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**Tax 730: Seminar in Betriebswirtschaftlicher Steuerlehre
(HWS 2021)**

Overview

No.	Topics	Advisor
1	Die deutsche CO2-Steuer – Eine kritische Analyse The German carbon tax – A critical analysis	Bührle
2	Addressing the challenges of the digital economy – Can VAT fix it? Die steuerlichen Herausforderungen der digitalen Wirtschaft – ist die Umsatzsteuer eine geeignete Lösungsalternative?	S. Winter
3	Exit taxation following the Anti-Tax Avoidance Directive – A Critical Review Der Stand europäischer Wegzugsbesteuerung nach der ATAD – Eine kritische Überprüfung	Kock
4	Taxation of Intergenerational Transfers – A Critical Analysis of Theory and Empirical Evidence Die Besteuerung intergenerationaler Vermögenstransfers – Eine kritische Analyse von Theorie und empirischer Evidenz	R. Winter
5	Zinsabzugsbeschränkungen als Instrument zur Vermeidung grenzüberschreitender Steuergestaltungen – eine kritische Analyse Interest Deduction Limitation Rules as an Instrument against Cross-border Tax Planning – A critical analysis	Fischer
6	Ist das Verrechnungspreissystem noch zeitgemäß? – Eine kritische Analyse der internationalen Erfolgsabgrenzung Is the Transfer Pricing System still Up To Date? – A Critical Analysis of International Profit Allocation	Ludwig
7	Tax Morale and Tax Compliance of Individuals and Corporations – a Critical Analysis of Theoretical and Empirical Evidence Steuermoral und -compliance von Privatpersonen und Unternehmen – eine kritische Analyse von theoretischer und empirischer Evidenz	R. Müller
8	The World on the Way to a Global Minimum Tax? A critical Analysis Die Welt auf dem Weg zu einer globalen Mindestbesteuerung? Eine kritische Analyse	Klein

Topic 1:Description:

Over the last years, climate change and its associated consequences has received more and more attention. Germany achieved its climate goal for 2020 only due to the crisis-induced sharp decline in production and transportation. Taxation can be one instrument to include negative externalities of climate-damaging resources in market prices. While several ecological tax reforms had been introduced since 1999, they fell short of expectations. Recently, the German legislator introduced a new regulation: CO₂-emissions will be priced with a fixed amount (starting from 25€ per ton in 2021, to be increased up to 55€ per ton in 2025)

The goal of the thesis is to evaluate the German carbon tax. The focus will be set in agreement with the supervisor and could be set e.g. on constitutional view on the topic, a detailed analysis of expected economic effects in Germany or an international comparison.

Further readings:

Haites, E., 2018. Carbon taxes and greenhouse gas emissions trading systems: what have we learned? *Climate Policy* 18 (8), p. 955-966.

Marron, D. B., Toder, E. J., 2014. Tax policy issues in designing a carbon tax. *American Economic Review* 104 (5), p. 563-68.

SVR, 2019. Aufbruch zu einer neuen Klimapolitik. Sondergutachten (July 2019), available at <https://www.sachverstaendigenrat-wirtschaft.de/sondergutachten-2019.html> (30.03.2021).

Topic 2:Description:

Much has been said on the tax challenges arising from the digital economy. One major part of the discussion is focused on how to tax companies in the country of the consumers. In contrast to corporate income tax which is closely tied to value creation, value added tax (VAT) is retained by the country where goods and services are sold. The underlying destination principle renders the tax type interesting for its consideration in the debate on taxing the digital economy. The aim of this seminar thesis is to evaluate whether VAT and an adaption of the VAT framework can be a suitable means to allocate an additional share of tax income to the consumer countries. The

thesis should take into account the characteristics of VAT and contrast them with the challenges arising from the digital economy for the corporate income taxation and/or with the flaws of specifically targeted digital services taxes. The focus will be set in agreement with the supervisor.

Further readings:

- Larking, B., 2018. A Review of Comments on the Tax Challenges of the Digital Economy. Bulletin for International Taxation 72 (4a/Special Issue), available at https://research.ibfd.org/#/doc?url=/collections/bit/html/bit_2018_4a_int_9.html (06.05.2021).
- Olbert, M., Spengel, C. 2019. Taxation in the Digital Economy – Recent Policy Developments and the Question of Value Creation. ZEW Discussion Papers No. 19-010, available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3368092 (07/05/2021).
- Schön, W., 2018. Ten Questions About Why and How to Tax the Digitalized Economy. Bulletin for International Taxation 72 (4/5), available at https://research.ibfd.org/#/doc?url=/document/bit_2018_04_int_1 (06.05.2021).

Topic 3:

Description:

The Anti-Tax Avoidance Directive already has and will continue to have a lasting impact on taxation in Europe. Among the most radical and unexpected changes embedded in the ATAD are so-called exit taxes, which under certain conditions are due on (unrealised) capital gains upon the end of unlimited liability in a member state. Not only does the design of exit taxation, as foreseen in the ATAD provisions, locate at one extreme of the interpretation of ECJ jurisprudence over the past decades. Moreover, the implementation of these exit taxes, which previously had only been in place in few member states, has already proven politically contentious over the course of the past year, for instance in Germany. The goal of this seminar thesis is hence twofold. In a first step, the candidate should reason about the justification and necessity of exit taxes (in the EU) from a theoretical perspective, and in this course review the recent ECJ jurisprudence on the matter. In a second step, based on a descriptive overview about the different implementations of exit taxation in the member state the candidate should analyse and evaluate the current state of exit taxation in the EU in a balanced and comprehensive manner.

Further readings:

- Cavalcante Koury, P. A., 2018. The End of the “Luxembourg Effect”: An Analysis of the Protection of Fundamental Freedoms Regarding Exit Taxes and Implementation of Anti-BEPS Measures by the European Union. *European Taxation*, Volume 58, No. 11. Available at IBFD.
- Kubicova, J., 2016. Exit Tax in the World of International Migration of Companies and Individuals. Conference Proceedings. 16th International Scientific Conference Globalization and Its Socio-Economic Consequences. University of Zilina, The Faculty of Operation and Economics of Transport and Communication, Department of Economics; ISBN 978-80-8154-191-9. Available at SSRN under <https://ssrn.com/abstract=3084669>.
- Letizia, G. 2020. The Recent Restrictive ECJ Approach to Exit Tax and the ATAD Implementation. 29, *EC Tax Review*, Issue 1, pp. 33-37, available at <https://kluwer-lawonline.com/journalarticle/EC+Tax+Review/29.1/ECTA2020004>
- Spengel, C., Fischer, L., Stutzenberger, K., 2020. Breaking borders? The European Court of Justice and internal market. ZEW Discussion Papers No. 20-059. Available at <https://www.econstor.eu/bitstream/10419/226191/1/1738768899.pdf>

Topic 4:Description:

Estate and inheritance taxation is subject to fierce debate in many countries. In the public discussion, beliefs collide on whether they should generally be increased, decreased, or abolished altogether. The aim of this seminar thesis is to lay out the theory of the taxation of intergenerational transfers of wealth through inheritance and gift taxation and to critically evaluate the empirical evidence on the effectiveness of these fiscal measures in mitigating inequality and raising revenue.

Further readings:

- Kopczuk, W., 2013. Taxation of intergenerational transfers and wealth. In *Handbook of public economics* (Vol. 5, pp. 329-390). Elsevier.
- Piketty, T., & Saez, E., 2013. A theory of optimal inheritance taxation. *Econometrica*, 81(5), 1851-1886.

Erixson, O., & Escobar, S., 2020. Deathbed tax planning. *Journal of Public Economics*, 185, 104170.

Halliday, D., 2018. *Inheritance of wealth: Justice, equality, and the right to bequeath*. Oxford University Press.

Topic 5:

Description:

Bereits seit Jahren wird die Fremdfinanzierung als steuerplanerisches Instrument von Unternehmen weltweit eingesetzt, um die effektive Steuerbelastung zu optimieren. Diese kann aufgrund der steuerlichen Abzugsfähigkeit von Zinsaufwendungen insbesondere dann gesenkt werden, wenn der Fremdkapitalnehmer in einem Hochsteuerland und der Fremdkapitalgeber in einem Niedrigsteuerland angesiedelt ist. Um diese Steuergestaltungen einzuschränken haben verschiedene Staaten die steuerliche Abzugsfähigkeit der Zinsaufwendungen beschränkt. Auf europäischer Ebene fand zudem durch die Anti-Tax Avoidance Directive eine Harmonisierung dieses Instruments gegen Steuervermeidungspraktiken statt. Ziel der Arbeit ist die kurze Erläuterung der theoretischen Funktionsweise einer Zinsabzugsbeschränkung, um anschließend die in der empirischen Literatur identifizierten Effekte aufzuzeigen und zu analysieren.

Further readings:

Buettner, T., Overesch, M., Schreiber, U., Wamser, G., 2012. The impact of thin-capitalization rules on the capital structure of multinational firms. *Journal of Public Economics* 96 (11), S. 930-938.

Blouin, J., Huizinga, H., Laeven, L., Nicodème, G., 2014. Thin Capitalization Rules and Multinational Firm Capital Structure. IMF Working Paper No. 14/12, online abrufbar unter <https://www.imf.org/en/Publications/WP/Issues/2016/12/31/Thin-Capitalization-Rules-and-Multinational-Firm-Capital-Structure-41275> (03.05.2021).

Buettner, T., Overesch, M., Wamser, G., 2018. Anti profit-shifting rules and foreign direct investment. *International Tax and Public Finance* 25 (3), p. 553-580.

De Mooij, R. A., Lui, L., 2021. At A Cost: The Real Effects of Thin Capitalization Rules. IMF Working Paper No. 2021/023, online abrufbar unter <https://www.imf.org/en/Publications/WP/Issues/2021/02/05/At-A-Cost-The-Real-Effects-of-Thin-Capitalization-Rules-49999> (03.05.2021).

Topic 6:Description:

Multinationale Konzerne agieren als wirtschaftliche Einheit. Die globalen Gewinne dieser Unternehmen müssen allerdings den Staaten zugeordnet werden, die ein Besteuerungsrecht an den Gewinnen des Unternehmens haben. Die Aufteilung des Unternehmensgewinns wird überwiegend nach der direkten Methode vorgenommen. Jede rechtliche Einheit des Konzerns wird als selbständig angesehen und einzelne Transaktionen zwischen den Unternehmenseinheiten gesondert bewertet. Ziel der Arbeit ist die Darlegung der Methoden zur internationalen Erfolgsabgrenzung und die kritische Analyse aktueller Reformvorschläge zur globalen Gewinnzerlegung.

Further readings:

Avi-Yonah, R. S., Benshalom, I., 2011. Formulary apportionment: Myths and prospects-promoting better international tax policy and utilizing the misunderstood and under-theorized formulary alternative. *World Tax Journal*, 3(3), S. 371–398.

Devereux, M. P., Auerbach, A. J., Keen, M., Oosterhuis, P., Schoen, W., Vella, J., 2019. Residual Profit Allocation by Income (SSRN Scholarly Paper ID 3358291). Social Science Research Network. online abrufbar unter <https://papers.ssrn.com/abstract=3358291> (12.02.2020).

Schreiber, U., Simons, D., Greil, M., Lagarden, M., 2020, Why the Arm's Length Principle Should Be Maintained, *International Transfer Pricing Journal*, 27 (6), S. 411-419.

Schreiber, U., 2017. Besteuerung der Unternehmen. Springer Gabler, Wiesbaden, S. 573-625.

Topic 7:Description:

The issue of tax compliance has become part of the political agenda on national and international level in recent years. In order to make tax systems more resilient to legal tax avoidance and illegal tax evasion, a better understanding of the determinants of tax morality is necessary in addition to conventional criminal sanctions. One possibility for this are natural or quasi-experimental studies, which can be used to provide practical information on how to prevent tax evasion. The aim of the thesis is to thoroughly survey the theoretical and empirical evidence on this topic and to critically examine potential implications for policymakers.

Further readings:

- Allingham, M. G., Sandmo, A., 1972. Income Tax Evasion: A Theoretical Analysis. *Journal of Public Economics* 1 (3-4), S. 323-338.
- Cummings, R. G., Martinez-Vazquez, J., McKee, M., Torgler, B., 2009. Tax Morale Affects Tax Compliance: Evidence from Surveys and an Artefactual Field Experiment. *Journal of Economic Behavior & Organization* 70 (3), S. 447-457.
- Dörrenberg, P., Peichl, A., 2013. Progressive Taxation and Tax Morale. *Public Choice* 155 (3-4), S. 293-316.
- Graham, J. R., Hanlon, M., Shevlin, T., Shroff, N., 2014. Incentives for Tax Planning and Avoidance: Evidence from the Field. *The Accounting Review* 89 (3), S. 991-1023.
- Torgler, B., Demir, I. C., Macintyre, A., Schaffner, M., 2008. Causes and Consequences of Tax Morale: An Empirical Investigation. *Economic Analysis and Policy* 38 (2), S. 313-339.

Topic 8:**Description:**

For several years, the OECD pushes to find international consensus for the introduction of a global minimum tax to combat base erosion and profit shifting. This undertaking has now become support from the new administration of the United States and the introduction of a global minimum tax seems to be more likely than ever before. The aim of this thesis is to evaluate the concept and the different proposals for a global minimum tax critically and to analyze the potential effects of such a tax.

Further readings:

- Englisch, J., Becker, J., 2019. International effective minimum taxation—the GLOBE proposal. Working Paper. Available at <https://dx.doi.org/10.2139/ssrn.3370532>.
- U.S. Department of the Treasury, 2021. The Made in America Tax Plan. Available at https://home.treasury.gov/system/files/136/MadeInAmericaTaxPlan_Report.pdf.
- Lorraine Eden, 2020. "Taxing Multinationals: The GloBE Proposal for a Global Minimum Tax." *Tax Management International Journal* 49 (1).