

Resolution of the Bundesrat

Proposal for a Directive of the European Parliament and of the Council amending Directive 2013/34/EU as regards disclosure of income tax information by certain undertakings and branches

COM(2016) 198 final; Council doc. 7949/16

At its 945th sitting on 13 May 2016 the Bundesrat adopted the following opinion pursuant to Sections 3 and 5 of the Act on Cooperation between the Federation and the *Länder* in European Union Affairs (EUZBLG):

1. It is important to ensure that due account is taken of those interests of the undertakings concerned which should be protected. In particular, protection of their trade secrets must be guaranteed.
2. The Bundesrat also asks the Federal Government to ensure that the co-existence of public and non-public *Land*-specific reporting does not undermine and weaken non-public country-by-country reporting in accordance with the OECD standard. Successful international implementation of the OECD recommendation is a priority.
3. It calls upon the Federal Government to work with the Commission for amendments to the proposal for a Directive:
 - The reporting obligations on undertakings should be appropriate and feasible. This applies in particular to possible reporting obligations for subsidiaries and branches where the parent company is in a non-member country.
 - Efforts should be made to synchronise report content and form between income tax information reports and country-by-country reporting in order to minimise the additional administrative burden for the undertakings concerned.
4. The Bundesrat is submitting this opinion directly to the Commission.