

Series on International Tax Law
Michael Lang (Ed)

ECJ – Recent Developments in Direct Taxation 2014

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ECJ Recent Developments in Direct Taxation ,2015 **ECJ Recent Developments in Direct Taxation** MICHAEL LANG;PASQUALE PISTONE;JOSEF SCHUCH;CLAUS S., **Tax Treaty Case Law around the Globe 2021** Georg Kofler,Michael Lang,Alexander Rust,Jeffrey Owens,Pasquale Pistone,Josef Schuch,Karoline Spies,Claus Staringer,Alfred Storck,Peter Essers,Eric Kemmeren,Cihat Öner,Daniel Smit,2022-07-19 A Global Overview of International Tax Disputes on DTC This book is a unique publication that gives a global overview of international tax disputes on double tax conventions and thereby fills a gap in the area of tax treaty case law It covers the thirty most important tax treaty cases that were decided around the world in 2020 The systematic structure of each chapter allows for the easy and efficient study and comparison of the various methods adopted for applying and interpreting tax treaties in different cases With the continuously increasing importance of tax treaties Tax Treaty Case Law around the Globe 2021 is a valuable reference tool for anyone interested in tax treaty case law This book is of interest to tax practitioners multinational businesses policymakers tax administrators judges and academics *Tax Treaty Case Law around the Globe 2020* Eric Kemmeren,Peter Essers,Daniel Smit,Öner Cihat,Michael Lang,Jeffrey Owens,Pasquale Pistone,Alexander Rust,Josef Schuch,Claus Staringer,Alfred Storck,Georg Kofler,Karoline Spies,2021-08-04 A Global Overview of International Tax Disputes on DTC This book is a unique publication that gives a global overview of international tax disputes in respect of double tax conventions and thereby fills a gap in the area of tax treaty case law It covers the 32 most important tax treaty cases that were decided around the world in 2019 The systematic structure of each chapter allows for the easy and efficient study and comparison of the various methods adopted for applying and interpreting tax treaties in different cases With the continuously increasing importance of tax treaties Tax Treaty Case Law around the Globe 2020 is a valuable reference tool for anyone interested in tax treaty case law including tax practitioners multinational businesses policymakers tax administrators judges and academics *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

Tax Treaty Case Law around the Globe 2019 Michael Lang,Alexander Rust,Jeffrey Owens,Pasquale Pistone,Josef Schuch,Claus Staringer,Alfred Storck,Peter Essers,Eric Kemmeren,Cihat Öner,Daniel Smit,2020-07-22 A Global Overview of International Tax Disputes on DTC This book is a unique publication that gives a global overview of international tax disputes on double tax conventions and thereby fills a gap in the area of tax treaty case law It covers the forty one most important tax treaty cases which were decided around the world in 2018 The systematic structure of each chapter allows for the easy and efficient study and comparison of the various methods adopted for applying and interpreting tax treaties in different cases With the continuously increasing importance of tax treaties Tax Treaty Case Law around the Globe 2019 is a valuable reference tool for anyone interested in tax treaty case law This book is of interest to tax practitioners multinational businesses policymakers tax administrators judges and academics

Multilateral Cooperation in Tax Law Martin Klok, Katharina Moldaschl,2023-10-03 An in depth analysis of various aspects of multilateral cooperation in tax law Tax evasion and aggressive tax planning causing base erosion and profit shifting BEPS has been a widely discussed topic among academics and tax policy makers over the past decades Increasing globalization and digitalization have contributed to the intensification of this issue in recent years At the same time states continue to largely insist on their sovereignty in the area of tax law However due to their cross border nature issues related to BEPS are shared problems among the states and can typically not be solved by a single nation Therefore multilateral cooperation represents an option to build a bridge between the states demand for sovereignty and the problems caused by BEPS In this regard the OECD the UN and the EU play an important role in introducing international tax standards in an attempt to effectively address tax evasion and aggressive tax planning in many ways The interaction and cooperation between different international supranational EU and regional organizations is an ongoing process In this context the topic Multilateral Cooperation in Tax Law was selected as the general topic for the master s theses of the part time 2021 23 class of the postgraduate LL M programme in International Tax Law at WU Vienna University of Economics and Business This volume aims to develop academic insights provide practical guidance and enable an in depth analysis of various aspects of this topic The book is divided into four parts The first part deals with a general overview of the understanding of multilateral

cooperation the background that led to the need for multilateral cooperation and the different stakeholders that play a relevant role in it While the chapters included in the second part focus on the most important developments on an international level OECD and UN the chapters encompassed in the third part analyse the multilateral cooperation initiatives of the EU Finally the chapters included in part four deal with selected issues related to multilateral cooperation in tax law including mutual assistance and exchange of information dispute resolution mechanisms and measures in digitalized businesses

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

The Global Minimum Tax | Selected Issues on Pillar Two Valentin Bendlinger, Pedro Schoueri, 2024-10-18 Global Minimum Tax at a glance The OECD s Global Minimum Tax is amongst the most discussed topics in the recent international tax law debate The book provides for more than 25 individual but co ordinated essays on multiple relevant topics on Pillar Two is structured as follows General Topics including the legal status of the GloBE Model Rules their relation to tax treaties and EU Law the GloBE STTR the specifics of jurisdictional blending their impact on tax competition and on tax incentives Scoping topics including the computation of the EUR 750 million threshold the definition of MNE Group territorial allocation of CEs and excluded entities Charging provisions including GloBE s rule order and the impact of the GloBE Model Rules on minority shareholders Computation of GloBE Income and Loss including contributions on the adjustment of permanent differences and specifics of dividends and equity gains for purposes of the base determination Computation of Adjusted Covered Taxes including the notion of covered taxes the recognition of temporal differences and the territorial allocation of covered taxes Top up Tax computation including contributions on the general

correspondence of covered taxes and GloBE Income the Substance Based Income Exclusion the specifics of Investment and Minority Owned Constituent Entities and the general role of the QDMTT within the framework of Pillar Two Selected topics on the administration of GloBE e.g. Safe Harbors and the identification of the taxpayer within the framework of Pillar Two

Tax and Technology Annika Streicher, Svitlana Buriak, 2023-10-13 The challenges and opportunities of new technologies in the tax field Technological developments induced major reforms in the regulatory international and domestic tax landscapes as well as in the developments in the use of technology by tax administrations and taxpayers New technology especially the innovations in virtual asset light cross border business organizations data analytics service and process automation on one hand disrupted the well established legal tax principles and rules and on the other stimulated informed data driven and structured solutions in tax compliance Technological advances affected nearly every area and each aspect of taxation Direct tax regulations indirect tax law and tax procedures including tax compliance and tax control functions International organizations such as the Organization for Economic Co operation and Development OECD the United Nations UN and the European Commission as a supranational organization fostered critical legislative reforms and proposals among which are the OECD Two Pillar Solution to Address the Tax Challenges Arising from Digitalisation of the Economy Article 12B of the UN Model Tax Convention to tax automated digital services new rules for tracing transfers of crypto assets in the EU as well as the EU's VAT e-commerce package and VAT in the Digital Age package While these proposals aim to address a wide range of the benefits and challenges of Economy 4.0 certain questions arise concerning the consistency of the legislative developments with their initial objectives the appropriateness of the legal form for the economic substance of the regulated relations for the effectiveness of the regulations as well as their coherence This volume contains a collection of scientific chapters on the general topic Tax and Technology that were successfully completed by the 2022/2023 LL.M. graduates of the Institute for Austrian and International Tax Law WU The volume is divided into three parts that contain the contributions dealing with the impact of the technology on international tax law indirect tax law and procedural law Each chapter provides an in depth analysis of a unique research question aiming to innovatively contribute to the current debate and develop a practical approach for implementing the findings

Limiting Base Erosion Erik Pinetz, Erich Schaffer, 2017-08-30 Limiting base erosion from different viewpoints Hybrid mismatch arrangements CFC rules transfer pricing rules Limiting Base Erosion the general topic for the master theses of the part time LL.M. program 2015/2017 has been one of the most controversial topics in international tax law ever since the initiation of the OECD BEPS Project in 2013 Even though the final reports of the 15 BEPS Actions were released by the OECD in as early as October 2015 the question how to effectively target base erosion practices still has not lost any of its topicality Following the efforts of the OECD in developing a new international tax environment the focus of attention has now partly shifted to the OECD Member countries that have to properly implement the OECD recommendations in their domestic laws as well as in their tax treaty practice In

this respect a comprehensive analysis in the literature of all the issues related to base erosion proves to be of the utmost importance in order to provide practical guidance to the Member countries during that the process of implementation This book deals especially with four key areas of interest Limiting base erosion by neutralizing the effects of hybrid mismatch arrangements Limiting base erosion by strengthening CFC rules Measures against base erosion via interest deductions and other financial payments Limiting base erosion by improving transfer pricing rules On that basis 27 concrete topics were chosen in order to address the four key areas of interest from different viewpoints Base erosion and the challenges they present read more in **Limiting Base Erosion**

Landmark Decisions of the ECJ in Direct Taxation Werner Haslehner, 2015-10-28 Every professional dealing with taxation in the European Union will greatly appreciate this extraordinarily useful book Based on a high level conference held at the University of Luxembourg in 2014 the book presents detailed expert summaries and analyses of landmark ECJ decisions in direct taxation each case a starting point for the development of a specific doctrine The depth of the analysis as each author charts a way through the nuances of the Court's arguments allows the reader to gain an unparalleled understanding of changes in the relevant subsequent jurisprudence The fundamental issues covered are the following taxation of non residents in the EU context implications of EU fundamental freedoms in the income tax systems of the Member States outbound and inbound dividend taxation taxation of permanent establishments restrictions on freedom of establishment tax treatment of corporate exit abuse of taxpayers rights cohesion of the tax system as an overriding factor in the public interest juridical double taxation arising from the exercise of overlapping powers of two or more States free movement of capital and third countries and tax treatment of non profit organizations in the cross border context The book as a whole offers an incomparable critical assessment of the strengths and weaknesses of the Court's reasoning and its path through the complex field of crossborder income taxation particularly in the area of the compatibility of national tax legislation with the fundamental freedoms which continues to be a powerful driver for changes to existing tax laws For legal academics this is a unique and fundamental source of essential information and analysis Crucially although valuable as a snapshot of the current state of EU tax law this book will remain relevant for practitioners and policymakers as jurisprudence continues to develop over the years to come

Arizona Journal of International and Comparative Law, 2014 **The Solicitors' Journal**, 2003 *Recent Developments in Direct Taxation* 2013 Michael Lang, 2014 **ECJ - Recent Developments in Direct Taxation 2011** Michael Lang, 2012 Keesing's Record of World Events, 2004 *ECJ - Recent Developments in Direct Taxation* 2008 Michael Lang, 2008 *The Acte Clair in EC Direct Tax Law* Ana Paula Dourado, Ricardo da Palma Borges, 2008 This book discusses the legal issues arising from the search for certainty in the relationship between Community law and direct tax law In addition it contains an in depth analysis of the CILFIT doctrine in action and its demand for legal certainty By looking at both how the case law of the European Court of Justice ECJ in the area of direct taxation fits the CILFIT criteria ECJ 6 October 1982 case 283/81 Srl CILFIT and Gavardo SpA

and how such criteria are complied with by national courts the book reviews and discusses the application in the field of direct taxation of the criteria put forward by the ECJ The book highlights some of the current challenges faced by the EU judicial system in view of the expansion of EU law and its decentralized application at national level **ECJ - Recent Developments in Direct Taxation 2009** Michael Lang, 2010 On 12 14 November 2009 the conference Recent and Pending Cases at the ECJ on direct taxation took place in Vienna p 5

Unveiling the Magic of Words: A Review of "**Ecj Recent Developments In Direct Taxation 2014 Ecj Recent Developments In Direct Taxation 2014**"

In a global defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their ability to kindle emotions, provoke contemplation, and ignite transformative change is actually awe-inspiring. Enter the realm of "**Ecj Recent Developments In Direct Taxation 2014 Ecj Recent Developments In Direct Taxation 2014**," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve in to the book is central themes, examine its distinctive writing style, and assess its profound affect the souls of its readers.

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