

# UNITED NATIONS WORKSHOP ON TAX INCENTIVES AND BASE PROTECTION

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## DESIGN AND ADMINISTRATION OF TAX INCENTIVES

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## Nature of Tax Law

- Tax law is built on legal outcomes determined under other legal rules

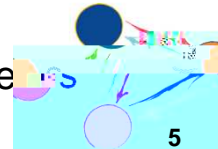
law is in not  
l outcomes

se rules – Why?

complex interface  
nd other legal rules

Tax Law

Legal System



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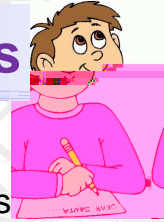
## Examples of Interface



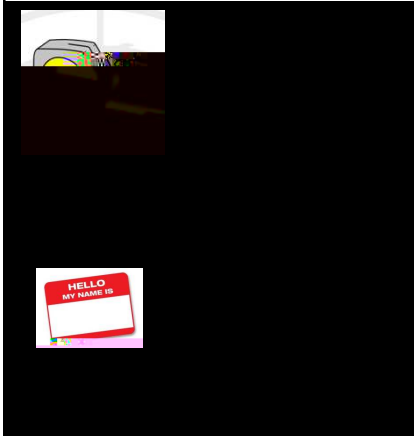
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# Incentives & Drafting Tax Laws



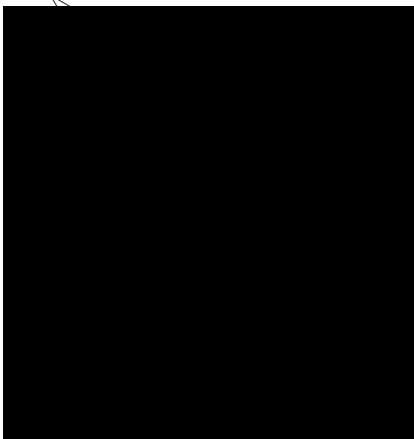
## Interface with payments



by manipulation of prices  
parties inflate payments  
incentive and deflate expenses

– ‘structuring’ may manipulate  
technically fall within the terms  
while in substance not achieving  
ended by the incentive

## Reconciliation rules







## BCB Holdings v AG of Belize [2013] CCJ 5

- Finance Minister concludes an agreement with a special tax regime, [redacted] W
- [redacted] tax administration
- [redacted] the tax law
- [redacted] award of
- [redacted] of contract
- [redacted] policy for the
- [redacted] award?
- [redacted] should you use?



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## Fiscal Stability

- Forms of Fiscal Stability

[redacted] (how wide?)

[redacted] based on hypothetical if

[redacted] of the tax law

[redacted] (cherry picking)



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## Review & Transparency

- Tax administration to collect information as to  
[REDACTED] through tax incentive