

## Minutes

### TALC Sub-committee 'BEPS Implementation' Meeting

Date 16 March 2018

Location & Time Conference Room 1, Ground Floor, Blocks 8-10 10.30 am

#### Introduction

Minutes of meeting of 10 January 2018 were approved by all attendees.

#### **Item 1: Controlled Foreign Corporations**

- Practitioners prepared a detailed note and gave a briefing on the tax administrative issues that are foreseen to arise when designing the operation of a CFC rule under the EU Anti-Tax Avoidance Directive in a manner that fits with Ireland's corporation tax regime.
- Practitioners recognised that Ireland's tax policy makers have not yet announced the detail of the policy choices available to Ireland under the ATAD framework.
- Revenue welcomed the presentation of the paper to assist further discussions on issues arising regarding the design of a CFC regime.
- Practitioners expressed concern that companies require certainty as certain issues may arise under Option B for operations that they have abroad where there is genuine economic activity.

#### **Item 2: Hybrids**

- Practitioners prepared a detailed note and gave a high level overview of hybrid mismatch provisions in the EU Anti-Hybrid Directive (ATAD).
- Practitioners expressed the view that it may be possible to include the anti-hybrid legislative provisions within section 110 of the TCA 1997.
- Practitioners are also of the view that Ireland's hybrid rules should not go beyond what is stipulated in ATAD. It was also pointed out that the US is introducing their own hybrid rules and that the impact of such rules should be monitored.

#### **Action Points:**

- Revenue will organise the next meeting within 6 weeks to further explore the issues raised.

**Attendees of meeting of 16 March:**

**CCAB – I:** Crona Brady, Enda Faughnan, Derek Henry, Kevin Doyle

**Revenue:** Gerry Howard, Paul Walsh, Alan Carey, Áine Hollingsworth, Maresa Hempenstall, Audrey Bridgeman

**Law Society:** Aidan Fahy

**ITI:** Sharon Burke, Peter Reilly, Rory MacIver, Michael Raine, Cora O'Brien, Anne Gunnell