

1. Record Nr.	UNINA9910794092203321
Autore	Buijze Renate
Titolo	Tackling the international tax barriers to cross-border charitable giving : philanthropy for the arts in the era of globalization // Renate Buijze
Pubbl/distr/stampa	Amsterdam, The Netherlands : , : IBFD, , [2019] ©2019
ISBN	90-8722-585-7
Edizione	[1st ed.]
Descrizione fisica	1 online resource (433 pages)
Collana	IBFD Doctoral Series
Disciplina	343.04
Soggetti	Charitable uses, trusts, and foundations - Taxation - Law and legislation Nonprofit organizations - Taxation - Law and legislation
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references.
Nota di contenuto	Cover -- IBFD Doctoral Series -- Title -- Copyright -- List of Abbreviations -- Chapter 1: Introduction -- 1.1. Tax incentives and international philanthropy for the arts -- 1.2. Solutions that allow for a tax benefit for cross-border gifts -- 1.3. Research questions, scope and aim of the research -- 1.3.1. Research questions -- 1.3.2. Scope of the research -- 1.3.3. Aim of the research -- 1.4. Definitions -- 1.4.1. Tax incentives for individual philanthropy -- 1.4.2. PBOs and arts organizations -- 1.5. Outline -- Chapter 2: Theoretical Basis: International Philanthropy, Tax Incentives and the Arts -- 2.1. Philanthropy for the arts -- 2.1.1. Philanthropic giving -- 2.1.2. Historic developments in cultural policy and philanthropy for the arts -- 2.1.3. Fundraising -- 2.1.4. Final remarks on the literature on arts philanthropy -- 2.2. Government and the arts -- 2.2.1. Cultural legacy -- 2.2.2. Aesthetic value of art -- 2.2.3. Cultural identity -- 2.2.4. Economic spillover -- 2.2.5. Merit good -- 2.2.6. Income redistribution -- 2.2.7. Public goods -- 2.2.8. External benefits -- 2.2.9. Lack of information -- 2.2.10. Non-market demand -- 2.2.11. Imperfect competition -- 2.2.12. Increasing returns to scale -- 2.2.13. Productivity lag and rising costs -- 2.2.14. Concluding remarks -- 2.3. Indirect support for the arts -- 2.3.1. Tax incentives for philanthropy and price elasticity -- 2.3.2. Composition of the charitable gift --

2.3.3. PBOs: Eligible recipients -- 2.3.4. Tax incentives for donors -- 2.3.4.1. Deduction of donations from taxable income -- 2.3.4.2. Gift aid, or top-up schemes -- 2.3.4.3. Tax credits -- 2.3.4.4. Tax allocation schemes -- 2.3.5. Concluding remarks -- 2.4. Advantages and disadvantages of indirect subsidies -- 2.4.1. Indirect support crowds in private support -- 2.4.2. Allocation decision by the private sector. 2.4.3. Involvement of the public with the arts -- 2.4.4. Ability-to-pay principle -- 2.4.5. Efficiency and effectiveness -- 2.4.6. Complex legislation -- 2.4.7. Controlling the size of subsidies -- 2.4.8. Changes in and abolishment of subsidies -- 2.4.9. Final remarks -- 2.5. International philanthropy -- 2.6. Art in a global world -- 2.7. What we know about cross-border donations to the arts -- 2.7.1. Data on grants to the arts from KBFUS -- 2.7.2. Cross-border giving to the arts in media coverage -- 2.7.3. Concluding remarks and opportunities for further research -- 2.8. Barriers to cross-border philanthropy -- 2.8.1. Legal barriers -- 2.8.2. Tax barriers -- 2.8.3. Concluding remarks -- 2.9. Debate on tax incentives for cross-border donations -- 2.9.1. Drainage of tax revenue -- 2.9.2. Anti-abuse arguments -- 2.9.3. Legal differences -- 2.9.4. The political philosophy of pluralism -- 2.9.5. Transnational objectives -- 2.9.6. Healthy international competition -- 2.9.7. International relations -- 2.9.8. Concluding remarks -- 2.10. Concluding remarks -- Chapter 3: Methodology -- 3.1. An interdisciplinary research approach -- 3.2. Doctrinal research -- 3.2.1. The classification of tax jurisdictions -- 3.2.2. Distinguishing ideal types -- 3.2.3. Describing and evaluating the existing solutions -- 3.3. Empirical research -- 3.3.1. Qualitative research -- 3.3.2. Multiple case studies -- 3.3.3. Differentiation among arts organizations -- 3.3.4. Selection of cases -- 3.3.5. Research methods: Interviews and document analysis -- 3.3.5.1. Confined document analysis -- 3.3.5.2. Semi-structured interviews -- 3.3.5.3. Using a derivative vignette -- 3.3.6. Analysis of the data -- 3.3.7. Limitations, validity and reliability of multiple case studies -- 3.4. Concluding remarks -- Chapter 4: Existing Solutions -- 4.1. Introduction -- 4.2. Unilateral solution. 4.2.1. The Netherlands: An example of host country control -- 4.2.2. Luxembourg: An example of home country control -- 4.2.3. Reflections on the unilateral solution -- 4.3. Bilateral solutions: tax treaties -- 4.3.1. Charitable contributions under the Barbados tax treaties -- 4.3.2. Charitable contributions under the US tax treaties -- 4.3.3. Reflections on the bilateral solution -- 4.4. Supranational solutions -- 4.4.1. EU law -- 4.4.1.1. Reflections on EU law -- 4.4.2. The Proposal for a Council Regulation on the Statute for a European Foundation -- 4.4.2.1. Reflections on the Proposal for a Council Regulation on the Statute for a European Foundation -- 4.5. Establishing a legal entity abroad -- 4.5.1. The Guggenheim: An arts organization with counterparts abroad -- 4.5.2. Reflections on a legal entity abroad with charitable activities -- 4.5.3. Establishing a foreign friends organization -- 4.5.4. Reflections on foreign friends organizations -- 4.6. Strategic use of organizations with charitable status -- 4.6.1. King Baudouin Foundation United States -- 4.6.2. Transnational Giving Europe -- 4.6.3. Reflections on intermediary organizations -- 4.7. Concluding remarks -- Chapter 5: Analysis of Tax Legislation Regarding Cross-Border Charitable Giving -- 5.1. Introduction -- 5.2. Ideal type 0: Countries without a tax incentive for charitable gifts -- 5.3. Ideal type 1: Closed tax jurisdictions -- 5.3.1. Australia -- 5.3.2. Japan -- 5.3.3. Hungary -- 5.4. Ideal type 2: Restrictive tax jurisdictions -- 5.4.1. Belgium -- 5.4.2. The United Kingdom -- 5.4.3. The United States -- 5.4.4. Spain -- 5.5. Ideal type 3: Relatively open tax jurisdictions --

5.5.1. France -- 5.5.2. Germany -- 5.6. Ideal type 4: Open tax jurisdictions -- 5.6.1. Luxembourg -- 5.6.2. The Netherlands -- 5.6.3. Barbados -- 5.7. Conclusion.

Chapter 6: Tax Incentives and International Donors -- 6.1. Introduction -- 6.2. Tax incentives for cross-border donations -- 6.2.1. Advertising tax incentives -- 6.2.2. The use of tax incentives for cross-border donations -- 6.2.3. Tax knowledge among fundraisers -- 6.2.4. Gathering information: External advice -- 6.2.5. Awareness of solutions for tax-efficient cross-border giving -- 6.2.6. Popular solutions: Intermediary organizations and foreign friends organizations -- 6.2.7. Donor arranges solution -- 6.2.8. Concluding remarks -- 6.3. International donors and their gifts -- 6.3.1. Who are international donors? -- 6.3.1.1. Aging, successful, wealthy individuals -- 6.3.1.2. Involvement in the arts -- 6.3.1.3. Expatriates, emigrants and global citizens -- 6.3.1.4. Other international donors -- 6.3.2. Why do donors give across borders? -- 6.3.2.1. Awareness of need -- 6.3.2.2. Solicitation -- 6.3.2.3. Costs and benefits -- 6.3.2.4. Altruism/psychological benefits -- 6.3.2.5. Reputation -- 6.3.2.6. Values -- 6.3.2.7. Efficacy -- 6.3.3. What do donors support? -- 6.3.4. Benefits of international fundraising -- 6.3.5. Concluding remarks -- 6.4. Conclusion -- Chapter 7: Exploring the Practice of International Fundraising -- 7.1. Introduction -- 7.2. The role of international fundraising for arts organizations -- 7.2.1. Cross-border fundraising: Not for every arts organization -- 7.2.2. Spontaneous cross-border gifts -- 7.2.3. The wish to raise funds abroad, but not a priority -- 7.2.4. Concluding remarks -- 7.3. Raising funds abroad -- 7.3.1. Engaging in international fundraising -- 7.3.2. Foreign support as an alternative and additional source of funding -- 7.3.3. Who raises funds abroad? -- 7.3.4. International fundraising strategies -- 7.3.4.1. Embracing grassroots initiatives of foreign donors -- 7.3.4.2. Foreign friends circles. 7.3.4.3. Global friends circles at the home organization -- 7.3.5. Concluding remarks -- 7.4. Best practices and challenges in international fundraising -- 7.4.1. Cross-border fundraising requires investments -- 7.4.2. Constructing a strong case for support -- 7.4.3. Conditions for deploying activities abroad -- 7.4.4. Foreign contacts and networks abroad -- 7.4.5. Maintaining cross-border relationships -- 7.4.6. Cross-country differences in philanthropy -- 7.4.7. Competition among arts organizations -- 7.4.8. Fluctuating exchange rates -- 7.4.9. Language barriers -- 7.4.10. Concluding remarks -- 7.5. Conclusion -- Chapter 8: Assessment Framework: Evaluation Criteria from the Perspective of Arts Organizations -- 8.1. Introduction -- 8.2. Prerequisite: Solution must be effective in providing a tax benefit -- 8.3. Cost efficiency -- 8.3.1. Financial benefit -- 8.3.1.1. Size of the gift -- 8.3.1.2. Continuity of the gift -- 8.3.1.3. Size of the foreign support base -- 8.3.2. Transaction costs -- 8.3.2.1. Fees -- 8.3.2.2. Labour costs -- 8.3.2.3. External advice -- 8.3.2.4. Other expenses and reoccurrence of expenses -- 8.3.3. Concluding remarks -- 8.4. Legal certainty of a solution -- 8.4.1. Why is legal certainty important? -- 8.4.2. Legal certainty procedure -- 8.4.3. Legal certainty outcome -- 8.4.4. Reliability of partners -- 8.4.5. Donors' preferences: An exception to legal certainty requirements -- 8.4.6. Concluding remarks -- 8.5. Donor-friendliness of a solution -- 8.6. Scope of solution -- 8.7. Know-how on international fundraising and tax law -- 8.8. Non-financial benefit -- 8.8.1. Expanding the support base -- 8.8.2. Activities abroad -- 8.8.3. Concluding remarks -- 8.9. The factors applied: Different contexts lead to different outcomes -- 8.10. Conclusion -- Chapter 9: Assessment of the Existing Solutions -- 9.1.

Introduction.

9.2. Assessment of unilateral solutions.

Sommario/riassunto

This research assesses the existing solutions to obtaining a tax incentive on a cross-border charitable donation, in order to tackle the tax barriers involved in international fundraising.