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**Tax 730: Seminar in Betriebswirtschaftlicher Steuerlehre
(HWS 2023)**

Overview

No.	Topics	Advisor
1	The trickle-down effects of higher taxes on top-income earners – A critical analysis	Arnemann
2	Taxes on intergenerational transfers in the EU – A critical analysis of the theory and comparison of selected tax regimes	Gaul
3	Digital nomads - An overview on tax implications of the digital working lifestyle	Müller
4	Side effects of corporate tax avoidance – A critical literature review	Wickel
5	Environmental taxes – An overview of implementations in the EU	Pfrang
6	Transfer pricing of intangibles – A critical analysis of recent developments	Schmidt
7	The Interaction between the Global Minimum Tax and Environmental Tax Incentives – A Critical Analysis	Schulz
8	Tax (il)literacy of retail investors – A critical survey analysis	Weck
9	Die Umsetzung der globalen Mindeststeuer in Deutschland - eine kritische Analyse des Gesetzesentwurfs	S. Winter
10	Tax Evasion under the Automatic Exchange of Information -- A Critical Review of Recent Developments and Status Quo	R. Winter
11	Vermeidung von Erbschaft- und Schenkungsteuer bei der Unternehmensnachfolge – Eine kritische Analyse (nur auf Deutsch möglich)	Zental

Topic 1: The trickle-down effects of higher taxes on top-income earners – A critical analysis**Description:**

Rising income inequality has prompted demands for increasing taxes on high-income earners to counteract rising inequality. The most prominent argument against higher taxes on top-income earners is that higher taxes distort the labor supply of top-income earners and ultimately affect workers. The goal of this seminar thesis is to critically discuss the evidence of such trickle-down effects. Based on the evidence the author should discuss if taxes on top-income earners should be increased.

Further readings:

Kindsgrab, P. M., 2022. Do higher income taxes on top earners trickle down? A local labor markets approach. *Journal of Public Economics*, 214, 104689.

Risch, M., 2019. Does taxing business owners affect employees? Evidence from a change in the top marginal tax rate. *Quarterly Journal of Economics*. *Forthcoming*.

Zidar, O., 2019. Tax cuts for whom? Heterogeneous effects of income tax changes on growth and employment. *Journal of Political Economy*, 127(3), 1437-1472.

Topic 2: Taxes on intergenerational transfers in the EU – A critical analysis of the theory and comparison of selected tax regimes**Description:**

Recent developments and crises contest current treatment of wealth redistribution in western democracies. In the absence of direct taxes on wealth, goals of redistribution are facilitated through a taxation of bequests or inheritances. Yet, different attitudes prevail in public discourse with regard to the desirability of taxing intergenerational transfers. Strong arguments are put forward in opposing directions. The goal of this seminar thesis is to revisit the theory on taxation of intergenerational transfers of wealth. Taking this as a point of reference, selected regimes of EU member states are to be compared and critically evaluated.

Further readings:

- Erixson, O., & Escobar, S., 2020. Deathbed tax planning. *Journal of Public Economics*, 185, 104-170.
- Kopczuk, W., Slemrod, J., 2003. Dying to save taxes: Evidence from estate-tax returns on the death elasticity. *Review of Economics and Statistics*, 85(2): 256-265.
- 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.

Topic 3: Digital nomads - An overview on tax implications of the digital working lifestyleDescription:

The digitalization of the economy leads to major changes in various areas. One of the major implications for both employers and employees is the digital nomad lifestyle. The working part of this lifestyle is defined by the fact that in certain jobs, all work tasks can be carried out remotely using a terminal and the Internet. In contrast to remote workers, digital nomads do not have a fixed connection to a specific location. Therefore, e.g., different tax residencies or domiciles can be identified for digital nomads. This seminar thesis aims to analyze the digital nomad working lifestyle generally and its tax implications from different perspectives.

Further readings:

- Kostić, S.V., 2019. In Search of the Digital Nomad – Rethinking the Taxation of Employment Income under Tax Treaties. *World Tax Journal* 11(2), p. 189-225.
- Pignatari, L.T., 2023. The Taxation of 'Digital Nomads' and the '3 W's': Between Tax Challenges and Heavenly Beaches, *Intertax* 51(5), p. 384-396.
- Tyutyuryukov, V., Guseva, N., 2021. From remote work to digital nomads: tax issues and tax opportunities of digital lifestyle. *IFAC-PapersOnLine* 54(13), p. 188-193.

Topic 4: Side effects of corporate tax avoidance – A critical literature review**Description:**

It is a well-known fact that companies engage in tax avoidance activities to reduce their effective tax burden. These practices have been in the focus of public interest for many years – not only among policy makers, but also among the general public, as companies are supposed to pay their “fair share of taxes”. Companies presumably benefit from the lower tax burden in that they can use their cash tax savings for different purposes. For example, they could increase their investments, distribute higher dividends, conduct more R&D activities or reduce prices and thus strengthen their competitive position. The growing literature on the side effects of corporate tax avoidance constitutes a future field for tax research and thus a reason to structure and review the existing findings.

Further readings:

- Donohoe, M. P., Jang, H., Lisowsky, P., 2022. Competitive externalities of tax cuts. *Journal of Accounting Research* 60 (1), p. 201-259.
- Gallemler, J., van der Geest, J., Jacob, M., Peters, C., 2023. Corporate Tax Planning and Industry Concentration. Working Paper, available at <https://ssrn.com/abstract=4401580> (12.05.2023).
- Guenther, D. A., Njoroge, K., B. M. Williams, B. M., 2020. Allocation of internal cash flow when firms pay less tax. *The Accounting Review* 95 (5), p. 185-210.

Topic 5: Environmental taxes – An overview of implementations in the EU

Description:

Environmental taxes are a type of policy instrument that aims to reduce environmental pollution and encourage sustainable development by pricing the negative externalities associated with certain activities. The European Union (EU) has been at the forefront of implementing environmental taxes as a means of achieving its environmental policy goals. This seminar thesis aims at providing an overview of the various environmental taxes that have been implemented in the EU member states, including energy taxes, carbon taxes, and taxes on pollutants such as nitrogen oxides and sulfur dioxide. The thesis should also discuss the effectiveness of these taxes in achieving their intended environmental objectives and the challenges faced in their implementation. Additionally, the thesis examines the role of the EU in promoting environmental taxes and the prospects for further expansion of their use in the future.

Further readings:

Cansino, J.M., Pablo-Romero, M. del P., Román, R., Yñiguez, R., 2010. Tax incentives to promote green electricity: An overview of EU-27 countries. *Energy Policy* 38, p. 6000-6008.

Delgado, F.J., Freire-González, J., Presno, M.J., 2022. Environmental taxation in the European Union: Are there common trends? *Economic Analysis and Policy* 73, p. 670-682.

Doğan, B., Chu, L.K., Ghosh, S., Truong, H.H.D., Balsalobre-Lorente, D., 2022. How environmental taxes and carbon emissions are related in the G7 economies? *Renewable Energy* 187, p. 645-656.

European Commission, 2022. Environmental tax statistics, available at: <https://ec.europa.eu/eurostat/statistics-explained/SEPDF/cache/5085.pdf> (14.05.2023).

Mastellone, P., 2014a. The Emergence and Enforcement of Green Taxes in the European Union – Part 1. *European Taxation* 54 (11), p. 478-490.

Mastellone, P., 2014b. The Emergence and Enforcement of Green Taxes in the European Union – Part 2. *European Taxation* 54 (12), p. 545-563.

Topic 6: Transfer pricing of Intangibles – A critical analysis of recent developmentsDescription:

Transfer pricing of intangibles has become an increasingly complex and controversial issue in international taxation. The proliferation of intangible assets, such as patents, trademarks, and copyrights, has led to greater scrutiny by tax authorities over the pricing of intercompany transactions involving these assets. Recent developments in transfer pricing rules and guidelines, such as the OECD's DEMPE (development, enhancement, maintenance, protection and exploitation) approach, have attempted to provide greater clarity and consistency in determining the appropriate arm's length price for intercompany intangible transactions. However, these developments have also raised new challenges and controversies.

Further readings:

Becker, J.D., van der Ham, S., 2022. Neuregelung der Besteuerung immaterieller Werte im internationalen Kontext nach § 1 Abs. 3c AStG – Ist die Umsetzung des DEMPE-Konzepts gelungen? IStR 2022, 217.

Chand, V., Lembo, G., 2020. Intangible-Related Profit Allocation within MNEs based on Key DEMPE Functions: Selected Issues and Interaction with Pillar One and Pillar Two of the Digital Debate. International Tax Studies 6, p. 2-41.

Hahn, V., Hervé, Y., Rubart, J., Saljanin, S., 2023. Schöne neue Verrechnungspreiswelt: Gewinnverteilung anhand anteiliger Value Creation – Ein Lösungsvorschlag (Teil 1). IStR 2023, 125.

Topic 7: The Interaction between the Global Minimum Tax and Environmental Tax Incentives – A Critical Analysis

Description:

Tax incentives are a widely used policy tool to incentivize firms to engage in sustainable business activities. These incentives, such as accelerated depreciation or research and development tax credits, ultimately reduce firms' effective tax rates and thereby encourage investments, e.g., in innovative low-carbon products and green manufacturing processes. However, the introduction of the global minimum tax may undermine the financial benefits of these incentives as they could reduce firms' effective tax rates below the 15% global minimum tax threshold in certain countries. This seminar thesis aims to investigate the potential impact of the global minimum tax on the effectiveness of environmental tax incentives and firms' sustainability-linked investment decisions and explore how countries may need to adapt their environmental policy tools in response to the global tax reform.

Further readings:

EY Global, 2023. How a global minimum tax will affect sustainability tax incentives, available at: https://www.ey.com/en_lu/tax/how-global-minimum-tax-affects-sustainability-tax-incentives (12. 05. 2023).

OECD, 2022. Tax Incentives and the Global Minimum Corporate Tax: Reconsidering Tax Incentives after the GloBE Rules. OECD Publishing, Paris, available at: <https://doi.org/10.1787/25d30b96-en> (12. 05. 2023).

Perez-Navarro, G., 2023. What Does Pillar Two's Global Minimum Tax Mean for Tax Incentives? Intertax 51 (2), p. 100-104.

Spengel, C., Klein, D., Müller, J., Pfrang, A., Schulz, I., Winter, S., Gaul, J., Weck, S., Wickel, S., 2023. Die globale Mindeststeuer – Kosten und Nutzen aus deutscher Sicht. Der Betrieb 76 (1-2, Beilage 1), S. 1-14.

Topic 8: Tax (il)literacy of retail investors – A critical survey analysisDescription:

In light of several high-profile tax scandals, including the Panama Papers and most recently the Pandora Papers, there has been a growing public outcry over aggressive tax avoidance practices by both companies and wealthy individuals. In response, policymakers have implemented a range of transparency measures aimed at holding those responsible publicly accountable. Some of the latest measures and proposals include the introduction of public country-by-country reporting and the disclosure of corporate tax rates. Also in the context of sustainability reporting, companies are increasingly disclosing information on their tax strategies, practices and outcomes. However, for these measures to be effective, it is essential that consumers and investors can understand and interpret the corresponding information. The purpose of this thesis is to conduct an empirical survey investigation into the tax literacy of retail investors.

Further readings:

Asay H. S., Hoopes, J. L., Thornock, J. R., Wilde, J. H., 2023 (forthcoming in *The Accounting Review*). Tax boycotts. Working Paper Version available at SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3815192

Demere, P., 2018. Is tax return information useful to equity investors? Available at SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3110199

Dierynck, B., Jacob, M., Müller, M. A., Peters, C. P. H., van Pelt, V., 2022. Public Tax Disclosures and Investor Perceptions. TRR 266 Accounting for Transparency Working Paper Series No. 94, Available at SSRN: <https://ssrn.com/abstract=4173175>

Kopetzki, L. C., Spengel, C., Weck, S., 2023. Moving Forward with Tax Sustainability Reporting in the EU – A Quantitative Descriptive Analysis. *World Tax Journal* 15(2). Available at: https://research.ibfd.org/#/doc?url=/collections/wtj/html/wtj_2023_02_int_6.html

Topic 9: Die Umsetzung der globalen Mindeststeuer in Deutschland - eine kritische Analyse des Gesetzesentwurfs

Description:

Das Bundesministerium der Finanzen hat am 20. März einen Diskussionsentwurf zur Umsetzung der Richtlinie zur Gewährleistung einer globalen Mindestbesteuerung für multinationale Unternehmensgruppen und große inländische Gruppen in der Union veröffentlicht. Der Entwurf des neuen Mindeststeuergesetzes (MinStG-E) stimmt in großen Teilen mit der EU-Richtlinie überein, enthält jedoch auch länderspezifische Abweichungen und Konkretisierungen. Die Seminararbeit soll sich kritisch mit dem Gesetzesentwurf auseinandersetzen. Der finale Gegenstand der Arbeit ist dabei bilateral und nach individuellen Präferenzen der bearbeitenden Person abzustimmen. Denkbar wären:

- Eine Einordnung der Mindeststeuer als weitere Ertragsteuer in Deutschland mit Vergleich zur Körperschaftsteuer, deren Wesen sie am ehesten entspricht.
- Eine Analyse der Abweichungen des Gesetzesentwurf zur EU-Richtlinie
- etc.

Further readings:

Entwurf eines Gesetzes für die Umsetzung der Richtlinie zur Gewährleistung einer globalen Mindestbesteuerung für multinationale Unternehmensgruppen und große inländische Gruppen in der Union vom 20.03.2023, verfügbar unter: https://www.bundesfinanzministerium.de/Content/DE/Gesetzestexte/Gesetze_Gesetzesvorhaben/Abteilungen/Abteilung_IV/20_Legislaturperiode/2023-03-20-MinBestRL-UmsG/0-Gesetz.html

Hey, J., 2020. In: Tipke, K., Lang, J. (Hrsg.). Steuerrecht. Verlag Dr. Otto Schmidt, Kapitel 11.

Noked, N., 2022. Designing Domestic Minimum Taxes in Response to the Global Minimum Tax. Intertax 50 (10), p. 678-688.

Topic 10: Tax Evasion and the Automatic Exchange of Information - A Critical Review of Recent Developments and Status Quo

Description:

Tax evasion is a widespread issue that has significant implications for government revenue, public trust in the tax system, and economic inequality. The automatic exchange of information (AEOI) is a recent development in the fight against tax evasion, which involves the systematic exchange of financial information between tax authorities across different jurisdictions. AEOI has been promoted as a powerful tool for enhancing tax transparency, reducing cross-border tax evasion, and strengthening global tax cooperation. However, the extent to which AEOI has been successful in achieving these goals remains unclear, and there are several challenges and criticisms associated with its implementation.

Further readings:

Ahrens, L., Bothner, F., 2020. The big bang: Tax evasion after automatic exchange of information under FATCA and CRS. *New Political Economy*, 25(6), 849-864.

Ahrens, L., Hakelberg, L., Rixen, T., 2022. A victim of regulatory arbitrage? Automatic exchange of information and the use of golden visas and corporate shells. *Regulation & Governance*, 16(3), 653-672.

Langenmayr, D., Zyska, L., 2023. Escaping the exchange of information: Tax evasion via citizenship-by-investment. *Journal of Public Economics*, 221, 104865.

Topic 11: Vermeidung von Erbschaft- und Schenkungsteuer bei der Unternehmensnachfolge – Eine kritische Analyse (nur auf Deutsch möglich)

Description:

Die steuerliche Behandlung von Unternehmensvermögen im Rahmen der Erbschaft- und Schenkungsteuer stellt seit Jahren einen Diskussionsanlass in Deutschland dar. Durch verschiedene Reformen und Anpassungen in den vergangenen Jahren verengte sich grundsätzlich der steuerplanerische Spielraum für die unentgeltliche Übertragung von Unternehmensanteilen. Dennoch wird sich das Bundesverfassungsgericht auch in diesem Jahr erneut mit einer Verfassungsbeschwerde zur Ungleichbehandlung unternehmerischen und privaten Vermögens befassen. Vor diesem Hintergrund ist es von Interesse, die aktuellen steuerrechtlichen Gestaltungsspielräume zu identifizieren, zu erläutern und einzuordnen.

Further readings:

Best, S., 2019. Erbschaftsteuerreform: Auswirkungen steuerlicher Befreiungen. Wirtschaftsdienst, 99. Jahrgang. Heft 11. S. 769–776.

Bräutigam, R., Spengel, C., 2021. Die Begünstigungen für Betriebsvermögen bei der ErbSt - Handlungsbedarf vor dem Hintergrund der Corona-Krise und der Vorgaben des BVerfG. Steuer & Wirtschaft. 2.

Bundesverfassungsgericht, 2023. Jahresvorausschau. 1 BvR 804/22.

Deutscher Bundestag, 2019. Steuerliche Rahmenbedingungen bei der Überführung von Unternehmen in Unternehmensstiftungen. WD 4 - 3000 - 145/19. Wissenschaftlicher Dienst des deutschen Bundestags. WD 4: Haushalt und Finanzen.

Hüttemann, R., 2017. Unternehmensnachfolge mit Stiftungen. Der Betrieb. DB1228351.

Wissenschaftlicher Beirat beim Bundesministerium der Finanzen, 2012. Die Begünstigung des Unternehmensvermögens in der Erbschaftsteuer. Gutachten.