

V O L U M E 1

Tax Law Design and Drafting

Editor
Victor Thuronyi

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Tax Law Design And Drafting V 1

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Tax Law Design And Drafting V 1 :

Tax Law Design and Drafting, Volume 1 Mr.Victor Thuronyi,1996-08-23 Edited by Victor Thuronyi this book offers an introduction to a broad range of issues in comparative tax law and is based on comparative discussion of the tax laws of developed countries It presents practical models and guidelines for drafting tax legislation that can be used by officials of developing and transition countries Volume I covers general issues some special topics and major taxes other than income tax

Tax Law Design and Drafting, Volume 2 Mr.Victor Thuronyi,1998-06-25 A comprehensive guide to income tax legislation this book is the second of two volumes dealing with tax legislation from a comparative law perspective Distilled from the IMF Legal Department s extensive experience the book covers a wide range of issues in both domestic and international taxation It also includes the most extensive bibliography currently available of the national tax laws of IMF member countries

Legitimate expectations in Luxembourg tax law Fatima Chaouche,2019-06-25 This book is the result of a 4 year research project conducted at the Faculty of Law of the University of Luxembourg It explores the legal value and enforceability of tax circulars and tax rulings in Luxembourg domestic law in light of the principle of legitimate expectations and related principles After studying the historical roots of both interpretative acts this research questions the level of protection taxpayers enjoy when relying on circulars and tax rulings and contains a review of decades of administrative case law to assess the judicial discourse on taxpayers rights to certainty This book further investigates the case of circulars and tax rulings that contain interpretations of tax laws that are contrary to the law contra legem and builds upon the existing normative framework to introduce proposals addressing issues of uncertainty and inequality taxpayers are likely to suffer when relying on such interpretative acts Prix Pierre Pescatore de la Facult de Droit de Luxembourg cole doctorale de droit

Strengthening Tax Governance Through Legal Design Ms. Lydia E Sofrona,Mr. Christophe J Waerzeggers,Brendan Crowley,2025-01-17 Well functioning tax systems anchor their governance arrangements in law This paper develops an analytical framework from which the core legal principles for sound tax governance can be derived to inform the design of countries legal frameworks for administration and tax procedure It then applies this analytical framework to derive key legal features that should be embedded in laws for tax administration including additional considerations for semi autonomous revenue authorities and tax procedure to ensure a balance between tax administration powers and adequate taxpayer protections

Tax Law Design and Drafting, Volume 1 Mr.Victor Thuronyi,1996-08-23 Edited by Victor Thuronyi this book offers an introduction to a broad range of issues in comparative tax law and is based on comparative discussion of the tax laws of developed countries It presents practical models and guidelines for drafting tax legislation that can be used by officials of developing and transition countries Volume I covers general issues some special topics and major taxes other than income tax

Current Developments in Monetary and Financial Law, Volume 2 International Monetary Fund,2003-10-20 The papers published in this volume are based on an IMF seminar held in 2000 that covered a broad range

of topics on monetary and financial law such as the liberalization of capital movements data dissemination responsibilities of central banks and the IMF's goals in financial surveillance and architecture Participants addressed recent issues in the financial sector including those related to payment systems and supervision of financial institutions Updates dealt with Internet banking bank secrecy and currency arrangements including dollarization Participants discussed the recent activities of the other international financial institutions which included the European Central Bank and the International Finance Corporation Prevention of financial crises was also discussed with reference to the distinct roles of the IMF and the private sector

Tax, Public Finance, and the Rule of Law Dominic de Cogan, Alexis Brassey, May Hen, 2025-02-20 This book offers a key point of reference for reflective and thoughtful examinations of the rule of law in tax and related disciplines It features a stellar cast of established and early career researchers from a variety of jurisdictions who have entered into conversations about the nature of the rule of law its relevance to questions about tax welfare distribution and public spending and the challenges involved in applying legal standards in these fields There is a particular focus on the interaction between the rule of law and the rapidly emerging world of cross border tax avoidance reforms influenced by the OECD's Base Erosion and Profits Shifting project and the evolution of EU level governance over direct as well as indirect taxes The book is accessible to those new to taxation and public finance as well as to experts and to lawyers and non lawyers alike

The Rise of the Value-Added Tax Kathryn James, 2015-04-30 This book explores one of the most significant trends in the evolution of global tax systems by asking how within less than half a century the value added tax VAT has risen from relative obscurity to become one of the world's most dominant revenue instruments Despite its significance very little is known about why so many countries have adopted the VAT and in particular why different countries adopt the types of VAT that they do The popular mythology provides that the merits of the VAT have underpinned its global spread however this book contends that much scholarship confuses the question of why the VAT has risen to dominance with the issue of what makes a good VAT This book combines policy and legal analysis to propose a new way of understanding the rise of this important revenue instrument so as to better reflect the realities of the VATs that are actually implemented

Taxation of Big Data Xavier Oberson, Alara Efsun Yazıcıoğlu, 2023-10-31 This book has the merit of being the first book analysing different aspects of data taxation from a wide perspective encompassing not only tax law but also other significant issues related to data such as data protection and economic inefficiencies The main aim is to provide data specific solutions to data driven problems In the midst of a number of critical issues and a great deal of uncertainty currently reigning in the field the authors attempt to put forward easy to implement and efficient proposals on the basis of an interdisciplinary analysis The core idea of this book consists of segregating the utilisation of data into four different yet interdependent steps and constructing the tax law analysis on top of these four corner stones Step one occurring in the generation and collection phases of the data's life cycle comprises the digital barter and other collection of data Step two taking place during the

processing and analytics phases of the data s life cycle consists of microwork Step three situated in the storage processing analytics and use phases of the data s life cycle encompasses aggregation and internal use of data Step four materialising during the distribution and use phases of the data s life cycle covers sale of data transfer of data and granting the right to use a database The main issues occurring in each of the four steps are analysed separately and yet interdependently with an emphasis on international tax law The book also comprises a VAT analysis suggestion of a new type of tax namely data collection tax and a brief opinion on a potential future robo data tax The subjects explored in this book are of interest for researchers lawyers as well as tax administrations Albeit being an academic publication the developments made in this contribution are also relevant for the general public After all data the youngest intangible constitute the raw material of the fourth industrial revolution and their use and taxation affect each and every citizen VAT in Africa Richard E. Krever,2008

Collection of articles reviewing the experience of the implementation of VAT in Africa Besides analyses the articles offer guidelines for reforming and improving both technical and administrative aspects of the tax The several chapters consider design and structure of the VAT VAT and specific factors administrative aspects of VAT Inter jurisdictional and international aspects of VAT and VAT and Francophone Africa **Tax Systems and Tax Reforms in Latin America** Luigi

Bernardi,Alberto Barreix,Anna Marenzi,Paola Profeta,2007-12-24 This book provides a comprehensive analysis of tax systems and tax reforms in a number of Latin American countries since the early 1990 s including Argentina and Brazil Costa Rica and Mexico Paraguay Colombia Chile and Uruguay The authors present and discuss tax systems from a broad quantitative and historical perspective and describe the mai A Primer on Property Tax William J. McCluskey,Gary C. Cornia,Lawrence

C. Walters,2012-10-04 The chapters in this book explore in detail the choices regarding both the structure and administration of the property tax drawing on the extensive knowledge the authors have acquired in studying property taxes around the world The chapters provide a wide ranging treatment of the design choices and administrative tasks both in terms of the breadth of design options and administrative tasks covered and the depth of the discussion The authors describe the range of design choices discuss the associated issues and the advantages and disadvantages for each and present the criteria to help choose among the options From the book s Foreword by David L Sjoquist Professor of Economics and Dan E Sweat Scholar Chair in Educational and Community Policy Georgia State University Property taxation is a key element in providing a solid foundation and a stable funding source for basic public services Developing and implementing a property tax system is a complex task This complexity is compounded by the diversity of legal cultural and historical contexts of policymakers and tax administrators The World Development Report 1999 2000 Entering the 21st Century puts fiscal decentralization at the top of the development agenda This makes local taxation and especially the property tax option of critical importance to both tax and land policy as well as the broader development agenda A Primer on Property Tax Administration and Policy provides the reader with an analysis of issues surrounding property tax including economics law public finance decentralisation valuation

GIS and property tax reform A key strength of the book lies in the vast international experience of the authors and the book will provide for the first time material which is topical cutting edge and highly relevant to many of the disciplines involved in property taxation The authors examine the criteria applied to evaluate the strengths and weaknesses of property tax discuss the main valuation methods and the economic principles underpinning them and review the legal and administrative aspects of property tax worldwide

Rethinking EU VAT for P2P Distribution Cristina Trenta, 2015-09-24 Peer to peer P2P networks decentralized group structures allowing anyone to easily download and share resources online already play a critical role in the distribution of digital content Most of the debate on P2P heretofore has focused on copyright issues However as the basis for legitimate business models a number of companies have already quietly embraced P2P has a largely unknown and underestimated impact on taxation with vast repercussions on the development of mature profitable markets This book analyses the current framing for digital and media supplies provided via P2P technologies through the lens of an interdisciplinary approach drawing on tax law computer science economics copyright law and business studies VAT concepts such as those of economic activity and taxable person taxable transactions consideration barter and taxable amount and territoriality rules are discussed in connection with P2P as is the evaluation of VAT liability for P2P operations in the presence of copyright infringement Topics and issues considered include centralized and decentralized P2P networks free riding problems identifying actors in P2P networks for VAT purposes P2P and place of supply and pros and cons of integrating P2P with taxation regimes and especially VAT systems The analysis draws on a vast range of sources including EU legislation and case law tax law literature and doctrine international conventions and treaties Council of Europe and OECD documents ECHR case law and official documents and cases from key jurisdictions worldwide offering the first thoroughly grounded approach to overcoming the lack of understanding and awareness of ongoing changes currently separating the digital economy and traditional taxation systems and a solid platform for discussion to the diverse communities of researchers and professionals interested in P2P

Taxation, Virtual Currency and Blockchain Aleksandra Bal, 2018-11-29 The emergence of convertible decentralized virtual currency schemes confronts tax authorities with unprecedented questions among them are the status of virtual currency for tax purposes which virtual transactions may benefit from a VAT exemption and determining the most optimal method of tax regulation This first book length treatment of this major current topic provides an in depth and comprehensive analysis of the tax implications of virtual currency transactions Seeking to ascertain whether virtual currency requires additional regulation or whether the law as it stands is adequate to administer its usage the analysis not only thoroughly explains the nature of the underlying blockchain technology and its regulatory and judicial treatment so far but also identifies best practices for virtual currency transactions and makes recommendations for the improvement of the existing tax systems Among the aspects of the phenomenon covered are the following particular aspects of virtual currency use such as smart contracts and initial coin offerings comparative review of

income tax consequences of virtual currency transactions in Germany the Netherlands the United Kingdom and the United States VAT sales tax treatment of transactions involving virtual currency in the European Union and the United States methodology for creating an effective regulatory framework for the taxation of virtual currency and the future of blockchain The book has three parts and an annex that describes tax regulations administrative rulings and court decisions concerning virtual currency in twenty countries In its in depth analysis of tax implications of virtual currency transactions in major economies detailed overview of recent tax developments that affect virtual currency transactions and evaluation of tax policies related to virtual currencies this book has no peers Especially in view of the OECD s examination of the tax challenges presented by the digital economy as part of its base erosion and profit shifting BEPS project this clear and comprehensive explanation of the functioning of virtual currency and blockchain technology will be welcomed by tax administration of cials and by persons mining and transacting in virtual currencies needing to know their compliance obligations

Corporate Duties to the Public Barnali Choudhury,Martin Petrin,2019-01-10 Today s economic and social context demands that corporations once seen only as private actors owe duties to the public

Tax Treaty Residence of Entities Jan Gooijer,2019-09-13 It is of great importance to be able to determine who or what is considered resident within the meaning of tax treaty provisions However the concept of residence has never been fundamentally adjusted to current circumstances in which technological developments make it possible for corporations to explore the wide gap between their actual business operations and the legalistic requirements for corporate residence In this study of the OECD Model Tax Convention the basis for most tax treaties the author develops a clear understanding of the content of the residence concept as regards entities and proposes solutions to current problems finishing with his own thoroughgoing definition In seeking a definition of the term resident that covers all uses in treaties the analysis draws on in addition to the current and earlier iterations of the OECD Model Law itself such elements as the following domestic law meaning of residence in the tax law of France Germany the Netherlands the United Kingdom and the United States Articles 31 and 32 of the Vienna Convention on the Law of Treaties historical documents that uncover the ordinary meaning of treaty terms tax treaty case law and court decisions and fiscal tax and legal scholarship surrounding the concept of residence for taxation purposes The analysis includes a comprehensive description of tiebreaker rules various perspectives on place of effective management and policy considerations as to the further development of the treatment of entities under double tax conventions Given the inordinate importance of the definition of resident the differences in interpretation to which the current definition gives rise and the economic developments that call for an evaluation of the provision this thorough examination of the treaty rules on residence of entities will be welcomed by tax lawyers corporate counsel and policymakers and academics concerned with tax law The author s guidance on the concept of residence for tax purposes and his original proposals for reform will prove of great practical value for tax practitioners

Taxation of Derivatives Oktavia Weidmann,2015-07-16 The exploding use of

derivatives in the last two decades has created a major challenge for tax authorities who had to develop appropriate derivatives taxation rules that strike a balance between allowing capital markets to function effectively by removing artificial tax barriers and at the same time protecting their countries tax base from tax avoidance schemes that utilise these instruments Derivatives exist in a vast variety and complexity and new forms or combinations of existing forms appear ad hoc as new risk categories emerge and companies seek to invest in or hedge these risks This very thorough book discusses and analyses taxation issues posed by derivatives used in domestic as well as in cross border transactions In great detail the author presents approaches that can be adopted by tax legislators to solve these problems clarifying her solutions with specific reference to components of the two most important domestic tax systems in relation to derivatives in Europe those of the United Kingdom and Germany Examples of derivatives transactions and arbitrage schemes greatly elucidate the nature of derivatives and how they can be effectively taxed The following aspects of the subject and more are covered basic economic concepts in the context of derivatives such as replication put call parity hedging and leverage designing a suitable definition of derivatives in domestic tax law achieving coherence in domestic tax rules by applying a special regime approach versus an integrative approach and the distinction of income and capital equity and debt alignment of accounting standards and taxation rules and the application of fair value accounting for tax purposes how to tax hedged positions and post tax hedging schemes taxation of structured financial products and hybrid instruments with focus on bifurcation and integration approaches and the recent BEPS discussion drafts on hybrid mismatch arrangements refining the beneficial ownership concept in domestic law and in tax treaties and an analysis of recent case law withholding taxes in the context of domestic and cross border dividend tax arbitrage schemes and tackling derivatives tax arbitrage effectively in anti avoidance legislation By providing an in depth analysis of corporate taxation issues that arise in domestic as well as in cross border derivatives transactions this book is not only timely but of lasting value in the day to day work of tax lawyers and tax professionals in companies banks and funds and is sure to be of interest to government officials academics and researchers involved with financial instruments taxation

The Political Economy of Corporation Tax John Snape, 2011-12-09

Excellent technical writing on corporation tax abounds but it tends to be inaccessible to public lawyers political theorists and political economists Although recent years have seen not only an explosion in public law scholarship but also a reawakening of interest in interpretative political theory and political economy the potential of these perspectives to illuminate the corporation tax debate has remained unexplored In this important work John Snape seeks to reconcile these disparate strands of scholarship and to contribute to a new way of understanding and conceptualising the reform of the law relating to corporate taxation Drawing on important developments in public law scholarship the study combines elements of political theory and political economy It advances a new interpretation of corporation tax law as an instrument of rule through the maximisation of a nation s economic potential Snape shows how corporate taxation belongs at the centre of any discussion of

economic globalisation not only because of the potential of national tax systems to influence inward investment decisions but also because of the potential of those decisions to shape the public interest that those tax systems might embody Following public law and politics models the book looks afresh at the impact of Britain's political institutions of the processes of its representative government and of the theory that moulds and orders the values that the corporation tax code contains This is a timely exploration of cutting edge issues of public policy

Tax Rules in Non-tax Agreements Michael Lang, 2012 Tax rules in non tax agreements is a topic of great relevance in practice Yet up to now this area of tax law has been generally neglected by researchers The aim of this book is to close this gap in tax law research and to analyse the provisions of international agreements and similar legal instruments under international law which provide for a special domestic law tax treatment for specific individuals and international organizations Twenty four national reports from countries across the globe have been compiled and are published in this volume Seventy experts including the authors of the national reports convened for a joint conference on Tax Rules in Non Tax Agreements in Rust Austria from 7-9 July 2011 The national reports focus on the interaction of tax rules in non tax agreements with the corresponding tax treaty rules Moreover possible matters of dispute regarding the justification of these tax rules within the legal and political frameworks of the different states are given much attention The objective of this book is to show the relevance of tax rules in non tax agreements to highlight problematic issues and to encourage future research in this important field of tax law

Studies in the History of Tax Law, Volume 6 John Tiley, 2014-07-18 These are the papers from the 2012 Cambridge Tax Law History Conference revised and reviewed for publication The papers include new studies of income tax law rewrite projects 1914-1956 law and administration in capital allowances 1878-1950 the full amount in income tax legislation Sir Josiah Stamp and double income tax early German income tax treaties and laws concerned with double tax avoidance 1869-1908 the policy of the medicine stamp duty Danegeld from Danish tribute to English land tax religion and charity a historical perspective Plaintive Glitterati a collision of accounting and law dividends from pre-1914 profits in Australia the history and development of the taxation profession in the UK and Australia an inquiry into Dutch to British Colonial Malacca 1824-1839 the taxation history of China taxing bachelors in America 1895-1939 Dutch Tax reform under Napoleon and the last decade of estate duty The Publisher and authors have dedicated this volume to the memory of John Tiley Emeritus Professor of the Law of Taxation at the University of Cambridge who died as it was going to press The Cambridge History of Tax conferences were his idea and he was responsible for their planning He also edited all six volumes in the series

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