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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

this book explores the concept of beneficial ownership in equity law the domestic tax laws of the united kingdom canada and the united states as well as its varied and increasing uses in international tax law by analysing the evolution of beneficiary rights in equity and the use of beneficial ownership wording in tax law the book draws a roadmap for dealing with beneficial ownership in both national and international tax law this approach highlights those common misconceptions that can be avoided by understanding the origins of the concept and its engagement with equity as well as the differences with tax law however the book does not limit itself to dealing with theoretical discussion but also offers an instructive and detailed practical case study offering both academic commentary and a practitioner focus the book will be of the utmost interest to scholars and practitioners from common and civil law countries dealing with tax and estate law particularly given beneficial ownership's increasing relevance

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

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

tax law is one of the legal fields with the most subtle influence on european integration and eu law the european economic cooperation project emerged with the customs union essentially a tax law concept and evolved alongside other topics of tax harmonization still the existence of the eu tax law is disputed the research on the topic is significant as the integration of national economies and markets has increased substantially both within the eu and globally this has put a strain on domestic tax rules which are subject to the demands of the international taxation requirements this book explores the relationship between tax avoidance regulation and sovereignty within the european union analyzing the impact of the effective regulatory methods for limiting and eliminating aggressive tax planning by multinational companies focusing on analyzing good practice in fiscal regulation efficiency and the results generated by the tax jurisprudence both at national and european level its main objective is to present the argument for inter dependency between taxation and the current changes in the concept of sovereignty it highlights where fiscal regulation has led to uniform yet flexible solutions for the actual fight against companies abusive fiscal conduct when taking advantage of tax competition this text will be of value to academics researchers and advanced students in tax law and tax avoidance regulation and their intersection with sovereignty in the context of the european union

a comprehensive guide to income tax legislation this book is the second of two volumes dealing with tax legislation from a comparative law perspective distilled from the imf legal department s extensive experience the book covers a wide range of issues in both domestic and international taxation it also includes the most extensive bibliography currently available of the national tax laws of imf member countries

dictionary which provides concise explanation of each of terms placing them in its respective legal context covers corporate law tax law securities law real property insurance and industrial and intellectual property law the material is based on the laws in force as of 1 march 1989 except with respect to the tax part that includes tax reforms till january 1 1990

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