

Public consultation on the functioning of the administrative cooperation in the field of direct taxation

Fields marked with * are mandatory.

Introduction

EU Member States [cooperate with each other](#) to fight against cross-border tax evasion and promote fair competition in the single market. The Commission is [evaluating](#) the key provision for administrative cooperation in the field of direct taxation, Council Directive 2011/16/EU and would like to hear your opinion on it. Thank you in advance for your contribution.

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian

- Spanish
- Swedish

* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

Anthony Paul

* Surname

Gisby

* Email (this won't be published)

paul@accountancyeurope.eu

* Organisation name

255 character(s) maximum

Accountancy Europe

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

4713568401-18

*Country of origin

Please add your country of origin, or that of your organisation.

- | | | | |
|--|---|--|--|
| <input type="radio"/> Afghanistan | <input type="radio"/> Djibouti | <input type="radio"/> Libya | <input type="radio"/> Saint Pierre and Miquelon |
| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Vincent and the Grenadines |
| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Samoa |
| <input type="radio"/> Algeria | <input type="radio"/> Ecuador | <input type="radio"/> Luxembourg | <input type="radio"/> San Marino |
| <input type="radio"/> American Samoa | <input type="radio"/> Egypt | <input type="radio"/> Macau | <input type="radio"/> São Tomé and Príncipe |
| <input type="radio"/> Andorra | <input type="radio"/> El Salvador | <input type="radio"/> Madagascar | <input type="radio"/> Saudi Arabia |
| <input type="radio"/> Angola | <input type="radio"/> Equatorial Guinea | <input type="radio"/> Malawi | <input type="radio"/> Senegal |
| <input type="radio"/> Anguilla | <input type="radio"/> Eritrea | <input type="radio"/> Malaysia | <input type="radio"/> Serbia |
| <input type="radio"/> Antarctica | <input type="radio"/> Estonia | <input type="radio"/> Maldives | <input type="radio"/> Seychelles |
| <input type="radio"/> Antigua and Barbuda | <input type="radio"/> Ethiopia | <input type="radio"/> Mali | <input type="radio"/> Sierra Leone |
| <input type="radio"/> Argentina | <input type="radio"/> Falkland Islands | <input type="radio"/> Malta | <input type="radio"/> Singapore |
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| <input type="radio"/> Aruba | <input type="radio"/> Fiji | <input type="radio"/> Martinique | <input type="radio"/> Slovakia |
| <input type="radio"/> Australia | <input type="radio"/> Finland | <input type="radio"/> Mauritania | <input type="radio"/> Slovenia |
| <input type="radio"/> Austria | <input type="radio"/> Former Yugoslav Republic of Macedonia | <input type="radio"/> Mauritius | <input type="radio"/> Solomon Islands |
| <input type="radio"/> Azerbaijan | <input type="radio"/> France | <input type="radio"/> Mayotte | <input type="radio"/> Somalia |
| <input type="radio"/> Bahamas | <input type="radio"/> French Guiana | <input type="radio"/> Mexico | <input type="radio"/> South Africa |
| <input type="radio"/> Bahrain | <input type="radio"/> French Polynesia | <input type="radio"/> Micronesia | <input type="radio"/> South Georgia and the South Sandwich Islands |
| <input type="radio"/> Bangladesh | <input type="radio"/> French Southern and Antarctic Lands | <input type="radio"/> Moldova | <input type="radio"/> South Korea |
| <input type="radio"/> Barbados | <input type="radio"/> Gabon | <input type="radio"/> Monaco | <input type="radio"/> South Sudan |
| <input type="radio"/> Belarus | <input type="radio"/> Georgia | <input type="radio"/> Mongolia | <input type="radio"/> Spain |
| <input checked="" type="radio"/> Belgium | <input type="radio"/> Germany | <input type="radio"/> Montenegro | <input type="radio"/> Sri Lanka |
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| <input type="radio"/> Benin | <input type="radio"/> Gibraltar | <input type="radio"/> Morocco | <input type="radio"/> Suriname |
| <input type="radio"/> Bermuda | <input type="radio"/> Greece | <input type="radio"/> Mozambique | <input type="radio"/> Svalbard and Jan Mayen |
| <input type="radio"/> Bhutan | <input type="radio"/> Greenland | <input type="radio"/> Myanmar/Burma | <input type="radio"/> Swaziland |
| <input type="radio"/> Bolivia | <input type="radio"/> Grenada | <input type="radio"/> Namibia | <input type="radio"/> Sweden |
| <input type="radio"/> Bonaire Saint Eustatius and Saba | <input type="radio"/> Guadeloupe | <input type="radio"/> Nauru | <input type="radio"/> Switzerland |
| <input type="radio"/> Bosnia and Herzegovina | <input type="radio"/> Guam | <input type="radio"/> Nepal | <input type="radio"/> Syria |
| <input type="radio"/> Botswana | <input type="radio"/> Guatemala | <input type="radio"/> Netherlands | <input type="radio"/> Taiwan |
| <input type="radio"/> Bouvet Island | <input type="radio"/> Guernsey | <input type="radio"/> New Caledonia | <input type="radio"/> Tajikistan |
| <input type="radio"/> Brazil | <input type="radio"/> Guinea | <input type="radio"/> New Zealand | <input type="radio"/> Tanzania |
| <input type="radio"/> British Indian Ocean Territory | <input type="radio"/> Guinea-Bissau | <input type="radio"/> Nicaragua | <input type="radio"/> Thailand |

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|---|--|---|---|
| <input type="radio"/> British Virgin Islands | <input type="radio"/> Guyana | <input type="radio"/> Niger | <input type="radio"/> The Gambia |
| <input type="radio"/> Brunei | <input type="radio"/> Haiti | <input type="radio"/> Nigeria | <input type="radio"/> Timor-Leste |
| <input type="radio"/> Bulgaria | <input type="radio"/> Heard Island and
McDonald Islands | <input type="radio"/> Niue | <input type="radio"/> Togo |
| <input type="radio"/> Burkina Faso | <input type="radio"/> Honduras | <input type="radio"/> Norfolk Island | <input type="radio"/> Tokelau |
| <input type="radio"/> Burundi | <input type="radio"/> Hong Kong | <input type="radio"/> North Korea | <input type="radio"/> Tonga |
| <input type="radio"/> Cambodia | <input type="radio"/> Hungary | <input type="radio"/> Northern Mariana
Islands | <input type="radio"/> Trinidad and Tobago |
| <input type="radio"/> Cameroon | <input type="radio"/> Iceland | <input type="radio"/> Norway | <input type="radio"/> Tunisia |
| <input type="radio"/> Canada | <input type="radio"/> India | <input type="radio"/> Oman | <input type="radio"/> Turkey |
| <input type="radio"/> Cape Verde | <input type="radio"/> Indonesia | <input type="radio"/> Pakistan | <input type="radio"/> Turkmenistan |
| <input type="radio"/> Cayman Islands | <input type="radio"/> Iran | <input type="radio"/> Palau | <input type="radio"/> Turks and Caicos
Islands |
| <input type="radio"/> Central African
Republic | <input type="radio"/> Iraq | <input type="radio"/> Palestine | <input type="radio"/> Tuvalu |
| <input type="radio"/> Chad | <input type="radio"/> Ireland | <input type="radio"/> Panama | <input type="radio"/> Uganda |
| <input type="radio"/> Chile | <input type="radio"/> Isle of Man | <input type="radio"/> Papua New Guinea | <input type="radio"/> Ukraine |
| <input type="radio"/> China | <input type="radio"/> Israel | <input type="radio"/> Paraguay | <input type="radio"/> United Arab Emirates |
| <input type="radio"/> Christmas Island | <input type="radio"/> Italy | <input type="radio"/> Peru | <input type="radio"/> United Kingdom |
| <input type="radio"/> Clipperton | <input type="radio"/> Jamaica | <input type="radio"/> Philippines | <input type="radio"/> United States |
| <input type="radio"/> Cocos (Keeling)
Islands | <input type="radio"/> Japan | <input type="radio"/> Pitcairn Islands | <input type="radio"/> United States Minor
Outlying Islands |
| <input type="radio"/> Colombia | <input type="radio"/> Jersey | <input type="radio"/> Poland | <input type="radio"/> Uruguay |
| <input type="radio"/> Comoros | <input type="radio"/> Jordan | <input type="radio"/> Portugal | <input type="radio"/> US Virgin Islands |
| <input type="radio"/> Congo | <input type="radio"/> Kazakhstan | <input type="radio"/> Puerto Rico | <input type="radio"/> Uzbekistan |
| <input type="radio"/> Cook Islands | <input type="radio"/> Kenya | <input type="radio"/> Qatar | <input type="radio"/> Vanuatu |
| <input type="radio"/> Costa Rica | <input type="radio"/> Kiribati | <input type="radio"/> Réunion | <input type="radio"/> Vatican City |
| <input type="radio"/> Côte d'Ivoire | <input type="radio"/> Kosovo | <input type="radio"/> Romania | <input type="radio"/> Venezuela |
| <input type="radio"/> Croatia | <input type="radio"/> Kuwait | <input type="radio"/> Russia | <input type="radio"/> Vietnam |
| <input type="radio"/> Cuba | <input type="radio"/> Kyrgyzstan | <input type="radio"/> Rwanda | <input type="radio"/> Wallis and Futuna |
| <input type="radio"/> Curaçao | <input type="radio"/> Laos | <input type="radio"/> Saint Barthélemy | <input type="radio"/> Western Sahara |
| <input type="radio"/> Cyprus | <input type="radio"/> Latvia | <input type="radio"/> Saint Helena
Ascension and
Tristan da Cunha | <input type="radio"/> Yemen |
| <input type="radio"/> Czech Republic | <input type="radio"/> Lebanon | <input type="radio"/> Saint Kitts and Nevis | <input type="radio"/> Zambia |
| <input type="radio"/> Democratic Republic
of the Congo | <input type="radio"/> Lesotho | <input type="radio"/> Saint Lucia | <input type="radio"/> Zimbabwe |
| <input type="radio"/> Denmark | <input type="radio"/> Liberia | <input type="radio"/> Saint Martin | |

* Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only your type, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

Public

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

* I agree with the [personal data protection provisions](#)

A) Overall assessment of the directive

To what extent do you believe the following goals of administrative cooperation are important for Europe and globally?

	Very important	Important	Moderately important	Marginally important	Not important at all	Don't know
Increase EU Member States' ability to ensure that all taxpayers pay their taxes, irrespective of the place where the incomes are received or assets are held	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduce incentives for Member States to offer particularly favourable tax conditions not available to other taxpayers, thus competing for tax revenues with other Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase transparency in the tax planning of companies active in several EU Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

To what extent do you consider the tools given for tax authorities in the Directive appropriate to meet the goals?

	To a very large extent	To a large extent	To some extent	To a limited extent	To a very limited extent	Don't know
Increase EU Member States' ability to ensure that all taxpayers pay their taxes, irrespective of the place where the incomes are received or assets are held	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduce incentives for Member States to offer particularly favourable not available to other taxpayers tax conditions, thus competing for tax revenues with other Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase transparency in the tax planning of companies active in several EU Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Concerning the effects of the Directive, to what extent would you agree with the following statements?

	Agree	Partly agree	Neutral	Partly disagree	Disagree	Don't know
Increase EU Member States' ability to ensure that all taxpayers pay their taxes, irrespective of the place where the incomes are received or assets are held	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduce incentives for Member States to offer particularly favourable not available to other taxpayers tax conditions, thus competing for tax revenues with other Member States	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase transparency in the tax planning of companies active in several EU Member States	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

In your opinion, would the same results have been achieved even without the Directive (i.e. by means of international initiatives or national interventions)?

	(only one answer please)
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Yes, the same results would have been achieved without the Directive	<input type="radio"/>
Most of the same results would have been achieved without the Directive	<input type="radio"/>
Some of the results would have been achieved without the Directive, but the Directive was useful and/or instrumental to most of them	<input checked="" type="radio"/>
No, the Directive was essential to achieve these results	<input type="radio"/>
Don't know	<input type="radio"/>

Please explain how the same results could have been achieved, and/or how the Directive was useful to achieve them.

Accountancy Europe always favours the development of global and not regional standards. Consequently, our preference is for EU law to converge as far as possible with the OECD approach, which has happened with amendments to bring the DAC into line with the OECD Global Standard on automatic exchange of financial account information.

That being said, some of the provisions in the DAC predate the development of international standards (particularly arising from the Directive 2003/48/EC (the 'Savings Directive')) which is why we have answered that the DAC has been useful in achieving certain objectives.

In your experience, do you see any aspects in which the Directive is not in line with other laws or initiatives?

	(only one answer please)
Yes	<input type="radio"/>
No	<input type="radio"/>
Don't know	<input checked="" type="radio"/>

If you replied yes to the previous question, could you please explain?

It is very difficult to provide such information for nearly 200 jurisdictions, but we are not aware of any specific aspects in the Directive that are not in line with other laws and initiatives.

There is also the factor that the DAC introduces rules in respect of transactions with a cross-border element only. This can lead to a disparity in requirements between taxpayers in similar circumstances apart from the fact that there is a cross-border element. We appreciate that it is not within the Commissions competency to intervene in domestic transactions but Member States should be encouraged to ensure, wherever possible, that such disparities should be avoided both on the basis of discrimination and also to avoid unnecessary administrative burden with taxpayers and their advisors having to deal with divergent rules.

If you wish to add other comments or remarks on the overall assessment of the Directive, please feel free to do so here.

1000 character(s) maximum

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B) Individual taxpayers

Please reply to this section if you are a EU citizen / individual taxpayer.

Are you aware that your local tax authority receives automatically each year certain data on incomes received and financial assets held in other EU Member States by taxpayers of your country?

	one answer only please
Yes	<input type="radio"/>
Question 2	<input type="radio"/>

If you replied yes to the previous question, do you think that, in general, taxpayers are aware of the fact that tax authorities receive automatically each year certain data on incomes received and financial assets held in other EU Member States?

	One answer please
All taxpayers are aware	<input type="radio"/>
Most of the taxpayers are aware (>50% of taxpayers)	<input type="radio"/>
Some of the taxpayers are aware (10-50% of taxpayers)	<input type="radio"/>
Few taxpayers are aware (0-10% of taxpayers)	<input type="radio"/>
Taxpayers are generally not aware	<input type="radio"/>

Do you have income and/or hold financial assets in other EU Member States?

	One answer please
Yes	<input type="radio"/>
No	<input type="radio"/>

If you do have income and/or financial assets in other EU Member States, were you subject to audits, or requests for clarifications on your foreign income/assets by your home country tax authority?

	Multiple answers possible
I earn income in another Member State (e.g. income from employment, director fees, pension, proceedings from life insurance, income from immovable properties)	<input type="checkbox"/>
I hold financial assets abroad (e.g. bank account, securities accounts, stocks, bonds)	<input type="checkbox"/>
None of the above	<input type="checkbox"/>

If you do have income and/or financial assets in other EU Member States, were you subject to audits, or requests for clarifications on your foreign income/assets by your home country tax authority?

	Multiple answers possible
No	<input type="checkbox"/>
Yes, prior to 2015	<input type="checkbox"/>
Yes, after 2015	<input type="checkbox"/>
No, don't know	<input type="checkbox"/>

Did any of the banks in which you hold one or more current accounts request additional information concerning your tax residence situation?

	Multiple answers possible
No	<input type="checkbox"/>
Yes	<input type="checkbox"/>
I don't have a bank account	<input type="checkbox"/>

If you replied yes to the previous question, what kind of interaction did your bank require?

	Multiple answers possible
The interaction was exclusively via email/letter /telephone	<input type="checkbox"/>
A visit to the bank/financial institution was needed	<input type="checkbox"/>
Don't recall	<input type="checkbox"/>

C) Legal entities - legal arrangements

Please reply to this section if you are a company / private enterprise or legal arrangement

Did your banking institution request additional information concerning the tax residence situation of your company?

	One answer please
Yes	<input type="radio"/>
No	<input type="radio"/>

If you replied yes to the previous question, what kind of interaction did your bank require?

	Multiple answers possible
The interaction was exclusively via email/letter /telephone	<input type="checkbox"/>
A visit to the bank/financial institution was needed	<input type="checkbox"/>
Don't recall	<input type="checkbox"/>

Are you aware of the exchange of information between national tax authorities on advance tax rulings /advance pricing arrangements?

	One answer please
Yes	<input type="radio"/>
No	<input type="radio"/>

If you replied yes to the previous question, has this affected your attitude towards applying for such a ruling /arrangement?

	(only one answer please)
Yes, I have requested tax rulings / pricing arrangements in the past, but will not request them in the future	<input type="radio"/>
Yes, I have never requested tax rulings / pricing arrangements in the past, but am considering requesting one in the future	<input type="radio"/>
No, I have requested tax rulings / pricing arrangements in the past and will continue requesting them	<input type="radio"/>
No, I have never requested tax rulings / pricing arrangements in the past and will not request them in the future	<input type="radio"/>

Other [please specify]	<input type="radio"/>
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In case you have replied "other", you can specify your answer here:

Is your company/are some members of your organisation subject to Country-by-Country Reporting?

	One answer please
Yes	<input type="radio"/>
No	<input type="radio"/>

In case your company/some members of your organisation are subject to Country-by-Country Reporting, how complex or easy has it been for you/your members to collect and provide the information to fulfil the Country-by-Country Reporting requirements?

	[One answer]
Very complex	<input type="radio"/>
Complex	<input type="radio"/>
Not so complex	<input type="radio"/>
Easy	<input type="radio"/>
Very easy	<input type="radio"/>
Don't know	<input type="radio"/>

In case your company/some members of your organisation are subject to Country-by-Country Reporting, in order to fulfil the Country-by-Country reporting requirements, to what extent could you rely on information that was already at the disposal of your company / the members of your organisation?

	One answer
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Country-by-country reporting required mostly new information	<input type="radio"/>
Country-by-country reporting required new and existing information in equal part	<input type="radio"/>
Country-by-country reporting relied mostly on existing information	<input type="radio"/>
Don't know	<input type="radio"/>

Did your company / the members of your organisation incur any costs to prepare the Country-by-Country report? Could you please provide an estimate of such costs, as well as any additional comments?

D) Providers of Tax Advice and Accountancy Services

Please reply to this section if you are a provider of Tax Advice and Accountancy Service

What is the general awareness of your clients about the fact that their home country tax authority receives automatically each year certain data on incomes received and financial assets held in other EU Member States?

	Only one answer
All my clients are aware	<input type="radio"/>
Most of my clients are aware (>50% of taxpayers)	<input checked="" type="radio"/>
Some of my clients are aware (10-50% of taxpayers)	<input type="radio"/>
Few of my clients are aware (0-10% of taxpayers)	<input type="radio"/>
None of my client is aware	<input type="radio"/>

What is the share of your clients earning incomes from/ owning financial assets in other EU MS?

	None	Few (0-10%)	Some (10-50%)	Most (>50%)	All	Don't know
Incomes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Financial Assets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
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How often were your clients subject to audits, checks, verifications, or requests for clarifications on foreign income/assets by their home country tax authority?

	Never	Rarely (few cases per year)	Sometimes (up to 10% of clients with foreign incomes /assets)	Often (10-50% clients with foreign incomes /assets)	For most of the clients concerned (>50% of clients with foreign incomes /assets)
Prior to 2015	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
After 2015	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Would you consider that the general awareness of your clients that information is exchanged between tax authorities has increased your clients' compliance with their tax obligations?

	One answer
No	<input type="radio"/>
Yes, to a limited extent	<input checked="" type="radio"/>
Yes, to a moderate extent	<input type="radio"/>
Yes, to a large extent	<input type="radio"/>
Don't know	<input type="radio"/>

How would you assess the general awareness of your clients about exchange of information on advance tax rulings and advance pricing arrangements?

	One answer
All my clients are aware	<input type="radio"/>
Most of my clients are aware (>50% of taxpayers)	<input checked="" type="radio"/>
Some of my clients are aware (10-50% of taxpayers)	<input type="radio"/>
Few of my clients are aware (0-10% of taxpayers)	<input type="radio"/>

None of my client is aware	<input type="radio"/>
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Would you consider that the general awareness of your clients that information is exchanged between tax authorities on advance rulings/advance pricing arrangements has reduced or increased your clients' interest to apply for a ruling or arrangement?

	One answer
No effect	<input checked="" type="radio"/>
The interest has increased	<input type="radio"/>
The interest has decreased	<input type="radio"/>

E) Financial institutions

Please reply to this section if you are a financial institution.

The automatic exchange of financial information introduced under the first amendment to the Directive in 2014 (so called 'DAC2'), also referred to as the Common Reporting System ('CRS'), relies on information collected by banks and other financial institutions, including the tax residency status of their clients, through customer due diligence procedures. Financial institutions provide the account information on non-resident customers to their national tax authority, which then sends the information to the tax authority of the Member State where the customer is resident.

Overall, how easy or difficult has it been to collect the information required for DAC2 and CRS and submit it to the national authorities?

	One answer
Very easy	<input type="radio"/>
Easy	<input type="radio"/>
Neither easy nor difficult	<input type="radio"/>
Difficult	<input type="radio"/>
Very difficult	<input type="radio"/>
Don't know	<input type="radio"/>

What did your financial institution / the members of your organisation have to do to comply with the rules and provide the required information to your tax authority?

	Multiple answers
Setting up/modification of IT system	<input type="checkbox"/>
Setting up/modification of internal procedures	<input type="checkbox"/>
Training of staff	<input type="checkbox"/>
Other activity: please specify	<input type="checkbox"/>

Could you provide any comments on the costs incurred for these activities?

Did you get instructions and guidance from tax authorities to collect and submit the information required for DAC2 and CRS?

	One answer
No	<input type="radio"/>
Yes, but it was not sufficient	<input type="radio"/>
Yes, and it was sufficient	<input type="radio"/>

Do you receive feedback from local tax authorities about the information you have provided?

	One answer
No	<input type="radio"/>
Yes, a limited feedback	<input type="radio"/>
Yes, a sufficient feedback	<input type="radio"/>

To what extent could your financial institution /the members of your organisation rely on information that was already available?

	One answer
Compliance with DAC2/CRS required exclusively new information	<input type="radio"/>
Compliance with DAC2/CRS required mostly new information	<input type="radio"/>
Compliance with DAC2/CRS required new and existing information in equal part	<input type="radio"/>
Compliance with DAC2/CRS relied mostly on existing information	<input type="radio"/>
Compliance with DAC2/CRS relied exclusively on existing information	<input type="radio"/>
Don't know	<input type="radio"/>

What kind of interaction, if any, did your financial institution / the members of your organisation have with your clients to collect the information needed to comply with DAC2/CRS requirements? (select all that apply)

	No client	Few clients (0-10%)	Some clients (10-50%)	Most clients (>50%)	All clients	Don't know
A written notification to the clients on this subject with no further interactions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Interacting with clients via e-mail/telephone/letter to request additional information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Meeting with the clients to discuss the situation/submit information/sign documents	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other: please specify	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

F) Document upload and final comments

If you wish to add further information within the scope of this questionnaire, please feel free to do so here. Please feel free to upload a concise document, such as a position paper. The maximum file size is 1MB.

Please note that the uploaded document will be published alongside your response to the questionnaire which is the essential input to this public consultation. The document is optional and serves as additional background reading to better understand your position.

Section A

- In respect of the first question on the goals of administrative cooperation, we agree that administrative cooperation is important in ensuring all taxpayers pay their taxes where they are due. However, we rate as 'moderately important' for the next two objectives because although transparency on tax rulings and tax planning will help provide tax authorities with more information, this is not sufficient on its own. More international cooperation is required from national governments when setting their tax policies and laws to achieve the goals set out in this question.
- In respect of the second question, regarding the effectiveness of tools provided to tax authorities by the DAC, our rationale is the same. The DAC has provided useful tools for information exchange and cross-border transparency in Europe but governments need to invest more in other tools (especially IT systems), preferably as part of an international effort. Tax policy is an international issue, so a purely EU-level solution will always be of limited effectiveness.

Section D

- Accountancy Europe is responding on behalf of the European professional accountancy bodies – we do not directly have commercial clients of our own. By necessity, we rely on the views of practitioners from different countries in the EU - we do not have any empirical evidence to support the percentages or other answers selected in this section. Their involvement in Accountancy Europe indicates they are more aware of cross-border issues than many accountants and, accordingly, their client base is also likely to be involved in cross-border transactions and thereby be more knowledgeable about information exchange, tax rulings etc. than many clients of accountants.
- In respect of client knowledge, we are responding on the basis of clients that have cross-border activities or investments. Taxpayers that only have domestic economic activity are far less likely to know or care about the cross-border exchange of information.
- That being said, even in the case of taxpayers with cross-border activities, the level of awareness is likely to differ quite considerably depending on both the economic activity of the taxpayer and the various different types of information exchange now included in the DAC. For example, a taxpayer in the position where they believe that they need a cross-border ruling is more likely to know about the automatic exchange of cross-border tax ruling rather than a taxpayer whose only cross-border asset is a small bank deposit in another country.
- In respect of the question regarding the share of clients with income or assets in other EU MSs, we are unable to provide an accurate estimate as our members cover many different countries and act for many different types of taxpayers.
- In respect of the change of frequency in tax audits pre and post 2015, the experiences differ depending on country and type of client. Some countries target particular types of clients, perhaps based on size, sector or through risk assessment, so the frequency of tax audits will vary considerably.
- In respect of general awareness of clients of automatic exchange of information and the impact on taxpayer compliance, it may have improved compliance amongst certain groups of taxpayers -particularly unrepresented taxpayers or taxpayers using unqualified advisors. However, we do not believe that it would have had a significant impact on the compliance of taxpayers that use professional accountants to assist in their tax compliance as professional accountants have a general duty of care to ensure that their clients are compliant.
- We do not believe that the automatic exchange of cross-border tax rulings has significantly reduced clients' interest in applying for a ruling. If a level of uncertainty exists in cross border taxation, then clients will still seek rulings if that would result in greater legal certainty. Additionally, some Member States have only recently introduced a rulings system, so demand will automatically increase in these jurisdictions. What we have seen is an increasing reluctance for the tax authorities of Member States to grant such rulings – presumably as they perceive that there is now an increased risk of the tax authority being accused of providing preferential arrangements for selected taxpayers.

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