

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

* Surname

* Email (this won't be published)

* Scope

- International
- Local
- National
- Regional

* Organisation name

255 character(s) maximum

* 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.

*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 |
| <input type="radio"/> Armenia | <input type="radio"/> Faroe Islands | <input type="radio"/> Marshall Islands | <input type="radio"/> Sint Maarten |
| <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 type="radio"/> Belgium | <input type="radio"/> Germany | <input type="radio"/> Montenegro | <input type="radio"/> Sri Lanka |
| <input type="radio"/> Belize | <input type="radio"/> Ghana | <input type="radio"/> Montserrat | <input type="radio"/> Sudan |
| <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 |

- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Greenland
- Grenada
- Guadeloupe
- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Myanmar /Burma
- Namibia
- Nauru
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- North Korea
- Northern Mariana Islands
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Romania
- Swaziland
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- The Gambia
- Timor-Leste
- Togo
- Tokelau
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States Minor Outlying Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- 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"/>					
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"/>					
Increase transparency in the tax planning of companies active in several EU Member States	<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 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 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 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"/>					
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"/>					
Increase transparency in the tax planning of companies active in several EU Member States	<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)
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 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.

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 type="radio"/>

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

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

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"/>
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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"/>

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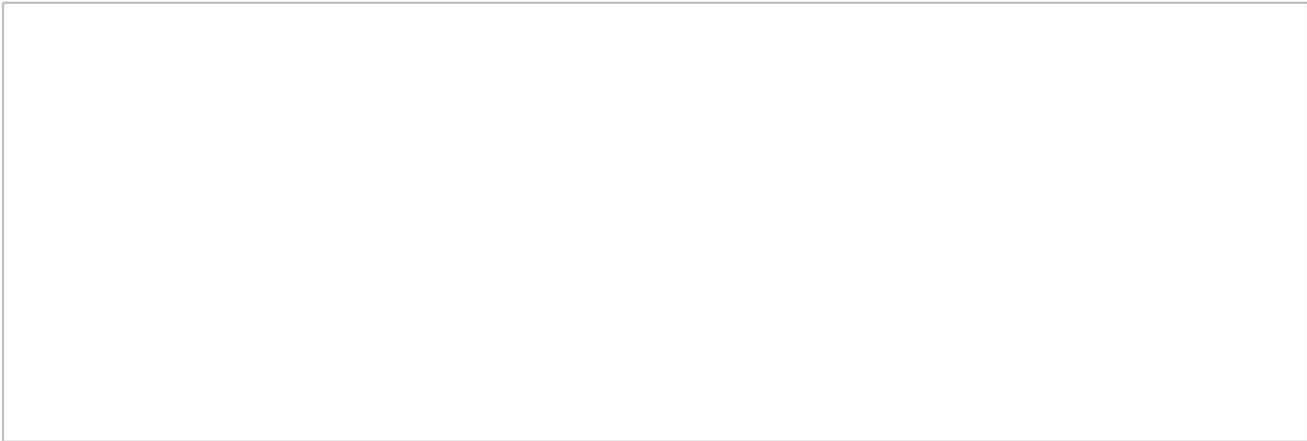
In case your company/some members of your organisation are subject to Country-by-Country Reporting, how complex or easy has it been for you/your members to collect and provide the information to fulfil the Country-by-Country Reporting requirements?

	[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
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 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"/>					
Financial Assets	<input type="radio"/>					

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 type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
After 2015	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input 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 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 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"/>

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 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
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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"/>					
Interacting with clients via e-mail /telephone/letter to request additional information	<input type="radio"/>					
Meeting with the clients to discuss the situation/submit information/sign documents	<input type="radio"/>					
Other: please specify	<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.



Please upload your file

The maximum file size is 1 MB

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed