

Vraagstukken Elementair Belastingrecht

Internationaal Belastingrecht d.d. 7 oktober 2021

NB indien er naar een belastingverdrag wordt gerefereerd, mag u ervan uitgaan dat het OESO-Modelverdrag volgt dat is opgenomen in de Pocket Belastingwetten 2021 (p.k. 2247 e.v.)

Vraag 1 (Algemeen)

Geef u gemotiveerd aan wat juridische dubbele belasting inhoudt en geef u hiervan tevens een voorbeeld.

1 Persoon → 1 inkomensbestanddeel → 2 Staten willen allebei deze persoon in de belasting betrekken.

vb.: ondernemer in NL ontplooit activiteiten in Duitsland → volgens NL geen vi en volgens Duitsland wel

Vraag 2 (Algemeen)

Welke heffingsbeginselen kunnen in internationaal verband worden onderscheiden? Geef u tevens aan welke beginselen Nederland hanteert in zijn belastingwetgeving en illustreert u een en ander aan de hand van een voorbeeld.

- Incorporatiebeginsel:

- Woonlandbeginsel: binnenlandse belastingplicht in de IB (art. 2 lid 1 sub a IB) en de Vpb (art.

- Bronbeginsel:

- Nationaliteitsbeginsel: art. 3 lid 1 Successiewet (10-jaarsfictie) en art. 2 lid 4 Vpb (oprichtingsfictie),

Vraag 3 (interactie nationaal belastingrecht en belastingverdrag)

De heer De Vries is inwoner van Frankrijk. Hij ontvangt rente van een Nederlandse spaarrekening.

Geef u aan of, en zo ja, hoe de heer De Vries over deze rente in de heffing van inkomstenbelasting wordt betrokken in Nederland.

Stap 1: Bestaat er naar NL nationaal recht een belastingplicht?

→ binnenlands belastingplichtig is hij niet, hij woont niet in NL

→ Wellicht buitenlands belastingplichtig?; art. 2.1 lid 1 sub b jo. art. 2.1 lid 2 Wet IB → NL

Vraagstukken Over Belastingrecht

Fl. van der Linden



Vraagstukken Over Belastingrecht:

Beschouwingen over de belastingen en andere finantiële onderwerpen vooral in betrekking tot Nederland schrijver van Beschouwingen over den constitutionelen regeringsvorm (De),1872 Een ernstig woord over de onderwerpen van den dag: belasting, pauperisme, landverhuizing C.J. van Straaten,1846 *Vraagstukken over belastingrecht* F. Blaas,J. Cornel,R. H. Staal,1976 *BELGISCH BELASTINGRECHT in hoofdlijnen* Jos J. Couturier,Bruno Peeters,Sylvie De Raedt,Rik Smet,2022-11-01 Het Belgisch Belastingrecht in hoofdlijnen wordt met reden h t naslagwerk voor de Belgische fiscaliteit genoemd De lezer krijgt een overzichtelijke synthese van de huidige fiscale situatie Naast een volledig overzicht van de Belgische fiscaliteit biedt het boek bovendien talrijke concrete voorbeelden en schema s Achteraan in het boek is een waardevol trefwoordenregister opgenomen De lezer krijgt een zo geactualiseerd mogelijk beeld van de krachtlijnen van het Belgisch belastingrecht De structuur van de verschillende fiscale wetboeken wordt gevolgd wat de praktische bruikbaarheid optimaliseert Als praktisch referentiewerk hoort dit werk op het bureau van elke fiscalist accountant bedrijfsrevisor fiscale advocaat en notaris De materie is bijgewerkt tot het Belgisch Staatsblad van 1 januari 2022

Verslag van de discussiën over het onderwerp: uitgaande regten in Ned. Indië, gehouden in de algemeene vergadering der maatschappij te Utrecht, 13 Julij 1882 ,1882 Beschouwingen over onderwerpen van staatsregt Gijsbertus van Oosterwijk,1878 Belgisch belastingrecht in hoofdlijnen Bruno Peeters,2017-05-08 Het Belgisch Belastingrecht in hoofdlijnen wordt met reden h t naslagwerk voor de Belgische fiscaliteit genoemd De lezer krijgt een overzichtelijke synthese van de huidige fiscale situatie Naast een volledig overzicht van de Belgische fiscaliteit biedt het boek bovendien talrijke concrete voorbeelden en schema s Achteraan in het boek is een waardevol trefwoordenregister opgenomen De lezer krijgt een zo geactualiseerd mogelijk beeld van de krachtlijnen van het Belgisch belastingrecht De structuur van de verschillende fiscale wetboeken wordt gevolgd wat de praktische bruikbaarheid optimaliseert Als praktisch referentiewerk hoort dit werk op het bureau van elke fiscalist accountant bedrijfsrevisor fiscale advocaat en notaris De materie is bijgewerkt tot het Belgisch Staatsblad van 1 juli 2016 Beschouwingen over sociale en politieke onderwerpen Nemo (pseud. van L.H. Beerstecher.),1867 *Gedachten over de accijnsen en de directe belastingen en over eene belasting op de inkomsten* Louis Gerard Bouricius,1848 *Vragen des tijds* ,1907 *Verzameling der wetten, besluiten en aanschrijvingen, betreffende de directe belastingen en de in- en uitgaande regten en accynsen* ,1823 *Verhandeling over de vraag: Welke is het beste en zekerste middel ter beproeving* Philippus Verbrugge,1797 **Library of Congress Catalogs** Library of Congress,1979 **Beroepsgeheim en verschoningsrecht** ,2008 Verhandeling over de vraag, welke is het beste en zekerste middel ter beproeving, of de gronden, waar op onze tegenwoordige staatsloots rust, met en benevens het gebouw, 't welk, waarschyglyk, op die zelfde gronden finaal staat gevestigd te worden, (gesteld, dat het zelve zyn volle beslag bekome) standhouden, en dus van duur zyn, - dan of de zelve wederom instorten en vervallen zullen?

Philippus Verbrugge,1797 *Op lange termijn* Hendrik Derk Flap,Marco H. D. van Leeuwen,Werkgemeenschap Verklarende Sociologie,1994 **Verhandeling over de vraag: Welke is het beste en zekerste middel ter beproeving, of de gronden, waar op onze tegenwoordige staatsloots rust ... standhouden, ...** Philippus Verbrugge,1797

Aanteekeningen over koloniale onderwerpen E. de Waal,1867 **Over belasting, en meer bepaaldelijk over gemeente-belastingen** Fl. van der Linden,1875 **Alphabetische opgave van onderwerpen over staatkunde, staathuishoudkunde, koloniale aangelegenheden enz., behandeld in het Bijblad van de Nederlandsche Staatscourant, tijdschriften en dagbladartikelen, jaargang 1861** J. Boudewijnse,1861

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