrew Clarke
(since September 2015)



Chairman of the
Fiscal Committee
Piergiorgio Valente



Chairman of the
Prof. Affairs Committee
Dick Barmentlo



Treasurer
Branislav Kováč

TECHNICAL BODIES

Fiscal Committee

Delegates of the Fiscal Committee 2015*

Fiscal Committee Chairman:
Piergiorgio Valente

Sub-committee Direct Taxes

Chairman: Ian Young

AT	Friedrich Rödler, Georg Wilfried Kofler
BE	Jos Goubert, Isabelle Richelle (expert)
CH	Walo Stählin, Pascal Hinny
CZ	Lucie Rytirova, Jana Skalova
ES	Victor Viana, Bárbara Pitarque Villaescusa, Stella Raventós (expert)
FI	Ossi Haapaniemi
FR	Bruno Gouthière, Pierre Ullmann, Stéphane Contargyris, Sébastien Laisney
IT	Raffaele Rizzardi, Nicola Vecchietti Massacci
IE	Cora O'Brien, Aidan Lucey
LU	Romain Bontemps
LV	Diāna Kļuškina, Ruta Tereško
MT	Geraldine Schembri, Conrad Cassar Torregiani
NL	Dick Hofland, Adjay Pahladsingh
PT	Pedro Pais de Almeida
PL	Anna Misiak
RO	Florentina Şuşnea
SI	Simona Novak
SK	Miriam Galandová, Silvia Hallová
UA	Lyudmyla Rubanenko, Oleg Shmal
UK	Rupert Shiers, Jason Short
	Observer:
RU	Igor Shikov

Sub-committee Indirect Taxes

Chairwoman: Petra Pospíšilová

AT	Christine Weinzierl, Ingrid Rattinger
BE	Gonda Schelfhaut, Christian Amand (expert)
CH	Claudio Fischer, Willi Leutenegger
CZ	Milan Tomiček, Petr Toman
ES	Carlos Gómez
FI	Timo Matikkala
FR	Véronique Lenoir, Anne Grousset, Thibault Hénique, Sébastien Laisney
IT	Paolo Centore, Marco Peirolo
IE	Frank Mitchell
LV	Solvita Liepiņa, Inga Kursīte-Priedīte
MT	Christian Vella, Ritainne Camilleri Galea
NL	Trudy Perié, Paul Cramer
PT	Francisco Sousa da Câmara
PL	Mariusz Ciesla
RO	Oana Iacob, Ionut Stefan
SI	Suzana Tokič
SK	Milan Vargan, Anna Fábryová
UA	Darya Reva
UK	Ian Hayes, Jeremy Woolf, John Voyez, Peter Dylewski

*Members at 31 December 2015

TECHNICAL BODIES

Professional Affairs Committee

Delegates of the Professional Affairs Committee*	
	Chairman: Dick Barmentlo
AT	Friedrich Rödler
BE	Philippe Vanclooster, Christine Cloquet
CH	Walo Stählin
CZ	Radek Neužil, Michal Frankl
ES	Andrés Diaz, Alejandro Puyo
FR	Denis Di Leonardo, Jean-Charles Flatres, Jean-Charles David
IT	Riccardo Bordoli, Emanuela Fusa, Luciano Olivieri
IE	Cora O'Brien
LU	John Hames
LV	Ilze Birzniece, Daiga Zēna-Zēmane
MT	Robert Taylor East, Jonathan Abela
NL	Wim Gohres, Frits Sobels, Wil Vennix, Job Zaad, Frank van Merrienboer
PL	Dariusz Michal Malinowski
RO	Ionut Stefan
SI	Aleš Budja
SK	Branislav Kováč, Lubomir Alezár
UA	Leonid Rubanenko, Claudia Chosova
UK	John Roberts, Heather Brehcist
	Observer:
RU	Mikhail Milovidov

ECJ Task Force

Members of the ECJ Task Force*	
	Chairman: Georg Kofler
	Alfredo Garcia Prats
	Daniel Gutmann
	Werner Haslehner
	Volker Heydt
	Eric Kemmeren
	Michael Lang
	Frank Le Mentec
	João Félix Pinto Nogueira
	Pasquale Pistone
	Stella Raventós
	Isabelle Richelle
	Rupert Shiers

*Members at 31 December 2015

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IBFD Your Portal to Cross-Border Tax Expertise

Tax advisers are highly qualified, independent liberal professionals in Europe

This manifesto has been prepared on the occasion of the 50th anniversary of the CFE in 2009 following the principles set up in the CFE “Professional qualifications and ethics of tax advisers in Europe¹”. It has been published to inform key stakeholders of the vital role of the tax advisers as the unique profession in all our tax systems by helping taxpayers to understand and comply with their tax obligations.

1. The tax adviser in Europe: Highly qualified

- Tax advisers play a collaborative part as unique experts in the field of taxation law and practice. They bring an exclusive combination of practical expertise, understanding of the climate of taxation and of the issues facing their clients’ businesses to these processes.
- The tax advisers role of translating complex tax codes into business - related guidance is vital in ensuring transactions are executed correctly and efficiently.
- The tax advisers fulfil an important role in safe-guarding the legal rights of their clients by representing before and outside tax courts.
- These services require the highest degree of specialised knowledge and skills of the professional.

2. The tax adviser in Europe: independent liberal profession

- Tax advisers provide guidance on the application of tax legislation to the particulars of a client’s transaction.
- By doing this, tax advisers are independent in arriving at the judgment and in delivering their advice.
- Thus, the tax adviser provides services of an intellectual character, based upon their professional qualification and in view of their personal and professionally independent capacities.
- The combination of local and international codes of ethics and standards ensures that tax advisers operate within strict professional standards that include disciplinary procedures where appropriate.

The tax advisers in Europe, regardless of the way they are organised in their respective countries, contribute to the achieving of Europe being a dynamic and competitive knowledge - based economy in Europe.

The Confédération Fiscale Européenne,
Paris, 26 September 2009

¹ Approved on September 13th 1991 by the CFE GA in Zurich, revised on 29th April 2005 in Brussels.



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