

Taxation and Electronic Commerce

- ◆ Online businesses are potentially subject to several types of taxes
 - Income taxes
 - ◆ Levied by national, state, and local governments on the net income generated
 - Transaction taxes
 - ◆ Includes sales taxes, use taxes, and customs duties
 - Property taxes
 - ◆ Levied by state and local governments on the personal property and real estate used by the business

Electronic Commerce And International Taxation

Electronic Commerce And International Taxation

Richard Doernberg



Electronic Commerce And International Taxation Electronic Commerce And International Taxation:

Electronic Commerce and International Taxation Richard Doernberg, 1998-12-30 Electronic commerce a broad spectrum of commercial activities carried out through the use of computers has arrived But tax authorities have questioned whether existing tax principles and rules are equipped to deal with the challenges of conducting business in cyberspace *Electronic Commerce and International Taxation* examines the implications of the growth of electronic commerce for domestic and international tax systems concentrating on the conduct of electronic commerce over the Internet it covers a wide array of activities focusing on basic rules and policy choices The book looks at existing tax principles how they might apply to hypothetical transactions involving electronic commerce and possible alternative approaches Coverage includes The basic principles that govern income and value added taxes an overview of the technological changes that have brought about electronic commerce a concise explanation of how and what happens when electronic commerce is conducted an examination of the ways in which businesses are using the new technology in conducting their everyday activities a discussion of the application of existing tax principles to electronic commerce an exploration of questions and problems raised by applying tax rules that evolved before electronic commerce to transactions that were then unimaginable observations and suggestions for a variety of approaches to international tax problems resulting from electronic commerce And The associated benefits and problems Because the implications of electronic commerce vary from industry to industry this book focuses on the broad issues that span all industries The information provided will keep tax attorneys accountants corporate counsel policymakers and academics in the field of tax law abreast of the issues posed by this hot topic and their many potential implications This unique resource is an important part of becoming conversant in the language of a changing world **International**

Taxation of Electronic Commerce Richard Westin, 2000-11-20 The bricks and mortar of commercial law as we know it are crumbling into dust Electronic commerce sweeps away the very foundations of what was not so long ago our most solid comfortable and secure legal system In its most advanced form e commerce allows unidentified purchasers to pay obscure vendors in electronic cash for products that are often goods services and licenses all rolled into one A payee may be no more than a computer that can take up residence anywhere at the drop of a hat national boundaries are of no consequence whatsoever Taxation authorities are understandably dismayed This book is a minutely detailed picture of current reality in the worldwide huddle of revenue regimes as they try to cope with the most daunting challenge they have ever had to face It analyzes a number of fast moving trends in the behavior of national taxation authorities web based companies certain low tax or no tax jurisdictions and international organizations that have significant bearing on the future development of the taxation of e commerce including the following How United States domestic and international tax rules are being interpreted in the effort to accommodate e commerce The powerful retailers lobby against the moratorium on U S state and local sales tax on Internet transactions How VAT rules in EU countries and other jurisdictions are being restructured to accommodate

international e commerce New theories of income and payment characterization and in particular the influential OECD ongoing study and The crucial discussion over what constitutes a permanent establishment for tax purposes **Electronic Commerce and International Taxation** Richard L. Doernberg, Luc Hinnekens, 1997 Global Perspectives on E-Commerce Taxation Law Dr Subhajit Basu, 2013-01-28 In its most advanced form e commerce allows unidentified purchasers to pay obscure vendors in electronic cash for products that are often goods services and licenses all rolled into one This book considers the implications for the domestic and international tax systems of the growth of e commerce It covers a wide variety of activities from discussion of the principles governing direct and indirect taxation to explanation of the implementation and use of e commerce on the part of businesses as well as the application of existing tax principles in this field With its focus on the broader issues surrounding the expansion of e commerce and its attention to the problems arising internationally in this field Global Perspectives in E Commerce Taxation Law will appeal to scholars worldwide

Electronic Commerce and Multi-Jurisdictional Taxation Richard Doernberg, 2001-09-19 Electronic Commerce and Multi Jurisdictional Taxation 2001 is the successor to the widely acclaimed Electronic Commerce and International Taxation 1999 The new edition contains expanded and enhanced consideration of the tax treatment of electronic commerce from both an income tax and a consumption tax perspective Not only does the new edition provide a detailed and up to date analysis of VAT developments regarding e commerce but it also explores the implications of e commerce for the US state and local sales and use tax regime It discusses developments in Europe and the United States while enlarging its focus to include the tax treatment of e commerce in China India Canada Australia and throughout the world At the same time the authors have deftly woven the latest OECD and European Community developments into the fabric of the book There is no other book on the market today that analyzes the practical tax consequences of e commerce with the multi jurisdictional and multi tax perspective of this insightful work by distinguished academics and practitioners Richard Doernberg Luc Hinnekens Walter Hellerstein and Jinyan Li *E-commerce and Source-based Income Taxation* Dale Pinto, 2003 The advent of electronic commerce has caused many to question the continued viability of sourced based taxation This thesis argues that source based taxation is theoretically justifiable for income that arises from international transactions which are conducted in an electronic commerce environment *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

Principles of International Taxation Lynne Oats,2021-09-30 The book provides a clear introduction to international taxation and presents its material in a global context explaining policy legal issues and planning points central to taxation issues primarily from the viewpoint of a multinational group of companies It uses examples and diagrams throughout to aid the reader s understanding and offers more in depth material on many important areas of the subject Traditionally published every 2 years in both print and digital formats this content is a core requirement for student reading lists at both undergraduate and post graduate level Fully updated to cover all new tax legislation and developments in light of the OECD BEPS project implementation key areas to be included in this new edition are changes proposed by BEPS 2 0 in relation to taxation and the digital economy including Pillar Two and the proposed new UN Model Article 12B further progress on the implantation of OECD Base Erosion and Profit Shifting implementation including an update on the implementation of BEPS recommendations including artificial avoidance of permanent establishment status and prevention of treaty abuse the implementation of transfer pricing documentation and country by country reporting multilateral instrument implementation the impact of Covid 19 on international taxation further developments in European direct taxation including the transparency package directives on anti tax avoidance and the common corporate tax base and state aid cases Apple in particular and updates to the Directive on Administrative Cooperation and the new communication on Business Taxation for the 21st Century Proposals in relation to the taxation of digital business in particular the OECD s unified approach and the UN modifications to the Model Double Taxation Convention Proposals for a global minimum corporate tax rate to curb base erosion and tax competition

Taxation in a Global Digital Economy Ina Kerschner,Maryte Somare,2017-10-04 Time to discuss anti BEPS measures around digitalization In the course of the BEPS Report on Action 1 it was concluded that there was no instantaneous need for specific rules to address base erosion and profit shifting BEPS made possible by the digitalization of enterprises and new digital businesses At the same time it was acknowledged that general measures may not suffice with the assessment of results to begin in 2020 While awaiting possible fundamental reforms of the tax framework it is time to discuss anti BEPS measures bearing in mind the peculiar features of the digital economy such as increased mobility no need for physical presence and dematerialization The Book focuses on five key areas of interest International Tax PolicyTax Treaty LawTransfer PricingIndirect Taxation IssuesEU Law Taxation in a Global Digital Economy analyses the issues and addresses the five key areas of interest from various viewpoints

International Taxation in the Age of Electronic Commerce Jinyan Li,Canadian Tax Foundation,2003 *Internet Taxation and E-Retailing Law in the Global Context* Moid, Sana,Dixit, Shailja,2018-03-09 As business becomes more globalized and developed within the era of the internet marketing activities are affected by evolving technologies Challenges arise in addressing the issues of cross policy

and cross border business in the digital age Internet Taxation and E Retailing Law in the Global Context provides emerging research on the methods and approaches to determine the appropriate tax policies for e retailers within the global framework While highlighting topics such as cross border taxation digital economy and online management this publication explores the developing avenues of online financial analysis and taxation This book is an important resource for business leaders financial managers investors consumers researchers and professionals seeking current research on the different issues surrounding online business and e commerce from an international standpoint *Research Anthology on*

E-Commerce Adoption, Models, and Applications for Modern Business Management Association, Information Resources,2021-04-16 In the next few years it is expected that most businesses will have transitioned to the use of electronic commerce technologies namely e commerce This acceleration in the acceptance of e commerce not only changes the face of business and retail but also has introduced new adaptive business models The experience of consumers in online shopping and the popularity of the digital marketplace have changed the way businesses must meet the needs of consumers To stay relevant businesses must develop new techniques and strategies to remain competitive in a changing commercial atmosphere The way in which e commerce is being implemented the business models that have been developed and the applications including the benefits and challenges to e commerce must be discussed to understand modern business The *Research Anthology on E Commerce Adoption Models and Applications for Modern Business* discusses the best practices latest strategies and newest methods for implementing and using e commerce in modern businesses This includes not only a view of how business models have changed and what business models have emerged but also provides a focus on how consumers have changed in terms of their needs their online behavior and their use of e commerce services Topics including e business e services mobile commerce usability models website development brand management and marketing and online shopping will be explored in detail This book is ideally intended for business managers e commerce managers marketers advertisers brand managers executives IT consultants practitioners researchers academicians and students interested in how e commerce is impacting modern business models **International Taxation of Cloud Computing** Alexander

Weisser,2020-10-07 Cloud computing may be borderless but taxes are territorial It is easy to imagine how the two concepts can clash Much effort has gone into harmonizing tax rules across borders with the result that many jurisdictions have very similar tax rules Even so taxation remains a basic expression of national sovereignty The goal of this thesis is to examine how international tax law applies to the cross border cloud computing business Both multinational providers and customers of cloud computing services are analyzed Reflecting three traditional areas of international tax scholarship the goal could be stated in three questions Which jurisdictions have the right to tax What kinds of cloud computing transactions can be taxed What amount of the profit is taxable In more technical terms this means enquiring into how the use of cloud computing affects the permanent establishment status of taxpayers how the different kinds of cloud computing transactions are

characterized under international double taxation treaties and how the calculation of taxable cloud computing profit is affected by transfer pricing In light of the current political events the thesis also offers recommendations de lege lata through a systematic approach Its first part assesses the current taxation of cloud computing The second part evaluates whether the findings of this initial assessment conform to various superior principles of good rulemaking It identifies which of the present tax rules ought to be adapted The final part considers how the rules could be amended to become more compliant with the superior principles In this way Part I embodies the thesis Part II the antithesis and Part III seeks a synthesis

International Taxation Joseph Isenbergh, 2006 **Contemporary Issues in Taxation Research** Andy Lymer, 2019-11-12 This book is based upon papers presented at the 10th Annual Conference of the Tax Research Network held at the University of Birmingham United Kingdom in September 2000 The book covers four discrete areas namely compliance e commerce and taxation international taxation and taxation within the European Union and value added tax and focuses within those areas on issues of topical and continuing interest In an introductory chapter the editors provide an overview of the subject matter of each of the substantive chapters of which there are eleven They conclude by seeking to extrapolate from those chapters notwithstanding their diversity various matters of wider and contemporary import to taxation The treatment of the material in this book by scholars from various academic disciplines and with differing geographical perspectives also gives distinct and instructive insights into widely recognised and enduring taxation problems within the above mentioned subject areas Further an appreciation and understanding of the multi faceted approaches which may be adopted for problem solving and which are evident in this book can only enhance the prospects of the ultimate resolution of these problems

The OECD's Global Minimum Tax and its Implementation in the EU - A Legal Analysis of Pillar Two in the Light of Tax Treaty and EU Law Valentin Bendlinger, 2023-10-17 Rarely in the history of international tax law have there been so many evolutions in such a short space of time In a dizzying array of reports work programmes consultations and announcements the OECD with the active support of the EU has created a framework for a global minimum tax Pillar Two or GloBE In the meanwhile jurisdictions are faced with the practical difficulties of incorporating an incredibly complex set of rules into their domestic legal systems This book aims to shed light on the fundamental and technical issues surrounding the global minimum tax It seeks to unravel the complex ramifications of GloBE s technical framework and aims to explore the relationship between the OECD s soft law materials including the OECD s GloBE Model Rules and the GloBE Commentary tax treaties and the EU s recently adopted GloBE Directive The author not only analyses Pillar Two from a technical and a policy perspective but also provides for a comprehensive examination of the compatibility of Pillar Two with tax treaties and EU law To this end the analysis also includes practical examples and illustrates solutions to numerous technical and policy issues of Pillar Two Among the seminal matters covered are the following History and Background of the global minimum tax discussion Detailed technical considerations on the design of

Pillar Two including its scope the determination of both the GloBE Income as well as the Adjusted Covered Taxes and the computation of the effective tax rate as well as the computation and collection of the final Top up Tax liability including the application of the QDMTT IIR and UTPR Tax policy implications and deficiencies of the final design of Pillar Two The relation of Pillar Two to the current distribution of taxing rights under bilateral tax treaties The analysis includes the compatibility of the QDMTT IIR and UTPR with existing tax treaties and the resolution of potential normative conflicts both between tax treaties and domestic implementations of Pillar Two as well as between tax treaties concluded by EU Member States and the EU's GloBE Directive The role of the GloBE Directive within the EU's legal order including the issue of EU internal and external competence as well as the substantive compatibility of Pillar Two with primary law such as the fundamental freedoms Detailed comparisons between the OECD's GloBE Model Rules and the EU's GloBE Directive elucidate common points and deviations In addition to comprehensive technical considerations the book also provides a comprehensive tax policy perspective on the global minimum tax For its unparalleled clarification of the issues alone this book will prove invaluable to practitioners tax authorities policymakers and academics concerned with the implementation and application of Pillar Two Valentin Bendlinger's book is an outstandingly remarkable work on a highly complex topic The structure clarity of thinking and legal argumentation are excellent and the legal and policy results throughout are profoundly argued The book successfully ties together broad concepts of international and European tax law with highly complex and novel issues of the taxation of multinational enterprises It should be highlighted that Valentin Bendlinger succeeded in leading the reader from the history and policy through a jungle of unprecedented rules to overarching fundamental issues of how the new taxation framework is to be placed in the international and European legal order Prof DDr Georg Kofler LL.M. NYU Vienna University of Economics and Business

International Taxation of Permanent Establishments Michael Kobetsky, 2011-09-15 The effects of the growth of multinational enterprises and globalization in the past fifty years have been profound and many multinational enterprises such as international banks now operate around the world through branches known as permanent establishments The business profits article Article 7 of the OECD model tax treaty attributes a multinational enterprise's business profits to a permanent establishment in a host country for tax purposes Michael Kobetsky analyses the principles for allocating the profits of multinational enterprises to permanent establishments under this article explains the shortcomings of the current arm's length principle for attributing business profits to permanent establishments and considers the alternative method of formulary apportionment for allocating business profits

The Political Economy of International Tax Governance T. Rixen, 2008-11-03 Covering the period from the 1920s when international tax policy was solely about avoiding double taxation to the present era of international tax competition Rixen investigates the fate of the power to tax in an era of globalization illustrating that tax sovereignty is both shaped and constrained by an international tax regime

The Oxford Handbook of Law, Regulation and Technology Roger Brownsword, Eloise Scotford, Karen Yeung, 2017-07-24 The variety

pace and power of technological innovations that have emerged in the 21st Century have been breathtaking. These technological developments which include advances in networked information and communications, biotechnology, neurotechnology, nanotechnology, robotics, and environmental engineering technology have raised a number of vital and complex questions. Although these technologies have the potential to generate positive transformation and help address grand societal challenges, the novelty associated with technological innovation has also been accompanied by anxieties about their risks and destabilizing effects. Is there a potential harm to human health or the environment? What are the ethical implications? Do these innovations erode or antagonize values such as human dignity, privacy, democracy, or other norms underpinning existing bodies of law and regulation? These technological developments have therefore spawned a nascent but growing body of law and technology scholarship broadly concerned with exploring the legal, social, and ethical dimensions of technological innovation. This handbook collates the many and varied strands of this scholarship, focusing broadly across a range of new and emerging technology and a vast array of social and policy sectors through which leading scholars in the field interrogate the interfaces between law, emerging technology, and regulation. Structured in five parts, the handbook I establishes the collection of essays within existing scholarship concerned with law and technology as well as regulatory governance; II explores the relationship between technology development by focusing on core concepts and values which technological developments implicate; III studies the challenges for law in responding to the emergence of new technologies, examining how legal norms, doctrine, and institutions have been shaped, challenged, and destabilized by technology, and even how technologies have been shaped by legal regimes; IV provides a critical exploration of the implications of technological innovation, examining the ways in which technological innovation has generated challenges for regulators in the governance of technological development and the implications of employing new technologies as an instrument of regulatory governance; V explores various interfaces between law, regulatory governance, and new technologies across a range of key social domains.

Exploring the Nexus Doctrine In International Tax Law Ajit Kumar Singh, 2021-05-14. In an age when cross border business transactions are increasingly effected without the transference of physical products, revenue concerns of states have led to a multitude of tax disputes based on the concept of nexus. This important and timely book is the most authoritative to date to discuss one of the major tax topics of our time: the question of how taxing rights on income generated from cross border activities in the digital age should be allocated among jurisdictions. Demonstrating in prodigious depth that it is the economic nexus of the tax entity or activity with the state and not the physical nexus which meets the jurisdictional requirement, the author, a leading authority on this area who is a Senior Commissioner of Income Tax and a Member of the Dispute Resolution Panel of the Government of India, addresses such dimensions of the subject as the following: whether a strict territorial nexus as a normative principle is ingrained in source rule jurisprudence; detailed scrutiny of such classical doctrines as benefit theory, neutrality theory, and international equity; comparative critique of the Organisation for Economic Co-

operation and Development OECD and United Nation UN model tax treaties whether international law and customary principles mandate a strict territorial link with the source state for the assumption of tax jurisdiction whether the economic nexus based tax jurisdiction and absence of a physical presence breach the constitutional doctrine of extraterritoriality or due process and whether retrospective tax legislation breaches the principle of constitutional fairness The book offers a politically informed analysis of the nexus principle and balances the dynamics of physical presence and economic nexus standards based on an in depth survey of the historical evolution of judicial pronouncements and international practices in this regard Dr Singh s book exposes an urgently needed missing link in the international source rule literature and takes a giant step towards solving the thorny question of appropriate tax apportionment It sheds brilliant light on the policies states may adopt when signing new tax treaties so that unintended results may be foreseen and avoided Tax practitioners taxation authorities and academic researchers in the field of international tax law and policy will greatly appreciate the book s forthright enhancement of the ability to defend challenges based on the nexus doctrine

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