

Principles of International Taxation



Ninth Edition

Lynne Oats

B L O O M S B U R Y

Principles Of International Taxation Fifth Edition

Jeffrey A. Hart, Aseem Prakash



Principles Of International Taxation Fifth Edition:

International Tax Michael Honiball, 2011-03-15 This book is not merely a new edition but a complete and significantly expanded rewrite. It comprises over 900 pages of expert and in depth exposition of this complex subject that has become so important in the modern global economy. Already established over four previous editions as the pre eminent work on the subject, it is a must own book for all students and practitioners of tax, whether from a legal, business or accounting perspective. Professor Lynette Olivier and Michael Honiball are without peer in their understanding and clarity in this highly specialised field. Five new chapters have been added on Taxation of individuals, Taxation of Companies and Dividends, Taxation of Partnerships, Cross border VAT and Interpretation of Statutes.

Transfer Pricing and the Arm's Length

Principle in International Tax Law Jens Wittendorff, 2010-01-01 The arm's length principle serves as the domestic and international standard to evaluate transfer prices between members of multinational enterprises for tax purposes. The OECD has adopted the arm's length principle in Article 9 of its Model Income Tax Convention in order to ensure that transfer prices between members of multinational enterprises correspond to those that would have been agreed between independent enterprises under comparable circumstances. The arm's length principle provides the legal framework for governments to have their fair share of taxes and for enterprises to avoid double taxation on their profits. This timely book contains a comparative analysis of the legal basis for the arm's length principle and the contents of the arm's length rules in US tax law as well as in the OECD Model Tax Convention and Transfer Pricing Guidelines. It includes a thorough review of international case law on transfer pricing from the United States, Canada, Australia, United Kingdom, Germany, France, the Netherlands, Denmark, Sweden and Norway. The book ends with an analysis of the issues associated with the application of the arm's length principle for multinational enterprises in a global economy.

The International Taxation System Andrew Lymer, John Hasseldine, 2012-12-06 International taxation is a vital issue for a growing number of business and individuals across the world. The need to understand how the international system of taxation works is therefore a subject of importance to many people. The International Taxation System provides this understanding by bringing together experts from the most important fields in the subject who have each authored chapters, especially for this book. They each provide brief, structured and easy to understand explanations of the key concepts, edited together into one volume to provide a unique, very readable guide to the field. While this text is aimed at masters or advanced undergraduate level students, it will also be of interest to those requiring a professional understanding of the topic. Each chapter introduces a different aspect of the international taxation system, explains the important issues to be understood in each case and provides suggestions for discussion and further reading.

International Company Taxation Ulrich Schreiber, 2013-01-30 The book is written for students of business economics and tax law. It focuses on investment and financing decisions in cross border situations. In particular, the book deals with legal structures of international company taxation, international double taxation, source based and residence

based income taxation International investment and profit shifting International corporate tax planning International tax planning and European law Harmonization of corporate taxation in the European Union International tax planning and tax accounting International tax law is designed to avoid international double taxation and to combat international tax avoidance Nevertheless companies investing in foreign countries may suffer from international double taxation of profits On the other hand these companies may also be able to exploit an international tax rate differential by means of cross border tax planning Ulrich Schreiber holds the chair of Business Administration and Business Taxation at the University of Mannheim He serves as co editor of Schmalenbachs Zeitschrift f r betriebswirtschaftliche Forschung zfbf and Schmalenbach Business Review sbr and is affiliated with the Centre for European Economic Research ZEW as a research associate Ulrich Schreiber is a member of the Academic Advisory Board of the Federal Ministry of Finance

Exploring the Nexus Doctrine In International Tax Law Ajit Kumar Singh, 2021-05-14 In an age when cross border business transactions are increasingly effected without the transference of physical products revenue concerns of states have led to a multitude of tax disputes based on the concept of nexus This important and timely book is the most authoritative to date to discuss one of the major tax topics of our time the question of how taxing rights on income generated from cross border activities in the digital age should be allocated among jurisdictions Demonstrating in prodigious depth that it is the economic nexus of the tax entity or activity with the state and not the physical nexus which meets the jurisdictional requirement the author a leading authority on this area who is a Senior Commissioner of Income Tax and a Member of the Dispute Resolution Panel of the Government of India addresses such dimensions of the subject as the following whether a strict territorial nexus as a normative principle is ingrained in source rule jurisprudence detailed scrutiny of such classical doctrines as benefit theory neutrality theory and international equity comparative critique of the Organisation for Economic Co operation and Development OECD and United Nation UN model tax treaties whether international law and customary principles mandate a strict territorial link with the source state for the assumption of tax jurisdiction whether the economic nexus based tax jurisdiction and absence of a physical presence breach the constitutional doctrine of extraterritoriality or due process and whether retrospective tax legislation breaches the principle of constitutional fairness The book offers a politically informed analysis of the nexus principle and balances the dynamics of physical presence and economic nexus standards based on an in depth survey of the historical evolution of judicial pronouncements and international practices in this regard Dr Singh s book exposes an urgently needed missing link in the international source rule literature and takes a giant step towards solving the thorny question of appropriate tax apportionment It sheds brilliant light on the policies states may adopt when signing new tax treaties so that unintended results may be foreseen and avoided Tax practitioners taxation authorities and academic researchers in the field of international tax law and policy will greatly appreciate the book s forthright enhancement of the ability to defend challenges based on the nexus doctrine

Hybrid Entities in Tax Treaty Law Sriram Govind, Jean-Philippe Van West, 2020-09-03 Tax

treaty law and EU tax law in connection with hybrid entities Hybrid entities have traditionally been used as an avenue for international tax planning and extending benefits under tax treaties to such entities has been a source of controversy for many years now Although the OECD Partnership Report provided solid policy footing on this issue there was still no common legal basis that countries could rely on for such positions The increasing focus of countries towards the curbing of tax avoidance and abuse involving hybrid mismatch arrangements culminated in a specific action plan in the BEPS Project being dedicated to the design of domestic rules and the development of treaty provisions that would neutralize the tax effects of such arrangements This volume provides an in depth analysis of various aspects of this topic It is divided into two parts the first dealing exclusively with tax treaty issues arising in connection with hybrid entities and the second dealing with EU tax law issues surrounding hybrid entities The former part comprises chapters analysing how tax treaties have historically dealt with this issue with a focus on domestic court jurisprudence the positions in the OECD and the UN Model Conventions the developments that have come about owing to the BEPS Project and the impact of several existing measures regimes and vehicles on these tax treaty provisions The latter part comprises chapters on how hybrid entities are dealt with under primary EU law under various secondary law directives including the newly enacted Anti Tax Avoidance Directives and an analysis of policy solutions offered in this direction

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

Tax Planning for International Mergers, Acquisitions, Joint Ventures and Restructurings, 5th Edition Peter H. Blessing, Ansgar A. Simon, 2020-03-10 Tax Planning for International Mergers Acquisitions Joint Ventures and Restructurings Fifth Edition Edited by Peter H Blessing and Ansgar A Simon About the editors Peter H Blessing is Associate Chief Counsel International at the Office of Chief Counsel of the Internal Revenue Service Before his appointment in April 2019 he was the head of cross border corporate transactions in KPMG s Washington National Tax group He is a member of Washington National Tax practice of KPMG LLP His practice involves transactional advisory and controversy matters generally in a cross border context Peter obtained his LL M Taxation from New York University School of Law and has also earned degrees from Princeton University and Columbia Law School Ansgar A Simon heads the transactional tax practice of Covington structuring taxable transactions structuring tax free transactions both in domestic and cross border transactions loss planning IP planning compensation arrangements

acquisition financing joint venture planning value added tax issues and tax treaty usage The experts in each country suggest solutions designed to maximize effective tax planning and satisfy compliance obligations How this will help you This user friendly work assists in planning and evaluating strategies for transactions both nationally and internationally in single and multiple jurisdictions as well as in implementing them This book further allows an easy comparison of key tax aspects in major jurisdictions thereby providing not only an easy understanding of the key structuring points in context but also critical issue spotting as well as highlighting potential value enhancing strategies Addressing an important information gap in an area of widespread commercial concern this resource helps international tax counsel corporate and financial services attorneys and corporate planning and compliance professionals to confidently approach challenging situations in both national and international regime Editors Peter H Blessing and Ansgar A Simon

Cross-Border Taxation of Permanent Establishments Andreas Waltrich, 2016-04-20 The permanent establishment PE is a legal form of cross border direct investment whereby a business presence is maintained as an integral part of the foreign investor Due to the growing intensity and complexity of international business relations the PE definition and the allocation of profits between head units and PEs have become highly contentious especially from the perspectives of the major emerging economies of the BRIC countries Brazil Russia India and China Unsurprisingly the potential for tax avoidance and the scrutiny of tax authorities have increased enormously Against this background this work illustrates and compares the OECD Model Tax Convention with country specific source taxation rules focusing on possible tax system changes and offering reform proposals Emphasizing the taxable implications of the various rules upon country specific PE concepts the author's treatment covers such issues and topics as the following the PE definition of the OECD MC and from the perspective of selected countries allocation of business profits under the Authorised OECD Approach AOA avoidance of PE status implementation of a service PE proposal construction site PEs established by subcontractors existence of an agency PE and the OECD project on Base Erosion and Profit Shifting BEPS The author uses simulated cross border national and treaty cases to highlight qualification conflicts thus reinforcing his detailed discussion of source taxation rules of business profits and relevant case law in Germany the United States and the BRIC states There is also a checklist detailing how companies can avoid unintentionally setting up a PE The author's deeply informed proposals provide much needed guiding tax criteria and open the way to greater feasibility and transparency in PE taxation Because the definition of PEs has enlarged and the treatment of profit allocation has become more complex the clarification of the PE concept presented in this book is of inestimable importance for lawyers of officials policymakers and academics concerned with international business taxation in any jurisdiction

Selected Papers from Coastlab18 Conference Javier López Lara, Maria Maza, 2020-07-01 This book presents 16 selected papers from the 7th International Conference on The Application of Physical Modelling in Coastal and Port Engineering and Science Coastlab18 The conference was organized in Santander Spain from 22 to 26 May 2018 by the Instituto de Hidráulica

Ambiental de la Universidad de Cantabria IHCantabria Coastlab18 welcomed 175 attendees from 18 different countries The technical program included three renowned keynote lectures and 120 presentations focused on theoretical and practical aspects related to physical modelling in the field of coastal and ocean engineering Coastal and ocean structures breakwaters revetments laboratory technologies measurement systems coastal field measurement and monitoring combined physical and numerical modelling physical modelling case studies tsunamis and coastal hydrodynamics were the main topics covered in the conference This book attempts to cover as completely as possible all the topics presented during the conference The papers were accepted after a peer review process based on their full text

Fundamentals of Corporate Finance, 5th Edition Robert Parrino, Hue Hwa Au Yong, Nigel Morkel-Kingsbury, Jennifer James, Paul Mazzola, James Murray, Lee Smales, Xiaoting Wei, 2025-12-30 Fundamentals of Corporate Finance 5th Edition is a core resource for business students particularly those who find the mathematical aspects of finance challenging The text presents financial principles in a clear logical sequence supporting comprehension through a step by step approach Beyond technical skills the resource encourages the development of analytical thinking through local examples and real world applications This helps students build the intuition required to apply financial tools effectively in practice

Tax Transfer Pricing Andrea Musselli, 2022-09-15 T00:00:00+02:00 The book pays attention to the tax treatment of transfer pricing in a single perspective of analysis since the most important principles the arm's length ALP i.e. conditions that independent parties would share and the sale country are agreed worldwide They must be applied in the same way regardless of the economic sector or industry A country survey overlooks the most important issue of the fiscal problem that is the ability to project a unitary policy in compliance with the ALP or with the sale country principle and that should be audited by one sole only theoretically existing tax authority The practical part and examples disclose how rules should be have been applied how legal proceedings can arise arose regarding their application how they were decided if litigation truly occurred and finally the author's motivated opinion with special focus on which is the breaking point of a specific analysis The term breaking point is used to explain which can be the factual and or the interpretative change that is able to modify such analysis and thus the solution Extract from the preface of prof Reuven Avi Yonah this book is a must read for any serious student of the topic and an important contribution to understanding how the ALP is applied today as well as to how it should be applied It is an invaluable contribution and should be read widely by both tax lawyers and accountants and by tax policy makers

Public Economics M Govinda Rao, Mihir Rakshit, 2011-01-06 This is a commemorative volume on Dr Amaresh Bagchi one of the greatest economic policy reformers of India revered as the father of fiscal federalism in the country The collection comprises original contributions by eminent scholars who were also close friends and associates of Dr Bagchi Besides dealing with various important aspects of the subject of public economics and Dr Bagchi's work both theoretical and applied they also add a personal touch to compilation The reminiscences reveal Dr Bagchi the man as well as Dr Bagchi the scholar

Justice,

Equality and Tax Law Nevla 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 *Coping With Globalization* Jeffrey A. Hart, Aseem Prakash, 2003-09-02 This rigorous and original examination of the problems posed by globalisation is essential reading for all those interested in globalisation and International Political Economy **Hybrid Financial Instruments in International Tax Law** Jakob Bundgaard, 2016-11-15 Financial innovation allows companies and other entities that wish to raise capital to choose from a myriad of possible instruments that can be tailored to meet the specific business needs of the issuer and investor However such instruments put increasing pressure on a question that is fundamental to the tax and financial systems of a country the distinction between debt and equity Focusing on hybrid financial instruments HFIs which lie somewhere along the debt equity continuum but where exactly depends on the terms of the instrument as well as on applicable laws this book analyses their treatment under both domestic law and tax treaties Key jurisdictions including the EU some of its Member States and the United States are covered Advocating for a broader scope of application of HFIs as part of the financing of companies in Europe alongside traditional sources of debt and equity financing the book addresses such issues and topics as the following problems associated with the debt equity distinction in international tax law cross border tax arbitrage and linking rules drivers behind the use and design of HFIs tax law impact of perpetual and super

maturity debt instruments profit participating loans convertible bonds mandatory convertible bonds contingent convertibles preference shares and warrant loans on HFIs financial accounting treatment administrative guidance influence of the TFEU on Member States approaches to classification of HFIs interpretation of the Parent Subsidiary Directive by the European Court of Justice applicability of the OECD Model Tax Convention and implications of the OECD Base Erosion and Profit Shifting BEPS project Throughout this book the analysis draws upon preparatory works case law and legal theory in English German and the Scandinavian languages In conclusion the author considers tax policy issues and identifies and outlines possible high level solutions Actual or potential users of HFIs will greatly appreciate the clarity and insight offered here into the capacity and tax implications of HFIs The book not only examines whether existing legislation is sufficient to handle the issues raised by international HFIs but also provides an in depth analysis of the interaction between corporate financing and tax law in the light of today s financial innovation Corporate executives and their counsel will find it indispensable in the international taxation landscape that is currently coming into view and academics and policymakers will hugely augment their understanding of a complex and constantly changing area of tax law

International Tax Planning and Prevention of Abuse Luc De Broe, 2008 This study considers how tax authorities attempt to strike down international tax avoidance structures in particular those involving the use of conduit and base companies set up by third country residents for purposes of treaty shopping and EC Directive shopping The book focuses on the interaction between provisions and judicially developed doctrines of domestic tax law preventing international tax avoidance on the one hand and norms of international law in particular tax treaties and rules of Community law on the other It also considers treaty based anti avoidance measures such as the beneficial ownership requirement and limitation on benefits provisions This part of the study compares and analyses the case law of Australia Austria Belgium Canada the Czech Republic Finland France Germany India the Netherlands Switzerland the United Kingdom and the United States

Advances in Taxation Suzanne M. Luttman, 2008-06-16 Addresses various aspects of taxation including tax policy issues at the federal state local and international levels

Bulletin for International Fiscal Documentation, 2001 *Taxation in a Global Digital Economy*

Ina Kerschner, Maryte Somare, 2017-10-04 Time to discuss anti BEPS measures around digitalization In the course of the BEPS Report on Action 1 it was concluded that there was no instantaneous need for specific rules to address base erosion and profit shifting BEPS made possible by the digitalization of enterprises and new digital businesses At the same time it was acknowledged that general measures may not suffice with the assessment of results to begin in 2020 While awaiting possible fundamental reforms of the tax framework it is time to discuss anti BEPS measures bearing in mind the peculiar features of the digital economy such as increased mobility no need for physical presence and dematerialization The Book focuses on five key areas of interest International Tax Policy Tax Treaty Law Transfer Pricing Indirect Taxation Issues EU Law Taxation in a Global Digital Economy analyses the issues and addresses the five key areas of interest from various viewpoints

Adopting the Melody of Term: An Emotional Symphony within **Principles Of International Taxation Fifth Edition**

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