

PRINCIPLES OF VALUE ADDED TAX

1. **Introduction**

Principles Of Value Added Tax A European Perspective

Christina Pollak



Principles Of Value Added Tax A European Perspective:

Principles of Value Added Tax Adrian Ogley, 1998 He is also the author of *Principles of International Tax* [REDACTED], 2005 Rethinking EU VAT for P2P Distribution Cristina Trenta, 2015-09-24 Peer to peer P2P networks decentralized group structures allowing anyone to easily download and share resources online already play a critical role in the distribution of digital content Most of the debate on P2P heretofore has focused on copyright issues However as the basis for legitimate business models a number of companies have already quietly embraced P2P has a largely unknown and underestimated impact on taxation with vast repercussions on the development of mature profitable markets This book analyses the current framing for digital and media supplies provided via P2P technologies through the lens of an interdisciplinary approach drawing on tax law computer science economics copyright law and business studies VAT concepts such as those of economic activity and taxable person taxable transactions consideration barter and taxable amount and territoriality rules are discussed in connection with P2P as is the evaluation of VAT liability for P2P operations in the presence of copyright infringement Topics and issues considered include centralized and decentralized P2P networks free riding problems identifying actors in P2P networks for VAT purposes P2P and place of supply and pros and cons of integrating P2P with taxation regimes and especially VAT systems The analysis draws on a vast range of sources including EU legislation and case law tax law literature and doctrine international conventions and treaties Council of Europe and OECD documents ECHR case law and official documents and cases from key jurisdictions worldwide offering the first thoroughly grounded approach to overcoming the lack of understanding and awareness of ongoing changes currently separating the digital economy and traditional taxation systems and a solid platform for discussion to the diverse communities of researchers and professionals interested in P2P **VAT in an EU and International Perspective**, 2011 **The Modern VAT** Mr. Liam P.

Ebrill, Mr. Michael Keen, Ms. Victoria P. Perry, 2001-11-05 Value added tax or VAT first introduced less than 50 years ago is now a pivotal component of tax systems around the world The rapid and seemingly irresistible rise of the VAT is probably the most important tax development of the latter twentieth century and certainly the most breathtaking Written by a team of experts from the IMF this book examines the remarkable spread and current reach of the innovative tax and draws lessons about the design and implementation of the VAT as experienced by different countries around the world How efficient is it as a tax is it fair and is it suitable for all countries These are among the questions raised This highly informative and well researched book also looks at the likely future of the tax **The Philosophy of Taxation and Public Finance** Robert W. McGee, 2011-06-27 Most public finance books are texts which are aimed at undergraduate or graduate students They are overly technical in nature and appeal only to a narrow range of bureaucrats and academics Books on taxation are written for tax practitioners and usually emphasize either what the law is or how to maneuver through the labyrinth of tax law to minimize taxes for clients Philosophy books on taxation or public finance simply do not exist The Philosophy of Taxation and

Public Finance is different It is written in nontechnical language and is aimed to appeal to a wide range of readers including practitioners academics and students in the fields of taxation public finance economics law philosophy and political science as well as general readers who are interested in learning why they are being taxed the way they are The author addresses the major issues and topics in taxation and public finance and injects them with philosophical insights He discusses questions such as What arguments have been used to justify taxation When is tax evasion unethical Are some taxes better than others What are the proper functions of government How much is enough Is the ability to pay concept valid When can punitive taxes be justified

EU Value Added Tax Law K PE Lasok,2020-08-28 This meticulously researched book provides a practical commentary on and analysis of the harmonised system of Value Added Tax VAT in the European Union and each of its Member States Written by a team of expert practitioners led by KPE Lasok QC an authority on European law with extensive practical experience of VAT and Customs cases this book is destined to become the reference work of choice on VAT for both practitioners and scholars

CJEU - Recent Developments in Value Added Tax 2023 Georg Kofler,Michael Lang,Pasquale Pistone,Alexander Rust,Josef Schuch,Karoline Spies,Claus Staringer,Rita Szudoczky,Ilze Kuniga,2024-10-31 The most important and recent judgments of the CJEU Considering the ever increasing importance of indirect taxation as a source of revenue for governments the intensifying complexity of the legal framework and the proliferating number of countries adopting indirect taxation it is essential to scrutinize how the law is applied in practice The primary driving force in this area is undoubtedly the Court of Justice of the European Union This book analyses selected topics e g fighting VAT fraud obligations imposed on digital platforms taxable person taxable transactions place of supply taxable base and rates exemptions and deductions by examining the most prominent and recent judgments of the Court of Justice of the European Union Experts from all over the world not just from academia but also government and judiciary representatives as well as tax practitioners have provided their input and helped us compile what is an informative and worthy read for anyone dealing with indirect taxation on a professional basis

Fundamentals of EU VAT Law Ad van Doesum,Herman van Kesteren,2016-07-21 Value added tax VAT is responsible for generating approximately 903 billion per year in tax revenues across the European Union revenues that play a huge role in budgetary policymaking in the Member States This extremely useful book provides not only a thorough description of the current state of EU VAT law but also a detailed explanation of the system s rationale and its legislative provisions It puts the elements of the system in perspective and shows how they are linked to each other The focus lies on the rules which can be deduced from the sources of EU VAT law and on their application in practice The systematic presentation covers such issues and topics as the following sources of EU VAT law including principles derived from CJEU case law principles underlying the EU VAT system relations among the layers of VAT law primary and secondary EU law national law how to apply the VAT legislation and case law allocation of taxing rights place of supply rules invoicing requirements and other administrative obligations exemptions VAT rates and the taxable

amount the right of deduction of input VAT intra Community transactions importation and exportation immovable property and how far a national court must and can go in interpreting national provisions in the light of the VAT Directive and the principles underlying the VAT system The book follows the structure of the VAT Directive VAT determination scheme with additional topical chapters on immovable property intra Community transactions and importation and exportation of goods With its detailed attention to the meaning and interpretation of each legislative provision and court ruling this book serves as an incomparable guide for practitioners Its emphasis on the rationale and systematics of the EU VAT system make it an indispensable reference for all tax law professionals and researchers

Virtues and Fallacies of VAT: An Evaluation after 50 Years Robert F. van Brederode, 2021-08-09 Value added tax VAT is a mainstay of revenue systems in more than 160 countries Because consumption is a more stable revenue base than other tax bases VAT is less distorting and hence more likely to encourage investment savings optimum labor supply decisions and growth VAT is not without criticism however and faces its own specific technical and policy challenges This book the first to thoroughly evaluate VAT from a global policy perspective after over 50 years of experience with its intricacies offers authoritative perspectives on VAT's full spectrum from its signal successes to the subtle ways its application can undermine revenue performance and economic neutrality The contributors leading tax practitioners and academics examine the key policy issues and topics that are crucially relevant for measuring the success of the tax in the first part of the book including revenue generation and revenue efficiency single rate versus multiple rates susceptibility to fraud exemptions and exceptions compliance cost for businesses policy and compliance gaps in revenue collection adjustment rules caused by the transactional nature of the tax transfer pricing issues treatment of vouchers permanent establishments and holding companies payment of refunds cross border digital transactions and supplies for free or below cost price The second part offers six country reports on New Zealand Japan China Colombia Ethiopia and India to demonstrate the different ways in which VAT operates in a variety of national economies Whether a government is contemplating the imposition of a general consumption tax for the first time or new rules for applying an existing one it is important for policymakers to keep central the aim to design a tax that realizes optimal efficiency and causes minimal distortions This invaluable book serves as an expert guide to VAT policy development in this area It will be welcomed not only by concerned government officials but also by tax professionals both lawyers and accountants and academics in tax law

European VAT and the Sharing Economy Giorgio Beretta, 2019-10-24 A breadth of new digital platforms has dramatically expanded the range of possibilities for exchanging anything required by business or personal needs from accommodation to rides In the virtual marketplaces shaped and ruled by these novel matchmakers rather than by a single centralized entity value is created through the granular interaction of many dispersed individuals By allowing instantaneous and smooth interaction among millions of individuals platforms have indeed pushed the digital frontier farther and farther so as to include within it even services once not capable of direct delivery from a remote location such as

accommodation and passenger transport Legal disruption is also underway with foundational dichotomous categories such as those between suppliers and customers business and private spheres employees and self employed no longer viable as organizational legal structures This is the essential background of the first book to relate what is synthetically captured under the umbrella definition of sharing economy to key features at the core of European Value Added Tax EU VAT and to look at the feasibility of a reformed EU VAT system capable of addressing the main challenges posed by these new models of production distribution and consumption of goods and services Specifically the study analyses five legal propositions underpinning the current EU VAT system as the following taxable persons taxable transactions composite supplies place of supply rules and liability regimes for collection and remittance of VAT Exploration of these five legal propositions is meant to assess the practical feasibility of shoehorning the main sharing economy business models notably those available in the accommodation and passenger transport sectors into the framework of existing EU VAT provisions The author further draws on the normative standards of equality neutrality simplicity flexibility and proportionality to test the reflexes of the current EU VAT system in the sharing economy domain Opportunities for reform of the current EU VAT system are in turn evaluated with each chapter including cogent proposals in the form of incremental and targeted amendments to the current EU VAT provisions As the first comprehensive analysis of the treatment of the sharing economy for VAT purposes the book provides not only a theoretical framework for future studies in the tax field but also indispensable practical guidance for VAT specialists confronting daily with the many challenges ushered in by the sharing economy Moreover the various solutions and recommendations advanced in the book offer valuable insights to international and national policymakers dealing with similar issues under other VAT systems

Financial Integration Marga Peeters, Nidal Sabri, Wassim Shahin, 2013-09-21 The Arab upheaval and the world's biggest financial crisis after the Great Depression were almost simultaneous in their occurrence The Mediterranean economies now face a dual challenge of a political and financial restructuring in the light of a shaky economic pedestal on which they stand In light of this socio political and economic shift in both inland and in world markets this book offers a thorough analysis on problems prospects and the way ahead for the financial integration of the South Mediterranean region Several perspectives on financial integration and policy recommendations are put forward from a leading group of researchers specializing on the Mediterranean region

CJEU - Recent Developments in Value Added Tax 2018 Michael Lang, Pasquale Pistone, Alexander Rust, Josef Schuch, Claus Staringer, Patrice Pillet, 2019-07-24 The most important and recent judgments of the CJEU Considering the ever increasing importance of indirect taxation as a source of revenue for governments the intensifying complexity of the legal framework and the proliferating number of countries adopting indirect taxation it is essential to scrutinize how the law is actually applied in practice The primary driving force in this area is undoubtedly the Court of Justice of the European Union This book analyses selected topics e.g. the Charter of Fundamental Rights of the European Union and VAT taxable base and rates exemptions and deductions by

examining the most prominent and recent judgments of the Court of Justice of the European Union Experts from all over the world not just from academia but also government representatives and tax practitioners have provided their input and helped us compile what is an informative and worthy read for anyone dealing with indirect taxation on a professional basis **CJEU**

- Recent Developments in Value Added Tax 2019 Michael Lang, Georg Kofler, Pasquale Pistone, Alexander Rust, Josef Schuch, Karoline Spies, Claus Staringer, Patrice Pillet, 2020-11-05 The most important and recent judgments of the CJEU Considering the ever increasing importance of indirect taxation as a source of revenue for governments the intensifying complexity of the legal framework and the proliferating number of countries adopting indirect taxation it is essential to scrutinize how the law is actually applied in practice The primary driving force in this area is undoubtedly the Court of Justice of the European Union This book analyses selected topics e g fundamental principles and VAT administrative cooperation in VAT taxable base and rates exemptions and deductions by examining the most prominent and recent judgments of the Court of Justice of the European Union Experts from all over the world not just from academia but also government representatives and tax practitioners have provided their input and helped us compile what is an informative and worthy read for anyone dealing with indirect taxation on a professional basis **Value Added Tax and Direct Taxation**

Michael Lang, Peter Melz, Eleonor Kristoffersson, Thomas Ecker, 2009 This book provides a comprehensive in depth analysis of the similarities and differences between consumption taxes and direct taxes Fifty contributions are included written by academics practitioners and representatives from several international tax administrations and institutions **VAT**

Neutrality Charlène Adline Herbain, 2015-05-04 Most major economies use a value added tax VAT which is a derivation of the French 1954 *taxe sur la valeur ajoutée* The initial imposition of VAT in France and its spread around the world have been driven by economic reasons This book focuses on one of these economic triggers the neutrality of VAT as regards the functioning of the economy It demonstrates that the reason VAT was chosen in France and why thereafter it spread around the world was because it offered the possibility to collect governmental revenue while allowing the economic forces of the market to interplay without being adversely affected The prerequisite conditions for the existence of VAT neutrality are therefore identified herein along with an overview of the VAT mechanism demonstrating that the concept of neutrality is built into the VAT system in a manner that allows for the preservation of the natural functioning of the market After the definition of VAT neutrality is set forth the elements that comprise VAT neutrality are tested against the realities on the ground and the issues that infringe the neutrality of VAT are identified and analysed In conclusion remedies for these issues are being sought by a review of the causes of infringement of VAT neutrality in the perspective of selected proposals for modified VAT systems These proposals include redesignating the place where VAT is levied and improving VAT collection Ultimately the proposed solution has recourse to the roots of VAT together with the most advanced technological tools available to give back to VAT the power to levy revenue while letting the economic forces of the market interplay without instigating any adverse influence

Value Added Tax Alan Schenk, Oliver Oldman, 2007-01-22 This book integrates legal economic and administrative materials about value added tax Its principal purpose is to provide comprehensive teaching tools laws cases analytical exercises and questions drawn from the experience of countries and organizations from all areas of the world It also serves as a resource for tax practitioners and government officials that must grapple with issues under their VAT or their prospective VAT The comparative presentation of this volume offers an analysis of policy issues relating to tax structure and tax base as well as insights into how cases arising out of VAT disputes have been resolved The authors have expanded the coverage to include new VAT related developments in Europe Asia Africa and Australia A chapter on financial services has been added as well as an analysis of significant new cases

Intermediation of Insurance and Financial Services in European VAT Claus Bohn Jespersen, 2011-01-01 The current European VAT legislation encompassing insurance and financial services including intermediation thereof dates back to the adoption of the Sixth VAT Directive in 1977 The definitions do not however encompass the current complexity of insurance and financial transactions This has resulted in considerable confusion for fiscal authorities and for businesses when deciding upon the application of the VAT exemption As the correct VAT treatment has a significant economic impact on businesses a great number of cases have been referred to the Court of Justice of the European Union This is also the reason why the European Commission presented its proposal for the future treatment of insurance and financial services including intermediation thereof in November 2007 The political process has not yet been finalised and if the Commission's proposal is agreed upon the question of understanding the definitions still exists This book deals with the exemption for intermediation of insurance and financial services within European VAT This implies analysing the methods of interpretation applied by the Court of Justice of the European Union when interpreting the provisions regarding insurance and financial services Furthermore the current definitions for intermediation of insurance and financial services as provided for in the VAT Directive are analysed and conclusions are made in order to define a single concept of intermediation These analyses are followed by various practical scenarios from case law of the Member States concerning intermediation of insurance and financial services Finally comments based on the analyses carried out are given on the European Commission's proposal for amending the VAT Directive and the accompanying Regulation regarding intermediation of insurance and financial services

Platforms in EU VAT Law Christina Pollak, 2022-10-18 Applying the provisions of the European Union Value Added Tax EU VAT Directive poses challenges when applied to the digital platform economy Recent responses to these challenges revolve around the deemed supplier regime introduced by the so called e commerce package and this regime is thus the focus of this indispensable work the first to provide an in depth analysis of the regime its background and scope its interpretation and its application in practice In its detailed examination of how digital platforms that enable supplies of goods through their interfaces are treated for VAT purposes under EU law the author elucidates such topics and issues as the following The qualification of the sale of

goods through platforms supply of the platform service to the underlying supplier supply of the platform service to the customer supply of goods from the underlying supplier to the customer supplies from third countries the Organisation for Economic Co operation and Development OECD proposal s influence on the interpretation of the EU e commerce package chain transactions determination of the place of supply chargeable event and chargeability of VAT taxable amount applicable rates and exemptions platform s recordkeeping obligations accompanying customs measures return of goods and warranty cases and future of effective and efficient VAT collection The author also undertakes a detailed analysis of a potential infringement of the principle of equality neutrality and the right to conduct a business Fully taking into consideration the case law of the CJEU administrative practice and the relevant academic literature the author s research reveals the weaknesses opportunities and limits for Member States implementation of EU VAT law The upshot is an important work that promises to make the EU VAT system more fraud resistant simplify compliance obligations enforce the principle of neutrality and reduce distortion of competition The book will be of immeasurable value to any practitioner and policymaker approaching any case involving the deemed supplier regime for digital platforms with full awareness of the applicable rules

CJEU - Recent Developments in Value Added Tax 2021 Georg Kofler, Michael Lang, Pasquale Pistone, Alexander Rust, Josef Schuch, Karoline Spies, Claus Staringer, Ilze Kuniga, 2023-01-11 The most important and recent judgments of the CJEU Considering the ever increasing importance of indirect taxation as a source of revenue for governments the intensifying complexity of the legal framework and the proliferating number of countries adopting indirect taxation it is essential to scrutinize how the law is applied in practice The primary driving force in this area is undoubtedly the Court of Justice of the European Union This book analyses selected topics e g taxpayer rights in EU VAT law bad debt and insolvency in VAT law taxable base and rates exemptions and deductions by examining the most prominent and recent judgments of the Court of Justice of the European Union Experts from all over the world not just from academia but also government and judiciary representatives as well as tax practitioners have provided their input and helped us compile what is an informative and worthy read for anyone dealing with indirect taxation on a professional basis

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