



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion concerning the Commission proposals for a Council Directive amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation {COM(2015) 135 final} and the Communication from the Commission to the European Parliament and the Council on tax transparency to fight tax evasion and avoidance {COM(2015) 136 final}.

The two proposals are part of a package of tax transparency measures adopted by the Commission on 18 March 2015 with the aim of tackling in an efficient and effective way tax avoidance and harmful tax competition in the EU. The main element of this package is the Commission's proposal set out in the first document referred to above – {COM (2015) 135 final} – which is designed to ensure that a broad range of relevant tax rulings issued by Member States is captured by an automatic exchange of information, allowing the Member States potentially concerned by the risk of abuse of these rulings to ask individually for more detailed information.

In the proposal concerning tax rulings and during negotiations, the Commission and Member States took steps to minimise the administrative burden in particular in the area of retroactive application. The final compromise text refers to a 5-year instead of 10-year period and provides for an exemption for rulings issued to small and medium sized entities under certain conditions.

As President Juncker noted in his State of the Union speech to the European Parliament in September, the Commission has been working hard with the Council to conclude an agreement on the proposal on rulings before the end of the year and therefore welcomes the political agreement Member States reached on this file at the Economic and Financial Affairs Council (ECOFIN) on 6 October 2015. The Commission hopes that this will allow the new Directive to be up and running as from 2017. Whilst meeting this target will also require efforts on the part of national administrations, the successful and timely implementation of the Directive will demonstrate the EU's commitment to a fairer and more transparent tax system, not only to its international partners in the OECD and beyond, but also to its own citizens.

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The fight against tax avoidance and evasion remains a priority for the Commission and we will continue to work with third country partners to tackle corporate tax avoidance internationally. In this regard, the Commission notes the recent publication by the OECD of the final package of measures for a comprehensive, coherent and co-ordinated reform of the international tax rules (the OECD/G20 Base Erosion and Profit Shifting [BEPS] Project), which was endorsed by the G20 finance ministers at their 8 October meeting in Peru, and restates its commitment to push for an ambitious new international tax framework.

The Commission hopes that these clarifications address the issues raised by the Camera Deputaților and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Pierre Moscovici
Member of the Commission*