

CHAPTER 1 INTRODUCTION TO TAXATION

WHAT IS TAXATION?

Taxation may be defined as a State power, a legislative process, and a mode of government cost-distribution.

1. As a state power - Taxation is an inherent power of the State to enforce a proportional contribution from its subjects for public purpose.
2. As a process - Taxation is a process of levying taxes by the legislature of the State to enforce proportional contributions from its subjects for public purpose.
3. As a mode of cost distribution
Taxation is a mode by which the State allocates its costs or burden to its subjects who are benefited by its spending.

The Theory of Taxation

Every government provides a vast array of public services including defense, public order and safety, health, education, and social protection among others.

A system of government is indispensable to every society. Without it, the people will not enjoy the benefits of a civilized and orderly society. However, a government cannot exist without a system of funding. The government's necessity for funding is the theory of taxation.

The Basis of Taxation

The government provides benefits to the people in the form of public services, and the people provide the funds that finance the government. This mutuality of support between the people and the government is referred to as the basis of taxation.

This mutuality is illustrated as follows:

Public services
Government
People
Taxes

Receipt of benefits is conclusively presumed

Every citizen and resident of the State directly or indirectly benefits from the public services rendered by the government. These benefits can be in the form of daily free usage of public infrastructures, access to public health or educational services, the protection and security of person and property, or simply the comfort of living in a civilized and peaceful society which is maintained by the government. While most public services are received indirectly, their realization by every citizen and resident is undeniable. In taxation, the receipt of these benefits by the people is conclusively presumed. Thus, taxpayers cannot avoid payment of taxes under the defense of absence of benefit received. The direct receipt or actual avowment of government services is not a precondition to taxation.

THEORIES OF COST ALLOCATION

Taxation is a mode of allocating government costs or burden to the people. In distributing the costs or burden, the government regards the following general considerations in the exercise of its taxation power:

1. Benefit received theory
2. Ability to pay theory

Benefit received theory

The benefit received theory presupposes that the more benefit one receives from the government, the more taxes he should pay.

Ability to pay theory

The ability to pay theory presupposes that taxation should also consider the taxpayer's ability to pay. Taxpayers should be required to contribute based on their relative capacity to sacrifice for the support of the government.

* In short, those who have more should be taxed more even if they benefit less from the government. Those who have less shall contribute less even if they receive more of the benefits from the government.

Aspects of the Ability to Pay Theory

1. Vertical equity

Vertical equity proposes that the extent of one's ability to pay is directly proportional to the level of his tax base.

2. Horizontal equity

Horizontal equity requires consideration of the particular circumstance of the taxpayer.

Vertical equity is a gross concept while horizontal equity is a net concept.

The Lifblood Doctrine

Taxes are essential and indispensable to the continued subsistence of the government. Without taxes, the government would be paralyzed for lack of motive power to activate or operate it. (*Citiz vs. Algue*)

Taxes are the lifblood of the government, and their prompt and certain availability are an imperative need. Upon taxation depends the government's ability to serve the people for whose benefit taxes are collected. (*Vera vs. Fernandez*)

Implication of the lifblood doctrine in taxation

1. Tax is imposed even in the absence of a Constitutional grant.
2. Claims for tax exemption are construed against taxpayers.
3. The government reserves the right to choose the objects of taxation.
4. The courts are not allowed to interfere with the collection of taxes. - *BIR*
5. In income taxation:
 - a. Income received in advance is taxable upon receipt.
 - b. Deduction for capital expenditures and prepayments is not allowed as it effectively defers the collection of income tax.
 - c. Lesser amount of deduction is preferred when a claimable expense is subject to limit.
 - d. A higher tax base is preferred when the tax object has multiple tax bases.

INHERENT POWERS OF THE STATE

A government has its basic needs and rights which co-exist with its creation. It has rights to sustenance, protection, and properties. The government sustains itself by the power of taxation, secures itself and the well-being of its people by police power, and secures its own properties to carry out its public services by the power of eminent domain.

These rights, dubbed as "powers" are natural, inseparable, and inherent to every government. No government can sustain or effectively operate without these powers. Therefore, the exercise of these powers by the government is presumed authorized and acknowledged by the people from the very moment they establish their government. These powers are naturally exercisable by the government even in the absence of an express grant of power in the Constitution.

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**Simon Moralee, Manbinder
Sidhu, Judith Smith, Kieran Walshe**

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Global Perspectives on E-Commerce Taxation Law Dr Subhajit Basu, 2013-01-28 In its most advanced form e commerce allows unidentified purchasers to pay obscure vendors in electronic cash for products that are often goods services and licenses all rolled into one This book considers the implications for the domestic and international tax systems of the growth of e commerce It covers a wide variety of activities from discussion of the principles governing direct and indirect taxation to explanation of the implementation and use of e commerce on the part of businesses as well as the application of existing tax principles in this field With its focus on the broader issues surrounding the expansion of e commerce and its attention to the problems arising internationally in this field Global Perspectives in E Commerce Taxation Law will appeal to scholars worldwide

Healthcare Management, 4e Simon Moralee, Manbinder Sidhu, Judith Smith, Kieran Walshe, 2025-05-27 This edition comes highly commended by me it s an excellent reference and companion to developing the experience and expertise necessary to function in today s healthcare environment Lord Victor O Adebawale MA CBE Chair NHS Confederation Leadership Coach Executive Chairman Visionable A welcome update given the even more acute challenges we face in healthcare and policy since the last edition with new and timely chapters edited by two of the leading groups in healthcare management and policy Professor John vretveit Medical Management Center Karolinska Medical University Sweden This internationally renowned book is written by leading experts in the field and covers all the key aspects of healthcare management Written with healthcare managers professionals and students in mind it provides an accessible and evidence based guide to healthcare systems services organisations and management Key areas covered include Structure and delivery of healthcare services in the global context including mental health acute care primary care chronic disease adult social care and integrated care Allocating resources for healthcare healthcare finances the economics of healthcare and managing priorities Healthcare workforce Research and innovation Climate change and sustainability Global health policy governing health systems across borders Service user perspectives experiences and involvements in healthcare Equality diversity and inclusion Measuring and managing health care performance This fourth edition has been significantly rewritten with two new editors several new contributors and a revised chapter structure designed to better support learning practical application and further study In addition there is a strengthened international focus and each chapter includes new case studies giving global examples of health systems and services new and updated learning activities to encourage application to your own organisation and a range of links to useful online resources Healthcare Management is essential research based and applied reading for students teachers and healthcare professionals involved in management research and health policy making Simon Moralee is Senior Lecturer Associate Professor in Healthcare Management and Head of the Health Management Group at the Alliance Manchester Business School The University of Manchester UK Manbinder Sidhu is Associate Professor at the Health Services Management Centre and Co Director of the National Institute of Health and Care

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taxation that engages with the sustainable development goals and lay the foundations for a post pandemic recovery It will be relevant to researchers and policymakers interested in development economics and the governance of taxation

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