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Safe Harbour

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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 coordinated 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 **Artificial Intelligence and Taxation**

Law Enrico Gallo, 2025-07-25 This book identifies how artificial intelligence AI systems can be used as part of decision processes within international tax and transfer pricing disputes The issue of double taxation and its impact on economic development continues to escalate as globalization causes states to interact on a growing scale In recent years AI applications have shown potential to solve this issue particularly in reference to the length of time taken to resolve cases of double taxation in the field of transfer pricing These cases can typically take at least two or more years to resolve resulting in high cost to taxpayers and tax administrations The book identifies the current legal frameworks available to prevent and solve tax and more specific transfer pricing disputes and details their advantages and disadvantages Providing an analysis of what AI can offer to different legal principles it shows how this can challenge existing rules and the changes this requires within the legal framework The book provides an overview of the challenges and opportunities that lie at the intersection of AI systems and the domain of international law providing case studies to demonstrate its practical applications It asks and answers the fundamental question Can AI or more specifically machine learning ML replace human decisions within the resolution of international tax and transfer pricing disputes The book will be of interest to researchers in the field of tax law data protection law consumer protection law intellectual property law and artificial intelligence *OECD/G20 Base Erosion and Profit Shifting Project Tax Challenges Arising from the Digitalisation of the Economy - Consolidated Commentary to the Global Anti-Base Erosion Model Rules (2023) Inclusive Framework on BEPS* OECD, 2024-04-25 A key part of the OECD G20

BEPS Project is addressing the tax challenges arising from the digitalisation of the economy In October 2021 over 135 jurisdictions joined a ground breaking plan to update key elements of the international tax system which is no longer fit for purpose in a globalised and digitalised economy **OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations 2022** OECD,2022-01-20 In a global economy where multinational enterprises MNEs play a prominent role governments need to ensure that the taxable profits of MNEs are not artificially shifted out of their jurisdiction and that the tax base reported by MNEs in their country reflects the economic activity undertaken therein For taxpayers it is essential to limit the risks of economic double taxation OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations 2010 OECD,2010-08-16 The OECD Transfer Pricing Guidelines provide guidance on the application of the arm s length principle which is the international consensus on transfer pricing the valuation for tax purposes of cross border transactions between associated enterprises **OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations 2009** OECD,2009-08-18 OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations provides guidance on the valuation for tax purposes of cross border transactions between associated enterprises Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations OECD,2017-07-31

Fundamentals of Transfer Pricing Michael Lang,Giammarco Cottani,Raffaele Petruzzi,2025-05-19 Fundamentals of Transfer Pricing Volume 1 Principles and Practice Edited by Raffaele Petruzzi Giammarco Cottani accurate delineation and recognition of actual transactions transfer pricing methods comparability analysis transfer pricing audits and litigation administrative approaches to preventing and resolving transfer pricing disputes transfer pricing documentation attribution of profits to permanent establishments transfer pricing and specific transactions use of new technologies in transfer pricing and interplay between transfer pricing and other rules This book delves into both foundational concepts and emerging trends in transfer pricing providing readers with the tools to understand its dynamic application in real world scenarios By analysing examples case studies and the implications of recent judicial precedents it bridges the gap between fundamental principles and practical implementations The application of transfer pricing legislation remains one of the most challenging tasks for taxpayers and tax authorities around the world With this comprehensive source of practical guidance tax lawyers in house tax counsels government officials academics advisory firms and the business community worldwide will have all the support they need to move forward in tackling this complex aspect of the current tax environment **GDPR: Personal Data**

Protection in the European Union Mariusz Krzysztofek,2021-04-07 GDPR Personal Data Protection in the European Union Mariusz Krzysztofek Personal data protection has become one of the central issues in any understanding of the current world system In this connection the European Union EU has created the most sophisticated regime currently in force with the General Data Protection Regulation GDPR EU 2016 679 Following the GDPR s recent reform the most extensive since the

first EU laws in this area were adopted and implemented into the legal orders of the Member States this book offers a comprehensive discussion of all principles of personal data processing obligations of data controllers and rights of data subjects providing a thorough up to date account of the legal and practical aspects of personal data protection in the EU Coverage includes the recent Court of Justice of the European Union CJEU judgment on data transfers and new or updated data protection authorities guidelines in the EU Member States Among the broad spectrum of aspects of the subject covered are the following right to privacy judgments of the CJEU and the European Court of Human Rights scope of the GDPR and its key definitions key principles of personal data processing legal bases for the processing of personal data direct and digital marketing cookies and online behavioural advertising processing of personal data of employees sensitive data and criminal records information obligation data subjects rights data controller joint controllers and processors data protection by design and by default data security measures risk based approach records of personal data processing activities notification of a personal data breach to the supervisory authority and communication to the data subject data protection impact assessment codes of conduct and certification Data Protection Officer transfers of personal data to non EU EEA countries and privacy in the Internet and surveillance age Because the global scale and evolution of information technologies have changed the data processing environment and brought new challenges and because many non EU jurisdictions have adopted equivalent regimes or largely analogous regulations the book will be of great usefulness worldwide Multinational corporations and their customers and contractors will benefit enormously from consulting and using this book especially in conducting case law guidelines and best practices formulated by European data protection authorities For lawyers and academics researching or advising clients on this area this book provides an indispensable source of practical guidance and information for many years to come

Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations SET Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations - Binder+1999 Update OECD,1999-11-12

China's Anti-monopoly Law in the Digital Era Jingmeng Cai,2025-08-22 The book aims to depict the whole picture of China's Anti Monopoly Law AML in the digital sector and reveals the three key factors that shape AML enforcement The author introduces the legal revolution and a major enforcement campaign in the digital sector She focuses on three typical monopolistic behaviours abuse of dominant position merger control and monopoly agreements High profile cases such as administrative penalties against Alibaba and Tencent and private lawsuits against Apple and Didi Chuxing are discussed in detail She also identifies three underlying factors that have influenced AML enforcement reform the political factor the legal factor and the academic factor Finally the book raises open questions and challenges that are relevant not only to China but to a wide range of jurisdictions The book will appeal to competition law antitrust and Chinese law academics practitioners and officials as well as general readers interested in the subject

Data Localization Laws and Policy W. Kuan Hon,2017 Countries are increasingly introducing data localization laws threatening digital globalization and inhibiting cloud computing

adoption despite its acknowledged benefits This multi disciplinary book analyzes the EU restriction including the Privacy Shield and General Data Protection Regulation through a cloud computing lens covering historical objectives and practical problems showing why the focus should move from physical data location to effective jurisdiction over those controlling access to intelligible data and control of access to data through security [GDPR: General Data Protection Regulation \(EU\) 2016/679](#) Mariusz Krzysztofek,2018-11-01 Personal data protection has become one of the central issues in any understanding of the current world system In this connection the European Union EU has created the most sophisticated regime currently in force with the General Data Protection Regulation GDPR of 2016 This book on this major data protection reform offers a comprehensive discussion of all principles of personal data processing obligations of data controllers and rights of data subjects This is the core of the personal data protection regime GDPR is applicable directly in all Member States providing for a unification of data protection rules within the EU However it poses a problem in enabling international trade and data transfers outside the EU between economies which have different data protection models in place Among the broad spectrum of aspects of the subject covered are the following summary of the changes introduced by the GDPR new territorial scope key principles of personal data processing legal bases for the processing of personal data marketing cookies and profiling new information clauses new Subject Access Requests SARs including the right to be forgotten on the Internet the right to data portability and the right to object to profiling new data protection by design and by default benefits from implementing a data protection certificate and data transfers outside the EU including BCRs SCCs and special features of EU US arrangements This book references many rulings of European courts as well as interpretations and guidelines formulated by European data protection authorities examples and best practices making it of great practical value to lawyers and business leaders Because of the increase in legal certainty in this area guaranteed by the GDPR multinational corporations and their customers and contractors will benefit enormously from consulting and using this book For practitioners and academics researching or advising clients on this area and government policy advisors this book provides an indispensable source of guidance and information for many years to come *Cumulative List of Organizations Described in Section 170 (c) of the Internal Revenue Code of 1986 ,1994* [Cumulative List of Organizations Described in Section 170 \(c\) of the Internal Revenue Code of 1954](#) United States. Internal Revenue Service,2002 **Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations 2001 Travel version** OECD,2001-06-26 The 2001 edition of Transfer Pricing Guidelines was substantially revised in July 2010 See the current edition This compact version of Transfer Pricing Guidelines provides the complete and current text of the OECD pricing guidelines accepted by [OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations 2017](#) OECD,2017-07-10 This consolidated version of the OECD Transfer Pricing Guidelines includes the revised guidance on safe harbours adopted in 2013 as well as the recent amendments made by the Reports on Actions 8 10 and 13 of the BEPS Actions Plan and conforming changes to Chapter IX **GloBE Rules**

Made Easy Kuldeep Sharma, 2022-12-09 Worldwide implementation of the OECD's Global Anti Base Erosion Rules GloBE Rules published in December 2021 promises to strike a powerful blow at the tax avoidance rampantly indulged in by many multinational corporations since global minimum tax rate of 15% in all countries is expected to curb shifting of profits from higher tax jurisdiction to lower tax jurisdiction or tax havens As Inclusive Framework IF Member jurisdictions prepare to implement legislation the tax law community worldwide can turn to this extraordinarily practical self contained book for a complete understanding of the background and attributes of the Rules The book includes such features as the following text of each of the Rules ten chapters including all forty nine articles along with both summary and detailed description explanations of the Commentary and Illustrative Examples released by the OECD in March 2022 numerous flowcharts tables boxes illustrations and figures elaborate technical discussions amidst specific policy considerations analysis of IF Member jurisdictions regarding key parameters with suitable recommendations GloBE Rules at a Glance checklist encapsulating the features and application of the Rules in the form of FAQs and implementation processes under way in ten representative jurisdictions The various publications and releases by the OECD up to 31 May 2022 are considered and duly explained In the struggle to curb harmful tax competition and aggressive tax planning it is possible that the GloBE Rules will at last succeed in creating a level playing field in the realm of taxation And given that OECD guidance and tax expert analysis may not suffice to fully comprehend the complexity of the Rules this book will prove of enormous value among a wide array of stakeholders including taxation authorities tax advisors and lawyers and academics Also multinational enterprises will get enough information to derive maximum benefits in terms of their preparedness readiness and responses to implementation of the Rules

Transfer Pricing in SMEs Veronika Solilova, Danuse Nerudova, 2017-10-31 This book provides a detailed assessment of current approaches to transfer pricing in the context of small and middle sized enterprises SMEs including the newest update of Transfer Pricing Guidelines from 10 July 2017 It analyzes the transfer pricing rules for SMEs across the European Union EU and explores two alternative approaches as suitable solutions for current transfer pricing issues The authors evaluate and discuss alternative approaches like Safe Harbour and Common Consolidated Corporate Tax Base CCCTB Taking into account the prominent role of SMEs in the European Union's economy the book also puts forward policy recommendations to achieve the long term goals of the EU's 2020 agenda

Selectivity in State Aid Law and the Methods for the Allocation of the Corporate Tax Base Jérôme Monsenego, 2018-06-05 High profile cases before the European Commission and the EU courts have intensified scrutiny of the link between State aid law and the taxation of multinational enterprises Certain decisions have raised questions about fiscal sovereignty and the interpretation of the rules on State aid in particular the notion of selectivity which have not been addressed in detail by existing research The combination of the evolution of the notion of selectivity in State aid law on the one hand and the need to adapt the rules for the taxation of the profits of multinational enterprises to the modern economy on the other hand makes it necessary to assess

whether existing as well as alternative rules for the allocation of the corporate tax base might entail a selective treatment. This book responds to the need of research in the area of State aid law applied to the taxation of the income of multinational enterprises focusing on the crucial concept of selectivity. The analysis proceeds with a detailed investigation of the theoretical issues that arise when applying the selectivity test in State aid law to three methods for the allocation of the corporate tax base between the members of multinational enterprises: the arm's length principle, transfer pricing, safe harbours and systems of formula apportionment. This research project is conducted at a theoretical level without considering national provisions or particular tax treaties. The author suggests an analytical framework on the application of the selectivity test to the three allocation methods. It is concluded that these methods are likely to have certain selective features with varying possibilities to be justified by the inner logic of a corporate income tax system. It is also demonstrated that selectivity occurs for different reasons due to the different rationales of the three allocation methods. This book is intended at contributing to the academic literature on the impact of State aid law on the principles for the taxation of the income of multinational enterprises. The outcome of this research project is also relevant for lawmakers who need to reconcile the imperatives of State aid law with the design of rules that match their tax policies as well as for judges or lawyers who apply the rules on State aid to tax provisions.

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