



Advanced Issues in International and European Tax Law

Christiana HJI Panayi

B L O O M S B U R Y

Advanced Issues International European Tax

Nevia Čičin-Šain, Mario Riedl



Advanced Issues International European Tax:

Advanced Issues in International and European Tax Law Christiana HJI Panayi, 2015-12-03 This book examines recent developments and high profile debates that have arisen in the field of international tax law and European tax law Topics such as international tax avoidance corporate social responsibility good governance in tax matters harmful tax competition state aid tax treaty abuse and the financial transaction tax are considered The OECD G20 project on Base Erosion and Profit Shifting BEPS features prominently in the book The interaction with the European Union's Action Plan to strengthen the fight against tax fraud and tax evasion is also considered Particular attention is paid to specific BEPS deliverables exploring them through the prism of European Union law Can the two approaches be aligned or are there inherent conflicts between them The book also explores whether when it comes to aggressive tax planning there are internal conflicts between the established case law of the Court of Justice and the emerging policy of the European institutions By so doing it offers a review of issues which are of constitutional importance to the European Union Finally the book reflects on the future of international and European tax law in the post BEPS world

Advanced Topics in Revenue Law John Tiley, Glen Loutzenhiser, 2013-01-07 The last several years have seen fundamental changes to the UK tax system Nearly the entirety of the UK corporation tax and international tax rules have been rewritten by three new statutes the Corporation Tax Acts 2009 and 2010 and the Taxation International and Other Provisions Act 2010 The UK has also implemented major new policies affecting the taxation of pensions charities savings vehicles non doms and the foreign profits of UK companies In addition European Union law and especially the case law of the Court of Justice of the European Union has had an increasingly important impact on UK corporation tax and international tax law in particular This new book on advanced topics in UK tax law is derived from material previously found in John Tiley's major text on Revenue Law that has been expanded and comprehensively updated to take account of these developments The book deals with Corporation Tax International and European Tax Savings and Charities in a manageable and portable volume for law students and practitioners It complements the material on UK Income Tax Capital Gains Tax and Inheritance Tax found in Revenue Law 7th edition Unlike other tax law books this text explains the new rules found in CTA 2009 CTA 2010 and TIOPA 2010 in light of its legislative predecessors The book contains extensive references to the new legislation and also to the former enactments in ICTA 1988 and elsewhere Those familiar with the old law but wanting to find their way round the new will find this work particularly valuable The book is designed for law students taking advanced tax courses in the final year of their law degree course and for graduate students but is intended to be of interest to all who enjoy tax law Its purpose is not only to provide an account of the rules but to include citation of the relevant literature from legal periodicals and some discussion of or reference to the background material in terms of policy history or other countries tax systems

Countering Tax Crime in the European Union Umut Turksen, 2021-03-25 This book seeks durable solutions for tax crime and is a great resource for the development of knowledge policy and law on tax

crime The book uniquely blends current practice with new approaches to countering tax crime With insights from the EU funded project PROTAX which conducts advanced research on tax crimes the book comparatively analyses the EU s tax crime measures and the Ten Global Principles TGPs on fighting tax crime by the Organisation for Economic Cooperation and Development OECD The study critically examines how the TGPs can serve as minimum standards for the EU to counter tax crime such as tax evasion and tax fraud The study also analyses how the anti tax avoidance package can be graduated to fight tax crime in the EU When escalated the strengths of the EU tax crime measures and TGPs can form a fortress in which criminal law can be empowered to mitigate tax crimes with greater effect The book will be particularly useful for end user stakeholders such as tax policy makers LEAs professional enablers as well as academics and students interested in productive interaction between tax criminal and administrative laws

The Regulation of Tax Competition

Chukwudumogu, Chidozie G.,2021-12-10 This comprehensive book adopts a nuanced yet straightforward approach to analysing the complex phenomenon of international tax competition Using the ongoing international efforts of the Organisation for Economic Co operation and Development OECD and the European Union EU as a basis for its analysis it explores the mixed effects of tax competition and offers an effective approach that takes account of the asymmetrical global context

Towards a Neutral Formulary Apportionment System in Regional Integration Shu-Chien Chen,2023-03-09

International tax regimes and practices are heavily criticized for failing to fairly levy corporate tax on giant multinational taxpayers in the current globalized and digitalized world This important and far seeing book demonstrates how formulary apportionment FA an approach by which a multinational corporation pays each jurisdiction s corporate tax based on the share of its worldwide income allocated to that jurisdiction can achieve the much sought goal of aligning value creation and taxation The author through an intensive analysis of the European Union s EU s Common Consolidated Corporate Tax Base CCCTB Directive Proposal s and comparison to the United States US s formulary apportionment experience shows how the perceived problems with an FA system can be overcome and lays out the necessary elements for its feasibility With detailed attention to the debates around formulary apportionment and its theoretical foundations the book provides a blueprint for rebuilding the normative framework for the EU s tax reform by clearly analysing the implications of the following and more theorising public benefits to be represented by taxation reorganising different economic theories about tax neutrality and tax justice advancing the comparative legal research methodology to analyse law reform by combining the functional approach and the problem solving approach designing the logical formulary apportionment system for digital economy ensuring the removal of the incentive for multinationals to shift reported income to low tax locations reducing the tax system s complexity and the administrative burden it imposes on firms eliminating transfer pricing complexity for intra firm transactions achieving equal weighting of the sales factor the labour factor and the asset factor in the formula application of destination based rule for attributing the sales factor and replacing the traditional permanent establishment nexus with a factor

presence nexus The presentation incorporates extensive comparison between the EU's formulary apportionment tax reform option and FA systems existing in the United States US at state level including reference to relevant US case law and legislation As a possible option to address the problem of base erosion and profit shifting BEPS formulary apportionment is gaining increasing acceptance and attention This book will prove invaluable to taxation authorities tax practitioners and scholars in its deeply informed and systematic guidance on good practices and prevention of problematic experiences in establishing and implementing an effective and market neutral FA system *Landmark Cases in Revenue Law* John Snape, Dominic de Cogan, 2019-01-10 In an important addition to the series this book tells the story of 20 leading revenue law cases It goes well beyond technical analysis to explore questions of philosophical depth historical context and constitutional significance The editors have assembled a stellar team of tax scholars including historians as well as lawyers practitioners as well as academics to provide a wide range of fresh perspectives on familiar and unfamiliar decisions The whole collection is prefaced by the editors extended introduction on the peculiar significance of case law in revenue matters This publication is a thought provoking and engaging showcase of tax writing that is accessible equally to specialists and non specialists

Fiscal State Aid Law and Harmful Tax Competition in the European Union Dimitrios Kyriazis, 2023 Dimitrios Kyriazis investigates the use of state aid rules against national tax measures examining ECJ judgments of the early 2000s as well as the recent Commission decisions and investigations into tax schemes and individual tax rulings *Tiley's Revenue Law* Glen Loutzenhiser, 2019-08-22 This is the ninth edition of John Tiley's major text on revenue law covering the UK tax system income tax capital gains tax and inheritance tax as well as incorporating sections dealing with corporation tax international and European tax savings and charities This new edition is fully revised and updated with the latest case law statutory and other developments including Finance Act 2019 The book is designed for law students taking the subject in the final year of their law degree or for more advanced courses and is intended to be of interest to all who enjoy tax law Its purpose is not only to provide an account of the rules but also to include citation of the relevant literature from legal periodicals and some discussion of or reference to the background material in terms of policy history or other countries tax systems Copy the URL below to read a 2021 supplement highlighting new developments since the book's publication in 2019 <https://www.bloomsbury.com/media/2v1ej5vw/tileys-revenue-law-supplement-2021.pdf> **A Guide to the Anti-Tax**

Avoidance Directive Werner Haslehner, Katerina Pantazatou, Georg Kofler, Alexander Rust, 2020-06-26 This book provides a concise practical guide to the European Union's Anti Tax Avoidance Directive ATAD Presenting unique insights into the ATAD's five specific anti avoidance rules its chapters explain the background of those rules the directive's interactions with relevant jurisprudence and the challenges posed to the ATAD's interpretation and implementation in domestic law

Justice, Equality and Tax Law Nevja Čičin-Šain, Mario Riedl, 2022-10-05 An in depth analysis of the specific aspects of justice equality and tax law Justice Equality and Tax Law is a topic that is both old and new at the same time Even if the

society changes the demands that tax needs to be just and equal seem to be immutable What changes of course is the perception of the content of those demands International taxation post BEPS has been fraught with new challenges that warranted urgent responses These challenges were mainly provoked by the unprecedented rise of the digital economy which truly marked a change in the way business is conducted how value is created and how goods and services are produced and consumed Digitalization in turn had repercussions on all aspects of taxation direct taxation indirect taxation and even tax procedures For instance the quest for more justice and equality in profit taxes was the reason why in October 2021 a historical deal based on a two pillar solution to address the tax challenges arising from the digitalization of the economy was negotiated within the OECD G20 Inclusive Framework on Base Erosion and Profit Shifting and agreed upon by 137 member countries It was also the motive behind the shift from a typical vendor collection model to an intermediary collection model supported by centralized registration points in indirect taxes notably the VAT GST Abundant data from the European Union or the OECD signaled an ever increasing gap between expected VAT revenues and VAT actually collected making it obvious that the classical system of VAT GST collection was unable to respond to challenges posed by the digital economy Therefore new solutions based on the participation of digital platforms as intermediaries had been introduced Finally new technologies such as blockchain paved new avenues in enhancing tax compliance In this context this volume entitled Justice Equality and Tax Law contains not only a selection of the best master s theses of the full time LL M programme in 2021 2022 but also represents an in depth analysis of various aspects of this evergreen topic

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