

Bollettino Tributario

Guglielmo Maisto, International Bureau of Fiscal Documentation

The Concept of Permanent Establishment in the Insurance Business Daniele

Frescurato, 2021-04-22
siness models adopted by insurance companies; and comparative analysis of double tax treaty policies adopted in a number of countries with respect to the permanent establishment provision in the insurance business, highlighting Switzerland for comparative purposes. In a concluding chapter, the author proposes changes to the definition of the dependent agent permanent establishment currently enshrined in the model treaties and their respective commentaries, aligning such a definition to the regulatory framework in which insurance companies conduct their business in countries other than that of incorporation. As a highly significant and timely contribution to the study of the interplay between insurance regulation and tax implications, this very original work will prove of especial value to practitioners in international tax and insurance law, as well as professionals in the financial services sector and tax academics.

The Routledge Companion to Tax Avoidance Research Nigar Hashimzade, Yuliya

Epifantseva, 2017-10-02
An inherently interdisciplinary subject, tax avoidance has attracted growing interest of scholars in many fields. No longer limited to law and accounting, research increasingly has been conducted from other perspectives, such as anthropology, business ethics, corporate social responsibility, and economic psychology. This was -recently stimulated by politicians, mass media, and the public focussing on tax avoidance after the global financial and economic crisis put a squeeze on private and public finances. New challenges were posed by changing definitions and controversies in the interpretation of tax avoidance concept, as well as a host of new rules and policies that need to be fully understood. This collection provides a comprehensive guide to students and academics on the subjects of tax avoidance from an interdisciplinary perspective, exploring the

areas of accounting, law, economics, psychology, and sociology. It covers global as well as regional issues, presents a discussion of the definition, legality, morality, and psychology of tax avoidance, and provides guidance on measurement of economic effect of tax avoidance activities. With a truly international selection of authors from the UK, North America, Africa, Asia, Australasia, Middle East, and continental Europe, with well-known experts and rising stars of the field, the contributors cover the entire terrain of this important topic. The Routledge Companion to Tax Avoidance Research is a ground-breaking attempt to bring together scholarly research in tax avoidance, offering rigorous academic analysis of an important and hotly debated issue in a structured and balanced way.

Needs and Barriers of Prosumerism in the Energy Transition Era , The effective enforcement of energy transition is one of the keys to the successful fight to climate change. The interplay between the sustainable UN Agenda 2030 goals is a new interesting ground for the development of intersectorial and multidisciplinary studies. Thanks to University of Camerino which is focused on the contamination between different scientific areas and really engaged in strengthening international research, a group composed by more than forty researchers of ten different nationalities is studying the energy policies and the new phenomenon of energy prosumerism. This book is the first direct result of the research activities granted by University of Camerino under the Programme FAR 2019 in the ECPE Project 'Enabling Consumer to become Prosumer in the Energy transition era' (more details about the project ECPE are available at <https://ecpe.unicam.it/>). The object of this book is to collect and analyze the main barriers to self-consumption and prosumerism. Difficult as it is to discuss all obstacles in a single volume, the book focuses on selected barriers which impede the development of new types of fossil free energy production and consumption. The energy communities could play a central role in the implementation

of the energy transition strategies, but legal, social, economic, political and cultural barriers can hinder their spread. To analyze the barriers and to find how to eliminate the obstacles to energy transition policies is pivotal to enhance research activities focused on the new EU Regulatory framework. Most in general it is crucial a multidisciplinary approach focused on the fight to climate change and the implementation of sustainable development. In this book are collected several articles which offer a different perspective on the energy transition barriers from different points of view and under different methodologies. The book is composed of four parties. The first one is dedicated to the analysis of the methodology and the results offered by questionnaires supplied online in two languages (Italian/English). The survey is the basis of the Working Paper which is the deliverable of the ECPE Work Programme n. 2 and which constitutes the ground for a discussion into the research group. The second part of the volume collects the contributions focused on the social and economic barriers to prosumerism, while the third one is dedicated to a description of failure cases of self consumption. Lesson learned by failure experiences in the world could favour a good implementation of the new EU Directive Renewable Energy Directive 2018/2001 (RED II) and Directive on common, rules for the internal market for electricity 2019/944 (IEM) in Italy an European Country which is strategic in the Energy policy of the Foreword 1 Mediterranean area. The last part of the book is composed of the visions and perspectives offered by Italian testimonials engaged as actors in the new energy market with different roles. I am grateful for the generous support given by the editorial staff composed by Gopi Battinemi, Roberto Garetto, Federico Pascucci, Giovanni Russo and Karina Zabrodina, precious collaborators and valid researchers. Thanks also to the Scientific Committee which honoured our work: Marine Cornelis, Francisco Lledó Yagüe and Luis E. Quintero. As editor I am sure you will appreciate the volume which would like to

offer an insight on new issues and challenges offered by the energy transition era.

L'applicabilità della L.241/1990 al procedimento tributario ,2008

Advance Tax Rulings and Principles of Law Carlo Romano (juriste).),2002 Comprehensive study on the advance tax ruling. The main procedural and substantive elements of current tax rulings systems worldwide are investigated, and the legal principles underlying advance tax rulings procedures in the United States, the Netherlands and Italy are identified. In the final chapters, an overview of the status quo of advance tax rulings systems in the EU Member States is followed by a discussion concerning the harmonization of advance rulings systems in the European Union.

The Impact of Community Law on Tax Treaties:Issues and Solutions Pasquale

Pistone,2002-03-11 Study on the question of harmonization of direct taxation among European Community Member States: how Member States must comply with EC Law as they apply their tax treaties, how EC law regulates cross-border tax issues within the Community, and how EC law affects tax treaties between EU Member States and third countries. The book provides expert commentary on 27 leading tax cases from the European Court of Justice, and gives the proposal of EC Model Tax Convention, which combines existing provisions of international tax law with the principles of Community tax law.

Tax Amnesties Jacques Malherbe,2011-01-01 The controversial assumption that underlies tax amnesties is that, at least in some situations, it is preferable to sacrifice the penalties for past non-compliance (and perhaps even the tax owing itself) in exchange for improved compliance in the future. Some commentators argue that tax amnesties actually undermine future compliance, because some taxpayers may be encouraged to engage in non-compliance in anticipation of future tax amnesty. Consequently, tax amnesties must be designed and implemented cautiously from a

public policy perspective. The scope of this highly relevant book is impressive. It covers the experience with tax amnesties of a variety of countries, deals with the constitutionality, morality, and economic effects of tax amnesties, and discusses the compatibility of tax amnesties with international agreements, in particular, the Treaty of the European Community. As the renowned international tax expert Brian Arnold L71 observes in the work's foreword: 'The book is an important contribution to the literature on tax amnesties, as there is no comparable source dealing with the topic . . . It is timely because the elimination of bank secrecy and the proliferation of Tax Information Exchange Agreements with tax havens have led several countries to adopt tax amnesty programs.

National Legal Presumptions and European Tax Law Claudia Sanò, 2016-04-24 Determining the burden of proof in tax law cases is usually what contributes most to the case's outcome. Legal presumptions – those inferences that are laid down in the law rather than being the result of the court's reasoning – play a critical role in such determinations. This very useful book uncovers the details of such presumptions which are shared among European tax law systems, thus revealing a remarkably clear path through the course of a tax law case in any Member State in the context of EU law. Referring to both legal theory and relevant case law, the author assesses whether and to what extent national legal presumptions may be deemed to be consistent with EU law, and when this is not the case, under which conditions they may be reconciled. The analysis unfolds along such avenues as the following: – the meaning of the concept of legal presumption as developed by legal theory and authoritative academic literature; – special considerations regarding presumptions in customs law, VAT, and direct taxation (harmonized and unharmonized); – how tax authorities use presumptions to simplify the assessment of tax and tackle tax avoidance or evasion, particularly in cross-border situations; – justifications asserted by the Member States in relation to restrictions on

fundamental freedoms; and – standards of compatibility for national legal presumptions with EU law resulting from CJEU case law. With reference to national experience, using Italy and Belgium as specific examples, the analysis culminates in an elaboration of criteria for legal presumptions capable of meeting the test of compatibility with EU law. As an in-depth investigation of possible inconsistencies and conditions for the coexistence of EU and Member State tax law, this book will be welcomed by both taxation authority officials and taxpayer counsel. The understanding it imparts on the actual impact of EU law on the recourse to legal presumptions by national tax legislatures and the protection of European taxpayers is unsurpassed.

Taxation of Intercompany Dividends Under Tax Treaties and EU Law Guglielmo Maisto, International Bureau of Fiscal Documentation, 2012 Taxation of Intercompany Dividends under Tax Treaties and EU Law, comprising the proceedings and working documents of an annual seminar held in Milan on 1 October 2011, is a detailed and comprehensive study on the taxation of cross-border dividend distributions.--Extracted from publisher website on March 27, 2015

Tax Management Portfolios, 2006

Sustainability and Law Volker Mauerhofer, Daniela Rupo, Lara Tarquinio, 2020-07-07 The book discusses sustainability and law in a multifaceted way. Together, sustainability and law are an emerging challenge for research and science. This volume contributes through an interdisciplinary concept to its further exploration. The contributions explore this exciting domain with innovative ideas and replicable approaches. It combines a variety of authors, from both the public and the private sectors, and thereby guarantees a broad view that enshrines the more theoretical arguments from the academic side as well as stronger practical applicable perspectives. The book provides space for thoughtful expansions of established theories as well as the hopeful emergence of

innovative ideas. Moreover, the combination of three to five contributions into the eleven parts respectively aims toward a compression of like minded thoughts. This should lead to an intensification of exchange of viewpoints from different angles on a similar theme. Readers therefore also have the opportunity to concentrate on single chapters, but receive comprised knowledge and a variety of thoughts for new ideas on a particular theme.

Italian Banking and Financial Law: Regulating Activities D. Siclari, 2016-01-12 Italian banks and financial intermediaries are subject to extensive regulation which has evolved throughout the country's history. There has also been much change to the country's financial regulation in recent years in response to the globalization of markets and intermediaries. The Italian administrative and regulatory system is often perceived as a major obstacle to economic productivity, and some causes of this ineffectiveness are deeply rooted and date back to the Italian unification and juridical culture. This book provides an overview of the Italian regulation of banking and financial activities, and tracks the evolution of its 'economic Constitution' and market trends. It explores a range of topics within Italian regulation, including the regulation of banking activities, investment services and collective portfolio management. It examines in detail the relationship between intermediaries and customers, public offerings of financial instruments and products, public takeover bids, listed companies, insurance and reinsurance business. Among other current topics the authors discuss the link between investor protection and confidence in the financial markets; and assess the financial markets as a source of financing for companies.

Global Perspectives on Income Taxation Law Reuven Shlomo Avi-Yonah, Nicola Sartori, Omri Marian, 2011 In 'Global Perspectives on Income Taxation Law', Avi-Yonah covers basic, corporate and international tax law from a comparative perspective. The book both supplements readings in

U.S. tax law courses and serves as a textbook for a comparative tax law class.

Fringe benefits e rimborsi spese Gianluca Dan - Massimo Gabelli, 2010-11-05 La quarta edizione del libro "Fringe benefits e rimborsi spese", rinnovata ed aggiornata con le previsioni della Legge Finanziaria per il 2010, L. 23 dicembre 2009, n. 191, in materia di tassazione agevolata dei premi di produttività, tiene conto di molte e importanti modifiche normative che sono diventate operative nel corso degli ultimi anni, per esempio l'eliminazione dei regimi agevolativi precedentemente previsti per le stock option o i limiti di deducibilità delle spese relative a prestazioni alberghiere e alle somministrazioni di alimenti e bevande. Il volume, pur conservando l'originaria agilità di consultazione, fornisce una trattazione completa ed esaustiva del quadro di riferimento per la qualificazione e quantificazione dei redditi di lavoro dipendente ed assimilati, ne analizza le varie fattispecie che si possono incontrare nella pratica professionale, con particolare attenzione alla disciplina delle trasferte, e le relative modalità di rimborso degli oneri sostenuti dai dipendenti, e a quella dei fringe benefits. L'ultimo capitolo è stato riservato all'esame della disciplina della deducibilità, sia ai fini delle imposte dirette (Irpef/Ires) sia ai fini IRAP, degli oneri connessi ai dipendenti e collaboratori, per aiutare nella determinazione degli importi deducibili specie quelli la cui deduzione è soggetta a limitazioni. Utile per chi deve affrontare la compilazione della dichiarazione dei redditi.

A Global Analysis of Tax Treaty Disputes Eduardo Baistrocchi, 2017-08-17 This two-volume set offers an in-depth analysis of the leading tax treaty disputes in the G20 and beyond within the first century of international tax law. Including country-by-country and thematic analyses, the study is structured around a novel global taxonomy of tax treaty disputes and includes an unprecedented dataset with over 1500 leading tax treaty cases. By adopting a contextual approach the local

expertise of the contributors allows for a thorough and transparent analysis. This set is an important reference tool for anyone implementing or studying international tax regulations and will facilitate the work of courts, tax administrations and practitioners around the world. It is designed to complement model conventions such as the OECD Model Tax Convention on Income and on Capital. Together with *Resolving Transfer Pricing Disputes* (2012), it is a comprehensive addition to current debate on the international tax law regime.

Jurisdiction to Tax Corporate Income Pursuant to the Presumptive Benefit Principle Eva Escribano, 2019-05-10 *Jurisdiction to Tax Corporate Income Pursuant to the Presumptive Benefit Principle* intends to demonstrate that the profit shifting phenomenon (i.e., the ability of companies to book their profits in jurisdictions other than those that host their economic activities) is real, severe, undesirable, and above all, the natural consequence of both the preservation of three fundamental paradigms that have historically underlain corporate income taxes and their precise legal configuration. In view of this, the book submits a number of proposals in relation to the aforementioned paradigms and in the light of the suggested “presumptive benefit principle” so as to counteract profit shifting risks and thus attain a more equitable allocation of taxing rights among States. This PhD thesis obtained the prestigious European Academic Tax Thesis Award 2018 granted by the European Commission and the European Association of Tax Law Professors. What’s in this book: This book provides a disruptive discourse on tax sovereignty in the field of corporate income taxation that endeavors to escape from long-standing tax policy tendencies and prejudices while considering the challenges posed by a globalized (and increasingly digitalized) economy. In particular, the book offers an innovative perspective on certain deep-rooted paradigms historically underlying corporate income taxation: tax treatment of related parties within a corporate group

along with the arm's-length standard; corporate tax residence standards; and definition of source for corporate income tax purposes, with a particular emphasis on the permanent establishment concept. The book explores their respective origins, supposed tax policy rationales, structural problems and interactions; ultimately showing how the way tax jurisdiction is currently defined through them inherently tends to trigger profit shifting outcomes. In view of the conclusions of the study, the author suggests the use of a new version of the traditional benefit principle (the "presumptive benefit principle") that would contribute to address the profit shifting phenomenon while serving as a practical guideline to achieve a more equitable allocation of taxing rights among jurisdictions. Finally, the book submits a number of proposals inspired by the aforementioned guideline that aspire to strike a balance between equity, effectiveness and technical feasibility. They include a new corporate tax residence test and, most notably, a proposal on a new remote-sales permanent establishment. How this will help you: With its case study (based on the Apple group) empirically demonstrating the existence of the profit shifting phenomenon, its clearly documented exposure of the reasons why traditional corporate income tax regimes systematically give rise to these outcomes, its new tax policy guideline and its proposals for reform, this book makes a significant contribution to current tax policy discussions concerning corporate income taxation in cross-border scenarios. It will be warmly welcomed by all concerned—policymakers, scholars, practitioners—with the greatest tax policy challenges that corporate income taxation is facing in the contemporary world.

Human Rights and Taxation in Europe and the World Georg Kofler, Miguel Poiras Maduro, Pasquale Pistone, 2011 Resumen del editor: The increasing globalization and the restructuring of the European legal framework by the Treaty of Lisbon are important factors to suggest that the traditional separation of spheres between taxation and human rights should be

revisited. This book examines the issues surrounding the impact of the Lisbon Treaty on the guarantee and enforcement of human rights in the area of EU (tax) law and explores the possible development and potential impact of human rights in the field of taxation in this age of global law.

Structured Finance Stefano Caselli, Stefano Gatti, 2005-12-05 First comprehensive book on all structured finance products Complete information on technical features, roles played by intermediaries, market in terms of demand and offer Clear structure of the book makes it suitable as a textbook for students and as a reference book for practitioners

International Cash Pooling Justus Jansen, 2011-08-29

Residence of Companies Under Tax Treaties and EC Law Guglielmo Maisto (jurist.), 2009 Deals with issues and problems raised by residence of companies for tax purposes, including detailed analysis from a national viewpoint in selected European and North American jurisdictions, Australia and South Africa.

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