

Principles of International Taxation



Ninth Edition

Lynne Oats

B L O O M S B U R Y

Principles Of International Taxation

Roy Rohatgi



Principles Of International Taxation:

Principles of International Taxation Lynne Oats, 2021-09-30 The book provides a clear introduction to international taxation and presents its material in a global context explaining policy legal issues and planning points central to taxation issues primarily from the viewpoint of a multinational group of companies It uses examples and diagrams throughout to aid the reader s understanding and offers more in depth material on many important areas of the subject Traditionally published every 2 years in both print and digital formats this content is a core requirement for student reading lists at both undergraduate and post graduate level Fully updated to cover all new tax legislation and developments in light of the OECD BEPS project implementation key areas to be included in this new edition are changes proposed by BEPS 2 0 in relation to taxation and the digital economy including Pillar Two and the proposed new UN Model Article 12B further progress on the implantation of OECD Base Erosion and Profit Shifting implementation including an update on the implementation of BEPS recommendations including artificial avoidance of permanent establishment status and prevention of treaty abuse the implementation of transfer pricing documentation and country by country reporting multilateral instrument implementation the impact of Covid 19 on international taxation further developments in European direct taxation including the transparency package directives on anti tax avoidance and the common corporate tax base and state aid cases Apple in particular and updates to the Directive on Administrative Cooperation and the new communication on Business Taxation for the 21st Century Proposals in relation to the taxation of digital business in particular the OECD s unified approach and the UN modifications to the Model Double Taxation Convention Proposals for a global minimum corporate tax rate to curb base erosion and tax competition

Principles of International Taxation Lynne Oats, Emer Mulligan, 2019 *Principles of International Taxation* Lynne Oats, 2021-09-30 The book provides a clear introduction to international taxation and presents its material in a global context explaining policy legal issues and planning points central to taxation issues primarily from the viewpoint of a multinational group of companies It uses examples and diagrams throughout to aid the reader s understanding and offers more in depth material on many important areas of the subject Traditionally published every 2 years in both print and digital formats this content is a core requirement for student reading lists at both undergraduate and post graduate level Fully updated to cover all new tax legislation and developments in light of the OECD BEPS project implementation key areas to be included in this new edition are changes proposed by BEPS 2 0 in relation to taxation and the digital economy including Pillar Two and the proposed new UN Model Article 12B further progress on the implantation of OECD Base Erosion and Profit Shifting implementation including an update on the implementation of BEPS recommendations including artificial avoidance of permanent establishment status and prevention of treaty abuse the implementation of transfer pricing documentation and country by country reporting multilateral instrument implementation the impact of Covid 19 on international taxation further developments in European direct taxation including the transparency package directives on

anti tax avoidance and the common corporate tax base and state aid cases Apple in particular and updates to the Directive on Administrative Cooperation and the new communication on Business Taxation for the 21st Century Proposals in relation to the taxation of digital business in particular the OECD s unified approach and the UN modifications to the Model Double Taxation Convention Proposals for a global minimum corporate tax rate to curb base erosion and tax competition

International Tax Policy and Double Tax Treaties Kevin Holmes,2007 Explains the concepts that underlie international tax law and double tax treaties and provides an insight into how international tax policy law and practice operate to ultimately impose tax on international business and investment

Principles of International Taxation Elizabeth A. Wahler,Rob Epstein,Sharon Wood,2023 This title provides a clear introduction to international taxation and presents its material in a global context explaining policy legal issues and planning points central to taxation issues primarily from the viewpoint of a multinational group of companies It uses examples and diagrams throughout to aid the reader s understanding and offers more in depth material on many important areas of the subject As well as practitioners who are less familiar with international taxation principles this title is also used as a core text by many undergraduate and post graduate students studying business degrees It is also widely used by those studying for the CIOT Advanced Diploma in International Taxation Business is increasingly carried on a global scale and as such an understanding of how international taxation works is very useful for in house finance teams as well as their advisers The 9th edition is again fully updated to cover important regulatory and legislative developments including those in light of the ongoing OECD BEPS project implementation Other key developments include Progress towards a global minimum corporate tax rate to curb base erosion and tax competition Pillar 2 eg OECD implementation framework and UK draft legislation New crypto asset reporting framework released by OECD Ongoing impact of Covid 19 on international taxation Progress in relation to tackling tax evasion now that country by country reporting is bedding in Further developments in European direct taxation including the debt equity bias reduction allowance DEBRA and new Directive to prevent the misuse of shell entities The updating is done by Lynne Oats Professor of Taxation and Accounting University of Exeter Business School and formerly Deputy Director of the Tax Administration Research She has managed this project since it s inception

The International Taxation System Andrew Lymer,John Hasseldine,2002-08-31 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

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.

International Company Taxation in the Era of Information and Communication Technologies Anne Schäfer, 2007-12-18 The increased use of information and communication technologies (ICT) is leading to noticeable changes within the organisational structure of the economy. Geographical distances within companies as well as between companies and their customers can be bridged more easily with the use of ICT. Thus economic activities are less dependent on time and place. Taking into account the manifold changes in the economic structures, it has to be questioned whether and to what extent the current rules of international company taxation are still applicable in a reasonable way. With regard to this issue, a need for the development of suitable reform approaches covering the whole system of international taxation still existed. The doctoral thesis of Mrs. Schäfer provides a major contribution to fulfill this need. Mrs. Schäfer has worked out in a very comprehensive way the creation of new organizational structures as well as the resulting implications on tax law and the system of international taxation. Moreover, the existing literature on the subject at hand has been analyzed in a competent way. The special merit of the doctoral thesis of Mrs. Schäfer consists in elaborating reform proposals for international company taxation which cover the different relevant issues of international taxation.

International Taxation of Permanent Establishments Michael Kobetsky, 2011-09-15 The effects of the growth of multinational enterprises and globalization in the past fifty years have been profound and many multinational enterprises such as international banks now operate around the world through branches known as permanent establishments. The business profits article, Article 7 of the OECD model tax treaty, attributes a multinational enterprise's business profits to a permanent establishment in a host country for tax purposes. Michael Kobetsky analyses the principles for allocating the profits of multinational enterprises to permanent establishments. Under this article, he explains the shortcomings of the current arm's length principle for attributing business profits to

permanent establishments and considers the alternative method of formulary apportionment for allocating business profits

Fairness in International Taxation Ira K Lindsay, Benita Mathew, 2025-02-20 This book explores the thorny normative issues raised by the changing landscape of international tax policy. Proposals for taxation of the digital economy and the OECD G20 BEPS framework promise fundamental changes in the international tax system. The book features perspectives from legal scholars, political theorists and political philosophers on international corporate and individual taxation. Contributors advance new theories of international tax justice, develop theoretically informed reform proposals and critique influential approaches to international tax reform. Key themes include justice in bilateral and multilateral international tax agreements, the taxation of cross border workers, fair division of tax revenue from multinational corporations and the fairness of the international tax policy making process. This book provides new perspectives on leading international tax policy debates, analyses the intersection between international distributive justice and contemporary tax policy and proposes innovative ways to meet the demands of tax justice in a global context. **Basic International Taxation** Roy Rohatgi, 2005

International Taxation in an Integrated World Jacob A. Frenkel, Assaf Razin, Efraim Sadka, 1991 In this book the authors provide a new treatment of international taxation, one that focuses on the interactions between fiscal policies of sovereign nations and the magnitude and directions of international capital and goods flow in an integrated world economy.

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. *The Oxford Handbook of International Tax Law* Florian Haase, Georg Kofler, 2023-10-13 International Tax Law is at a turning point. Increased tax transparency, the tackling of Base Erosion and Profit Shifting (BEPS), the reconstruction of the network of bilateral tax treaties, the renewed discussion about a fair and efficient allocation of taxing rights between States in a global digitalized economy and the bold push for minimum corporate taxation are some expressions of this shift. This new era also demonstrates the increased influence of international standard setters such as the OECD, the UN and the EU. Each of these developments alone has the potential of being disruptive to the traditional world of international tax law but together they have the potential to reshape the international tax system. The Oxford Handbook of International Tax Law provides a comprehensive exploration of these key issues which will shape the future of tax law. Divided into eight parts, this handbook

traces the history of international tax law from its earliest days until the present including reflections on the developments that have characterized the last one hundred years The second section places tax law within the broader international context considering how it relates to public and private international law as well as corporate trade and criminal law Sections three and four consider key legal principles and issues such as regional tax treaty models OECD dispute resolution and transfer pricing versus formulary apportionment Subsequent analysis places these issues within their European and cross border contexts providing an assessment of the role of the ECJ state aid and cross border VAT Section seven broadens the scope of this analysis asking how trends in recent major economies and regions have helped shape the current outlook The final section considers emerging issues and the future of international tax law With over sixty authors from 28 different countries the Oxford Handbook of International Tax Law is an invaluable resource for scholars academics and practitioners alike

Advanced Introduction to International Tax Law Reuven S Avi-Yonah, 2024-11-08 This thoroughly revised third edition of the *Advanced Introduction to International Tax Law* provides an incisive overview of the key issues surrounding taxation and international law Reuven S Avi Yonah explores the nuances of varying taxation systems using relevant and current case studies

Basic International Taxation Roy Rohatgi, 2001-12-21 The taxation of international economic activities presents two essential considerations revenues must be shared equitably by the nations involved and those nations must be able to enforce their domestic tax laws Starting from these requirements of reciprocity and enforcement the author explains in this book the practical issues affecting international taxation of business income and capital gains Unlike many books on this complex subject his approach does not examine the tax perspective of any one country but proceeds from an identification and analysis of the basic principles of the subject This entails an understanding of factors such as domestic tax laws rules and practices and how they conflict on cross border transactions bilateral tax treaties and their role in resolving international tax conflicts the use of offshore financial centres in international tax structures and how to choose them anti avoidance measures imposed by national taxation authorities and international tax guidelines and interpretations of bodies such as the Organisation for Economic Cooperation and Development OECD and the International Fiscal Association IFA

Basic International Taxation describes each and all of these elements weaving them into practical planning guidance providing a fundamental understanding of this subject in a single easy to follow book It explains those principles of international tax planning that take the costs and risks of international taxation fully into account and thereby optimize the after tax returns on cross border transactions Several important current issues including the taxation of electronic commerce are also addressed

[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

International Tax Aspects of Sovereign Wealth Investors Richard Snoeij, 2018-04-18 An increasing number of States have entered the market looking to invest resources in foreign assets This emergence of States acting as investors managing the wealth of a nation and competing in the marketplace with private investors has attracted growing and wide attention This book is the first in depth analysis of the international tax aspects of sovereign wealth investors and serves as a comprehensive guide to designing tax policy from a source State perspective toward inbound sovereign wealth investment Drawing on a wide range of relevant sources including international instruments domestic tax legislation administrative practice international case law and the writings of highly qualified publicists the author fully addresses the following aspects of the subject the definition functions legal form governance home State tax status etc of sovereign wealth investors tax policy considerations and objectives i e neutrality equity and international attractiveness from a source State perspective vis vis foreign sovereign wealth investors and the potential impact of the sovereign immunity principle bilateral tax treaties and European Union law on source States ability to achieve these tax policy objectives in relation to foreign sovereign wealth investors The conceptual framework developed by the author will greatly assist source States in introducing new tax policy or in evaluating or reconsidering their existing tax policy vis vis foreign sovereign wealth investors In addition practitioners academics and home States of

sovereign wealth investors will welcome this first authoritative analysis of an important but insufficiently understood subject in international tax

Basic International Taxation: Principles of international taxation Roy Rohatgi, 2005 This book provides a comprehensive overview of the basic principles of international taxation and considers these in the context of practical planning guidance Volume 1 Principles gives an overview of international taxation principles of international tax law model tax conventions on double tax avoidance and the impact of domestic tax systems Volume 2 Practice deals with the practice of international taxation including international tax planning techniques basic issues in anti avoidance and gives an overview of the international offshore financial centres

International Law of Taxation Peter Hongler, 2021 Elements of International Law represents a fresh approach in the literature of international law It is a long series of short books Elements adopts an objective non argumentative approach focusing on narrowly defined core topics in international law Eventually the series will offer a comprehensive treatment of the whole of the field At the same time each individual title will be a reliable go to source for practising international lawyers judges and arbitrators government and military of officers scholars teachers and students Book jacket

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