

Optimisation Fiscale : Impact, Enjeux & Perspectives

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Mercredi 25 mars 2015

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From an expert debate, tax became a political question

- Increased pressure from the public opinion for tax fairness
- At stake for every state (EU, OECD, BRICS): retaining more tax revenues
- Tax planning is viewed as tax avoidance
- Tax competitiveness and competition between MNs (US versus Europe) cannot be ignored
- MNs navigate “à vue”
 - instability of the norm
 - inflation of anti-abuse mechanisms brings uncertainty
 - increased tax compliance burden
- MNs more sensitive to potential side effects of tax planning

Reputation Risk

- Tax is no longer an issue to be discussed between experts. It became in 2002 a political matter : budget crisis calls for each taxpayer to pay its “fair share of tax”;
 - “Do the riches pay their fair share of tax”?
 - Occupy Wall street vs the Tea Party.
- Increased pressure from the press, new medias and the public opinion : increased tax reputation risk

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Welcome to your preview of The Times

Amazon, Google, Facebook and Apple 'must not be so aggressive over UK tax'



Patrick Hosking Financial Editor
Last updated at 12:01AM, January 13 2014

C/M/S/ Bureau Francis Lefebvre

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Reception

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ile reports that little is being done by governments

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February 25, 2015 6:16 pm

Report links McDonald's to EU tax avoidance scandal


Duncan Robinson in Brussels



McDonald's has been linked to the growing scandal of tax avoidance within the EU after the fast-food group was accused of avoiding €1bn of taxes by funnelling royalties through Luxembourg.

A report by the charity War on Want and three trade unions revealed that between

2009 and 2013 McDonald's paid a total of €16m in tax on royalties of €3.7bn.




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David Beckham, Wayne Rooney and Steven Gerrard face bills over suspected tax avoidance scheme



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NEWS EUROPE

3 October 2014 Last updated at 14:10 GMT

Barcelona star Lionel Messi to face tax evasion trial



Lionel Messi at a news conference in Barcelona on Thursday

theguardian Winner of the Pulitzer prize

Bono: controversial tax laws have brought Ireland the only prosperity it's ever known

U2 singer says capitalism and commerce play a vital role in lifting people out of poverty and that Ireland's tax policies benefit the country's economy

Read the full exclusive interview with U2 here



The Edge, Larry Mullen, Adam Clayton and Bono of U2. Photograph: Joe Pugliese

Reputation Risk

- Adverse consequences for the
 - Company, its branding and its sales
 - Management and investors
- In search of the appropriate response
 - More structured approach to managing the public tax profile
 - Tax policy is much more scrutinized internally (audit committees)
 - The tax director is a risk manager
 - How tax planning will appear to local tax authorities

Conclusion: reputation risk is viewed as critical issue (financial institutions and businesses with a retail presence more exposed).

Extended to countries (Ireland)?

Lack of predictability

- Perception that most tax legislation changes correspond to reactions to immediate issues and not to budget/economic strategies.
- No real reforms but multiplication of layers of rules
- Frequent changes of tax laws
- Multiplication of anti-abuse provisions : special and general
- Would BEPS give rise to multilateral actions or unilateral measures with potential double taxation?
- Tough tax audits
 - Raid and seizures / criminal risk

Lack of predictability

Conclusion :

- Lack of visibility in tax policy
- Aggressive tax audits (the rule, the anticipation of rules (BEPS?), and moralization) VAT, PE, BEPS related-
- Increased litigation based on fundamental principles (Constitutional law, EU law and treaty law).
- Increased care
 - to *business and operating substance of transactions*
 - “*How it will appear to local authorities*”

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