

in cooperation with

**Taxation and Customs Union –  
Directorate General (European Commission), TAXUD**

## **Invitation to the Conference**

### **COMMON CONSOLIDATED CORPORATE TAX BASE**

**The possible content of Community Law Provisions**

**February 21 – 23, 2008, Vienna**

Wirtschaftsuniversität Wien  
Augasse 2-6, 1090 Vienna  
(Vienna University of Economics and Business Administration)

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Complying with the Lisbon Strategy set forth by the Council of the European Union in 2001, the European Commission identified corporate taxation across the European Union as one major obstacle to the achievement of a common market. With – today – 27 different corporate tax systems, pan-European companies are facing – among other administrative issues – extremely high compliance costs.

In order to tackle this problem, the European Commission commenced its work on the “Common Consolidated Corporate Tax Base”, an ambitious project to coordinate corporate taxation throughout the European Union. By mid-2008 the European Commission intends to present to the Council and the European Parliament a legislative proposal upon which corporate taxation in the European Union could be harmonized.

This conference aims at providing the European Commission with valuable input shortly before the drafting of the legislative proposal. The discussion will be based on papers submitted by academics as well as practitioners and representatives of various European tax administrations and will focus on the possible content of the Common Consolidated Corporate Tax Base and the legislative proposal. The papers will be distributed before the conference. Participants are expected to read all the papers before the conference. The papers will not be presented at the conference. Each segment of the conference will be introduced by an input statement of a discussant who will critically comment on the papers of the segment, in order to stimulate lively discussions.

The group of participants will be rather small in order to enable an interesting exchange of thoughts. Therefore only a limited number of participants will be admitted. All participants must have expertise in European tax law either from a practical or an academic perspective. We kindly invite researchers of any nationality to apply for participation

**Conference details:**

**Date:** February 21 – 23, 2008

**Program:** Please find the detailed program enclosed!

**Venue:** Vienna University of Economics and Business Administration  
Augasse 2-6, 1090 Vienna

**Participation Fee:** 1.000 Euro

A waiver of the participation fee may be granted to professors and other researchers who are exclusively employed by a university or other academic institutions (wherever located) and have been engaged in research activities in European tax law.

Please send your application to Ms. Necha Demirova (e-mail: **necha.demirova@wu-wien.ac.at**, fax: **++43 1 31336 730** – please use the attached application form).

# COMMON CONSOLIDATED CORPORATE TAX BASE

## The possible content of Community Law Provisions

Thursday, 21 February 2008

**18.00**                      **Opening of the Conference**

**Prof. Dr. Michael Lang**, *Professor at the Institute for Austrian and International Tax Law, Vienna University of Economics and Business Administration*

**Prof. Dr. Claus Staringer**, *Professor at the Institute for Austrian and International Tax Law, Vienna University of Economics and Business Administration*

**CCCTB as a European Research Project**

**Michel Aujean**, *former Director of Tax Policy, European Commission*

***The CCCTB Project and the Future of European Taxation***

**afterwards**              **Cocktail Reception**

Friday, 22 February 2008

**8.30 – 10.30**              **Session I: Basic Issues**

Introduction:              **Tom Neale** (*European Commission*) – CCCTB: How far we got – The next steps

Chair:                      **Prof. Dr. Michael Lang** (*Vienna University of Economics and Business Administration*)

Papers prepared by:

Prof. DDr. Thomas Eilmansberger (*University of Salzburg*) – **Directive versus Regulation**

Richard Lyal (*European Commission*) – **Scope of the Comitology Procedure**

Prof. Dr. Christoph Spengel, (*University of Mannheim*) – **Comprehensive Tax Base or Residual reference to GAAP or domestic tax law?**

Prof. Dr. Johanna Hey (*University of Cologne*) – **Optionality**

Discussant:              **Stefan Mayer, LL.M.** (*Max Planck Institute for Intellectual Property, Competition and Tax Law, Munich*)

**10.30 – 11.00** Coffee Break

**11.00 – 12.30** **Session II: Forming a Group**

Chair: **Prof. Mag. Dr. Josef Schuch** (*Vienna University of Economics and Business Administration*)

Papers prepared by:

Prof. Dr. Claus Staringer (*Vienna University of Economics and Business Administration*), Prof. Niels Winter-Sorensen/Prof. Jakob Bundgaard, (*Copenhagen Business School*) – **Requirements to Form a Group**

Mag. Daniela Hohenwarter, LL.M. (*Vienna University of Economics and Business Administration*) – **Moving in and out of a Group**

Prof. Dr. Marc Bourgeois/Prof. Eric Von Frenckell (*University of Liège*) – **Relation to Taxpayers outside the Group**

Prof. Dr. Robert Danon (*University of Neuchâtel*) – **Transparent Entities and Hybrids**

Discussant: **Prof. Dr. Ulrich Schreiber** (*University of Mannheim*)

**12.30 – 14.00** Lunch Break

**14.00 – 16.00** **Session III: Tax Base – Part 1**

Chair: **Prof. Dr. Claus Staringer** (*Vienna University of Economics and Business Administration*)

Papers prepared by:

Prof. Judith Freedman (*Oxford University*)/Graeme Macdonald (*University of Kent*) – **Principles**

Prof. Dr. Juan Zornoza/Dr. Andrés Báez (*Carlos III University*) – **Assets**

Prof. Hanna Litwinczuk/Maria Supera-Markowska (*University of Warsaw*), Alicia Martinez Serrano (*University of Murcia*) – **Depreciation Rules**

Ass. Prof. Dr. Gloria Alarcon Garcia (*University of Murcia*) – **Deductibility**

Discussant: **Doz. DDr. Gunter Mayr** (*Ministry of Finance, Vienna; University of Innsbruck*)

**16.00 – 16.30** Coffee Break

**16.30 – 18.30      Session IV: Tax Base – Part 2**

Chair:                    **Prof. Dr. Pasquale Pistone** (*Vienna University of Economics and Business Administration*)

Papers prepared by:

Dr. Ronald Russo (*Tilburg University*) – **Accrual Basis**

Prof. Dr. Peter Essers (*Tilburg University*) – **Debts and Provisions**

Prof. Dr. Maria Teresa Soler Roch/ Ass. Prof. Dr. Amparo Navarro (*University of Alicante*) – **Measurement of Income and Expenses**

Ass. Prof. Dr. Saturnina Moreno/Dr. José Alberto Sanz (*University Castilla La Mancha*) – **Losses**

Discussant:           **Prof. Dr. Eva Eberhartinger, LL.M.** (*Vienna University of Economics and Business Administration*)

**20.00**                    Dinner Reception by the **Mayor of Vienna**

<b>Saturday, 23 February 2008</b>
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**8.30 – 10.30      Session V: Consolidation**

Chair:                    **Prof. Dr. Claus Staringer** (*Vienna University of Economics and Business Administration*)

Papers prepared by:

Mario Tenore (*Vienna University of Economics and Business Administration*) – **Requirements to Consolidate; Changes in the Level of Ownership**

Prof. Valerio Antonelli/Prof. Raffaele d'Alessio (*University Salerno*) – **From Consolidated Profit and Loss Account to Consolidation for CCCTB purposes**

Prof. Dr. Andreas Oestreicher (*University Göttingen*), Prof. Dr. Norbert Herzig (*University Cologne*) – **Methods of Consolidation**

Discussant:           **Dr. Thomas Schänzle** (*Flick Gocke Schaumburg, Frankfurt*)

**10.30 – 11.00**      Coffee Break

**11.00 – 12.30      Session VI: Financial Institutions**

Chair:                    **Prof. Mag. Dr. Josef Schuch** (*Vienna University of Economics and Business Administration*)

Papers prepared by:

Dr. Martina Baumgärtel (*Allianz SE*) – **Financial Institutions: Need for Special provisions?**

Dr. Alejandro García Heredia (*Universidad de Oviedo*) – **Finance Companies and Finance PEs Within a Group**

Discussant:            **Prof. Dr. Bruno Colmant** (*Université de Liège; Euronext Bruxelles*)

**12.30 – 14.00**      Lunch Break

**14.00 – 16.00      Session VII: International Issues**

Chair:                    **Prof. Dr. Michael Lang** (*Vienna University of Economics and Business Administration*)

Papers prepared by:

Prof. Dr. Philip Baker (*Institute of Advanced Legal Studies, London University*)/Joanna Mitroyanni (*Queen Mary, University of London*) – **Relation Between CCCTB Rules and Tax Treaties**

Prof. Dr. Eric Kemmeren (*Tilburg University*) – **Exemption Method for PEs and Major Shareholdings**

Prof. Daniel Garabedian (*University of Brussels, Liedekerke Wolters Waelbroeck Kirkpatrick*)/Prof. Jacques Malherbe (*Leuven University, Liedekerke Wolters Waelbroeck Kirkpatrick*) – **Credit Method for Portfolio Dividends, Interest and Royalties**

Doz. DDr. Georg Kofler (*University Linz, New York University*) – **CFC Rules**

Prof. Dr. Dennis Weber (*University of Amsterdam*)/Antonio Russo (*Baker & McKenzie*) – **Switch over Clauses**

Dr. Edoardo Traversa (*University of Louvain*) – **Expenses Related to Exempt Income**

Prof. Dr. Ana Paula Dourado (*University of Lisbon*)/Dr. Rita de la Feria (*Oxford University*); Malcolm Gammie, QC/Dr. Christiana HJI Panayi (*Queen Mary, University of London and Institute for Fiscal Studies*) – **Thin Capitalisation and Inbound Investment**

Prof. Dr. Pasquale Pistone (*Vienna University of Economics and Business Administration*) – **Outbound investment and Interest Deduction (“Fat cap”)**

M<sup>a</sup> Soledad González-Márquez, LL.M. (*University of Murcia*) – **Tax Treatment of Losses in Cross-Border-Situations**

Discussant: **Milena Hrdinkova** (*Ministry of Finance, Prague*)

**16.00 – 16.30** Lunch Break

**16.30 – 18.30** **Session VIII: Administrative Issues**

Chair: Prof. Dr. **Pasquale Pistone** (*Vienna University of Economics and Business Administration*)

Papers prepared by:

Ass. Prof. Dr. Adolfo Martin Jimenez (*University of Cadiz*)/Dr. Nuria Puebla (*Universidad Complutense*) – **Cooperation between Tax authorities**

Prof. Dr. Roman Seer (*Universität Bochum*) – **Arbitration to solve conflicts between tax authorities**

Ass. Prof. Dr. Maria Amparo Grau Ruiz (*Universidad Complutense*) – **Legal Protection**

Dr. Luca Cerioni (*Brunel University*), Ass. Prof. Dr. Juan J. Bayona, (*University of Alicante*), Prof. Dr. Klaus-Dieter Drüen (*University of Düsseldorf*) – **Tax audits**

Ass. Prof. Dr. Jesús Rodríguez Márquez (*Spanish Institute of Fiscal Studies*) – **Level of Coordination of Procedural Rules**

Ass. Prof. Dr. Pedro Herrera (*Universidad Complutense*)/Antonio Montero, (*Spanish Ministry of Finance*) – **Supervisory Function of European Institutions?**

Discussant: **Paul Farmer** (*Dorsey, London*)

<b>End of the Conference</b>
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