Group taxation normally deals with tax liability in the context of a single jurisdiction. There is no system of group taxation worldwide which embraces more than one fiscal jurisdiction under a single regulatory umbrella.

This thought provoking work explores the prospect for creating a group taxation system extending across national borders in the EC. The objective is to specify what shape the elements of such a system should take as well as to identify the areas of complexity or probable impasse. Among the topics covered...

- The relevant jurisprudential and legislative framework of the European Internal Market;
- A survey of the tax systems of Canada, Switzerland and the US with a focus on the principles pertaining to the division of power between the federal and sub-federal tiers;
- The policies for corporate taxation in integrated markets;
- Administrative concerns: compliance, enforcement, dispute resolution and re-assessment of tax liability;
- Tests for entitlement to group membership;
- Tax base integration;
- Territorial delineation of the group; and
- Formulary apportionment.

In sum, this book provides valuable insights into an area of significant importance to taxpayers, their advisors and policymakers as well.
One of the major objectives of tax treaties has been the avoidance of international double taxation. This is generally accomplished through the agreement of each country to limit, in specified situations set out in double tax treaties, its right to tax income earned from its territory by residents of another country.

The OECD Model Tax Treaty, other model conventions, and the bilateral treaties drafted in accordance with these models, allocate the taxing rights between the state of source and the state of residence. The source rules for income taxation are determined by Articles 6 through 21 of the OECD Model Convention. These rules are the product of a rather long history and it seems difficult to justify the scope of some in today’s world. Courts, tax administrators and practitioners are confronted with a growing number of interpretation and application problems. In a globalized world with ever-increasing cross-border streams of income, such problems command more and more attention.

This book is designed to analyze the allocation rules of the OECD Model Tax Convention and its equivalents in bilateral tax treaties. The distinguished contributors to the work examine the justification for these rules - as well as their scope – and highlight the most relevant interpretation and attendant application problems. In addition, they suggest how such rules should be modified and examine possible alternatives.
It is widely acknowledged that the administrative and regulatory obligations for tax matters represent a heavy time – and cost consuming burden, especially for small and medium sized enterprises (SMEs). Tax compliance procedures are recognized to be too complicated for SMEs. This problem becomes even more serious in those cases where SMEs expand their activities cross-border and are confronted not only with their national tax laws, but also with the need to comply also with obligations under national tax codes in different Member States.

This highly valuable resource tackles the issue of tax-related compliance costs from a number of perspectives:

- Compliance costs from a general point of view
  - The economics of the compliance costs of taxation
  - Compliance cost considerations in recent tax reforms
  - Compliance rules and their enforcement
  - The operational burden of compliance rules

- Compliance costs from the point of view of a group of companies
  - Compliance costs under the separate accounting approach and means to reduce these costs
  - Introduction of a common EU tax base as a remedy to compliance costs?
  - Defining a “consolidated” group under a formula apportionment system (knock-in/-out criteria)
  - How to share the pie: Formulary Apportionment

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Conventional wisdom holds that taxing financial services under a transaction-based VAT system entails difficulties that render it impossible to tax the services. This timely work investigates where the difficulties lie. The research is undertaken using benchmarks, including the character of European VAT as an indirect tax on consumption expenditure and the specific features of financial activities. The various key VAT concepts (e.g., taxable person, taxable transactions, taxable amount) are researched in order to establish whether the inclusion of financial activities in the European VAT system entails specific difficulties both from a practical, legal point of view and from a theoretical point of view (in the light of the benchmarks). The work concludes by describing and evaluating alternative treatments to an exemption of financial services such as using both additive and cash-flow methods.

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Some aspects of direct taxation do not need to be harmonized or coordinated and are left entirely to the discretion of the Member States. The situation is somewhat different when direct taxation has an impact on the Four Freedoms enshrined in the EC Treaty (free movement of goods, persons, services and capital) and the right of establishment of persons and businesses. National taxation systems must respect these four fundamental freedoms. However, direct taxation systems have never been harmonized in the Community.

This area of European taxation is still rather unclear and rife with open questions. Consequently, the expert analysis offered in this book will be of significant interest to many international tax practitioners and academics. Among the areas addressed by this thought provoking work are the following:

- The direct impact of Article 56 EC Treaty (Right of Establishment) in relations with third States
- The indirect impact of the Fundamental Freedoms in relations with third States
- Fundamental Freedoms in relation to EEA States under the EEA Agreement
- Agreements between Switzerland and the European Union
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- The treaty-making power of the European Union in relations with third States.

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