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INTERNATIONAL TAX LAW REVIEW

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German International Tax Law

John Abrahamson



German International Tax Law:

German Tax and Business Law, 2005 Providing treatment of landlord and tenant matters this book covers both commercial and residential issues The reader is informed with the changing complexities of legislation and case law in this area The coverage of cases and legislation is complemented by practical advice on issues facing practitioners in their daily work *The Oxford Handbook of International Tax Law* Florian Haase, Georg Kofler, 2023 Divided into eight parts this handbook traces the history of international tax law from its earliest days until the present 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 *The International Tax Law Concept of Dividend* Marjaana Helminen, 2017-05-02 The distribution of profits between corporations resident in different jurisdictions gives rise to both significant tax planning opportunities and tax risks As cross border transactions between corporations grow in number and complexity the question of how a profit distribution is classified for corporate income tax purposes becomes increasingly important particularly in the context of issues such as double taxation non taxation and tax neutrality The OECD BEPS project has only increased the relevance This unique work discusses the international tax law rules determining which transactions may be classified and taxed as dividends and how possible classification conflicts may be resolved The author examines the tax classification of various inter corporate transactions including Payments made under dividend stripping arrangements Fictitious profit distributions Economic benefits in the context of transfer pricing Returns on debt equity hybrids Interest payments in thin capitalization situations and distributions following liquidation The analysis of each transaction refers to international tax law Most weight is given to tax treaties and EU tax law including the BEPS development The approaches adopted in different states national tax law are covered by a more general analysis The comprehensive coverage and the practical nature of *The International Tax Law Concept of Dividend* make it an essential acquisition for tax practitioners researchers and tax libraries worldwide

Racial Capitalism and International Tax Law Steven A. Dean, 2025 Global tax policy has long determined which states have access to the resources necessary to flourish Over the past quarter century even the wealthiest states have found themselves unable to tax wealthy individuals and multinationals *Racial Capitalism and International Tax Law* offers an in depth analysis of how Anti Black racism has hamstrung the ability of the global tax system to meet the challenge posed by legions of lawyers and bankers *BRICS and International Tax Law* Peter Antony Wilson, 2016-04-24 With the ongoing expansion of outbound foreign direct investment FDI in the countries representing the BRICS economic bloc Brazil Russia India China and South Africa and with all of them at the same time listed among the top seven countries plagued by tax evasion and avoidance in the guise of illicit out flows the ve governments both individually and through cooperative initiatives have devised new international tax strategies that are proving to be of great interest and value to other countries both developing and developed The core of these strategies addresses the necessity of stemming the out ow of revenue while

strongly supporting FDI both inbound and outbound while complying with international obligations including those arising from human rights laws This book is the first in depth commentary on this new and evolving area of international tax law The detailed analysis covers the entire field of BRICS international tax law considering topics such as the following information exchange procedures and pitfalls response to the OECD's Base Erosion and Profit Sharing BEPS initiative role of bilateral and multilateral double taxation conventions including the Multilateral Instrument and the Bilateral Investment Treaties thin capitalization transfer pricing controlled foreign corporation rules shortcomings related to authorities limited manpower international audit and investigation procedures the BRICS approach to residence and mandatory and binding arbitration and the BRICS approach to shaping the developing world's international tax system Notably the author personally conducted interviews with senior international representatives of the BRICS tax authorities as well as with leading BRICS academics and practitioners Tax cases together with human rights and investment cases and administrative guidelines in all five countries are also included in the analysis The study concludes with recommendations for improving each of the five countries tax law and procedures especially in the area of dispute resolution The author's goal is to extend the existing body of knowledge of the BRICS international tax laws in order to assist in developing an understanding of the BRICS approach to dealing with evasion and avoidance an approach which facilitates both outbound and inbound FDI simplifies tax authority administration and establishes a basis for resolving international disputes which is compatible with sovereignty In achieving this objective the author has produced a major work that is of immeasurable value to tax advisers government and governance officials academics and researchers both in developing international taxation strategies and in helping to resolve disputes with tax authorities

International Tax Law Andrea Amatucci, 2012-07-01 With a century of solid theory behind it tax law confronts a new reality the weakening of the tenacious link between the sovereignty of states and taxation Yet it is to the continuity of certain themes and principles inherent in the various national tax systems that tax law scholarship continues to look even as it develops new principles designed to meet the expanding processes of internationalization This completely updated collection of essays offers an expert comparative analysis conducted by a sample of the best international tax law scholars of the fundamental theory of tax law and of the prospects in the near future of tax legislative systems The emphasis falls naturally on tax theory jurisprudence and legislative development in the Member States of the European Union particularly in Italy Germany and Spain where the process of tax harmonization has been under way for many years The effect of these processes via the relevant tax treaties on the tax systems of Japan and the United States provides a secondary emphasis Practitioners and academics in tax law will find in this book an invaluable understanding of the challenges that tax law theory strives to meet at this crucial moment in economic history The essays present a full and reliable exposition of the current theoretical approaches adopted by the various schools of thought in the field as well as of the main contributions of jurisprudence

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.

Germany Taxation Laws and Regulations Handbook Volume 1 Strategic Information and Corporate Taxation IBP USA, **Introduction to German Tax Law** Heike Jochum, Philipp J.

Thiele, 2018-01-04 **International Taxation in a Changing Landscape** Jérôme Monsenego, 2019-05-31 This book contains essays written in honour of Prof Dr Bertil Wiman, a renowned tax scholar and much appreciated teacher. Prof Wiman is one of the founding members of EATLP, former chairman of EATLP and former vice president of IFA. The essays cover various topics in the field of international tax law, with a major focus on corporate taxation, an area to which Prof Dr Bertil Wiman has dedicated most of his research. The book includes authoritative analyses by acknowledged experts on several key international tax topics, which illustrates the growing complexity of this area together with its rapid evolution. The book contains analyses of key international topics such as the tax challenges of the digitalisation of the economy, the resolution of

international tax disputes the principles for the taxation of corporations EU tax law transfer pricing and tax treaty law The depth of the essays contained in this book mirrors the importance of the contributions of Prof Dr Bertil Wiman to the international tax community It will also prove of great value to policymakers tax practitioners and academics

International Taxation of Manufacturing and Distribution John Abrahamson, 2016-02-18 The most thorough treatment of its subject available this book introduces and analyses the international tax issues relating to international manufacturing and distribution activities extending from the tax regime in the country where the manufacturing activities are located through to regional purchase and sales companies to the taxation of local country sales companies The analysis includes the domestic tax laws relating to manufacturing and distribution company profits as well as international tax issues relating to income flows and the payment of dividends Among the topics and issues analysed in depth are the following foreign tax credits taxation in the digital economy tax incentives intellectual property group treasury companies mergers and acquisitions leasing derivatives controlled foreign corporation provisions VAT and customs tariffs free trade agreements and customs unions transfer pricing role of tax treaties hedging related accounting issues deferred tax assets and liabilities tax risk management supply chain management depreciation allowances and carry forward tax losses The book includes descriptions of 21 country tax systems and ten detailed case studies applying the analysis to specific examples Detailed up to date attention is paid to the OECD Action Plan on Base Erosion and Profit Shifting BEPS and other measures against tax avoidance As a full scale commentary and analysis of international taxation issues for multinational manufacturing groups including in depth consideration of corporate structures tax treaties transfer pricing and current developments this book is without peer It will prove of inestimable value to all accountants lawyers economists financial managers and government officials working in international trade environments

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

Taxation of Cross-border Partnerships Jesper Barenfeld, 2005 Aims to identify and analyse problems related to double taxation of income attributable to cross border partnerships in asymmetrical situations de lege lata This refers to cases where the same partnership in across border owner entity situation is recognized as a taxable person in one country but as

transparent for tax purposes in the other

Understanding German Real Estate Markets Tobias Just, Wolfgang Maennig, 2012-01-03 Real estate is the biggest real asset class in an economy and Germany is the biggest economy in Europe This implies opportunities as well as specific risks for investors and policy makers As the German real estate markets have by and large been spared severe disruptions in the course of the economic crisis many questions arise for investors and academics alike What are the key institutional characteristics of the German real estate markets that make it different What are the short and long term drivers of demand and supply Which regional and functional market segments are most likely to outperform in the next few years What are the most important pitfalls for investors in Germany This book gives answers to these and many more questions The editors have invited a broad range of extensively knowledgeable practitioners and academics from across the relevant real estate spectrum i e economic legal tax planning and financing issues to express their views There is no better English publication that gives such a profound and simultaneously entertaining overview of Germany's real estate markets

Tax and Corporate Governance Wolfgang Schön, 2008-03-12 The interaction of taxation and corporate governance is a classical topic and a sta up theme at the same time Much has been written in the past on the influence of the tax framework on the choice of legal form for businesses and the structuring of c pany groups and their contractual obligations But in recent years many other features of this relationship between two different fields of law have emerged First of all tax authorities around the world have become aware of the potential influence of corporate governance rules on the tax strategy of an enterprise Tax in the Boa room is a keyword for a movement which tries to employ company law and se rities law as a tool for governments to fight corporate tax avoidance The concept of corporate social responsibility and its repercussions in the tax arena the allocation of tax competences within a company the requirement to disclose relevant tax inf mation to investors or the necessity to establish a management system for tax risks have given rise to an emerging strand of literature both from an economic and a legal background This situation has led the Max Planck Institute for Intellectual Property Com titution and Tax Law Department of Accounting and Taxation in Munich to organize a conference on this topic jointly with the International Network for Tax Research and the International Fiscal Association German Branch in December 2006

Multilateral Cooperation in Tax Law Martin Klokár, 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 International Tax Issues Relating to Globalization William V. Roth, Jr.,2001 **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 It is arranged by subject matter in the order in which they are usually covered in U S tax law classes The materials are drawn from a wide variety of countries including developing countries **Comparison of the Tax Systems of the United States, the United Kingdom, Germany, and Japan** ,1992 *Belastingontwijking en de EG-Verdragvrijheden* Dennis

Weber,2005-01-01 This unique book investigates the extent to which a taxpayer may invoke the freedom of movement within the Community in order to avoid national direct taxes A Member State s right to protect its taxing authority and tax jurisdiction may collide with a Union citizen s right to free movement under Community law The author shows what at the national level is viewed as abuse may often be viewed from an EC law perspective as invoking the Treaty freedoms As his starting point the author describes relevant Community law as it stands at present whereby Member States are exclusively authorized to determine the types tax bases rates and procedural aspects of direct taxes He goes on to examine the possibilities offered by primary EC law to cross border taxpayers who seek to avoid tax basing his presentation on an in depth analysis of the tax and non tax case law of the Court of Justice of the European Communities Among the issues raised in the course of the analysis are the following applicability of each of the freedoms of the citizen of goods of workers of establishment of services and of capital tests entailed by Community law the economic activity test the artificiality test and the substance test the extent to which holding and letterbox companies may invoke the freedom of movement and the fiscal cohesion justification The author describes the implicit concept of avoidance that the Court apparently uses by examining its

tax and non tax decisions in avoidance like cases thus offering a valuable discussion of whether the anti abuse doctrine development by the Court is a principle of Community law In its thorough investigation of a major current manifestation of the emblematic conflict between state taxing authority and personal freedom this thoughtful and well researched analysis will be of great value to tax professionals officials and academics not only on Europe but wherever this fundamental problem in tax law applies

Whispering the Strategies of Language: An Psychological Quest through **German International Tax Law**

In a digitally-driven world wherever displays reign supreme and instant connection drowns out the subtleties of language, the profound techniques and mental nuances concealed within words often move unheard. However, set within the pages of **German International Tax Law** a fascinating literary prize sporting with fresh emotions, lies an exceptional journey waiting to be undertaken. Published by a skilled wordsmith, that charming opus invites visitors on an introspective trip, softly unraveling the veiled truths and profound influence resonating within ab muscles fabric of every word. Within the psychological depths with this emotional review, we shall embark upon a heartfelt exploration of the book is key themes, dissect its fascinating publishing model, and fail to the effective resonance it evokes heavy within the recesses of readers hearts.

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German International Tax Law Introduction

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