INDEX

A
Administration and enforcement, see Tax administration
Aged, see Older adults

B
Baby boomers, see also Older adults
   economic need, 243
   portrait of, 241
BEIT, 149
   design issues, 151
Benson, Edgar J., see Benson White Paper (1969)
Benson White Paper (1969), 4, 31
   anti-statist opinion, 51
   debate, 34 et seq.
   letters from populace, 34
   Pensioners Concerned, 48
   proposals, 128
   gross-up and credit method, 128
   single corporate income tax rate, 128
   twentieth century generation, 47
Brooks, Neil
   Osgoode Hall Law School conference on tax reform (1988), 5

C
Canadian Protestant League’s (CPL), 45
Carter Commission, see Carter Report
Carter, Kenneth LeM., see Carter Report
Carter Report (1966), see also Tax justice
   age exemption, proposed repeal of, 245
   aged taxation, little mention, 239
   collection, analysis of Report, 6
   tax base reform, 7
   tax justice and politics of tax reform, 6
   comprehensive tax base, 90
   corporate and shareholder tax integration, 116, 121
   dependency should be recognized in tax system, 223
   family unit of taxation recommended, 208, 221, 226, 265, see also Individual and family taxation
   child lives in one stable household until early adulthood, 231
   concerns with Carter family unit of taxation, 273
conjugal family relationship focus is under/over inclusive, 281
could impose a tax on marriage, 274
economies of scale irrelevant to tax equity, 282
full income splitting too costly, 282
joint taxation as disincentive for women to enter workplace, 277
marriage penalty/marriage bonus, 275
single’s penalty, 274
family defined as traditional nuclear family, 228
recognition of persons supporting other relatives and disabled adult children, 232
role of wives is housework, produce and care for children, 229
history of, 1
income splitting, see Income splitting
international tax, 179 et seq., see also International tax and Carter Report
joint returns, 272
legacy of, 6
non-profits, 312
all organizations file an information return, 312
equalize tax treatment for-profits and for non-profits, 312
sort income into taxable and non-taxable categories, 312
standards to tax the income of non-profits, 312
progressive tax system, 108
purpose of Commission, 54
recommendations, 2
redistribution of income, 99
settlement of tax disputes without litigation, 296
administrative appeals officers should be given wide powers of compromise, 296
compromise settlements of tax debt, 297
restructuring of Department of National Revenue, 296
taxation as the just choice, 56
taxation is a state choice, 55
tax avoidance, 329
defined, 330
GAAR, see General anti-avoidance rule (GAAR)
legislative response needed, 334
administrative control approach, 336
shotgun approach, 335
sniper approach, 335
tax minimization vs. abusive tax avoidance, 331
tax burden of taxpayers must be just, 57
value-added tax (VAT), 156 et seq., see also Value-added tax (VAT)
Comprehensive tax base, 90
Confederation and taxation, 16
taxing powers, 16

D

Dependency in current tax system, 222
Canada child tax benefit (CCTB), 223
childcare deduction, 223
child credit, 223
eligible dependant credit, 222
potential reform options
  better account for other living and support arrangements, 236
  enhanced direct funding for caregivers, 235
  more direct support for children, 236
  repeal spouse/CLP credit as it’s least supportable, 235
  supporting adults with disabilities, 236
spouse/CLP credit, 222
DITs (Nordic), 148
Dividend tax credit, 135
foreign-source income of Canadian corporations, 142
specified investment flow-through trust (SIFT) and partnership legislation, 137, 141
standard subsidy rationale, 135
taxable preferred share rules, 138
tax-exempts and non-resident investors, 138
Double Irish/Dutch sandwich (Google) case, 68

E

Economic power of taxpayers, 57

F

Fairness, see also Tax justice
  problem of fairness and rates of taxation, 25
  problem of immorality and cheaters, 24
  problem of inquisitorial state, 22
  progressive income tax, 28
  single tax theory, 27
Fleming, Donald, 15

G

General anti-avoidance rule (GAAR)
  and the Carter recommendations, 339
defined, 338
economic substance in, 340
four key GAAR judgments, 338
roles of the court and the Minister, 338
value-shift judgments and role of economic substance, 343, 351
Gini Index, 105
Google Double Irish/Dutch Sandwich, 68
Gordon, Roger, corporate tax rate of zero, 125

H
Harberger, Arnold, 3
equilibrium framework 117
Head, John, 4

I
Income splitting, 212, 284 et seq.
Income tax
fairness of, see Fairness
Individual and family taxation, 268 et seq.
family taxation
benefit theory, 269
individual taxation
ccontrol theory, 268
tax consequences illustration, 270
IRS Tax Gap Map, 68
Integration of corporate and shareholder tax, 116, 121, see also Rate misalignment;
Dividend tax credit
International tax
Canadian history of, 185
1949 exemption tax system, 185
1969 White Paper on tax reform, 187
2008 Advisory Panel on Canada’s System of International Taxation, 189
Carter Commission recommendations, 186
tax information exchange agreement (TIEA), 187
foreign accrual property income (FAPI) regime, 192
Group of Four report to League of Nations, 184
model tax treaties, 184
OECD model tax treaty, 185
residence-based vs. exemption systems, 188
International tax and Carter Report, 179 et seq.
critiques and defences, 181, 194, 197
emphasis on pragmatism, 180
partial exemption tax system, 183, 192
trusts, 195

K
Kleinbard, Edward, 68, 76

M
Meade, cash-flow corporate tax, 145
Mintz, Jack, 115
Modigliani, Franco and Miller, Merton (MM)
capital structure of corporations, 117
Musgrave, Richard, 4
disagreed with partial dividend exemption, 191

N
Net worth tax, 110

O
Older adults, see also Baby boomers
age and ability to pay, 248
age and disability, 249
age and need, 248
age tax credit
as a tax expenditure, 250
to change behavior, 256
to transfer social benefits, 251
clawback of, 246
evolution of, 245
decrease rate of GIS clawback, 258
Framework Report (Ontario Law Commission), 239
Mirrlees Review, review of taxation of older workers in Britain, 259
age-dependent tax system, 260, 263
tagging, 260

P
Pension income splitting, 213
Post-confederation income taxation
Alberta, 28
British Columbia, 16
municipal taxation on income, 18
New Brunswick, 17, 20
Ontario, 18
Prince Edward Island, 17
progressive income tax, 28
Progressive income tax (1917), 28
Carter recommendation, 108
Proposals for Tax Reform, see Benson White Paper (1969)

R
Rate misalignment (corporate and personal)
  low rate for CCPCs, 134
  policy reasons, 133
  tax rate gap, 132
Redistribution of income
  average family income by quintiles, 103
  Canada, income inequality, 99
  Carter Report, 99
  OECD-20 countries, 105
  top marginal tax rates, 101
Royal Commission on Taxation, see Carter Report

S
Share gains, 143
Simons, Henry, 58
Spencer, Byron, shifting of corporate income tax, 119
Spousal registered retirement savings plan (RRSP), 212

T
Tax administration
  courts allow MNR little discretion to settle disputes, 299
  fairness package, 304
  interest and penalties relief, 304
  possible reform as in Carter Report
    compromise in terms of tax debt settlement amounts, 308
    offer in compromise procedure like in U.S., 310
  settlement agreements, 300
    principled basis doctrine, 301
  remission orders, 306
  taxpayer relief, 306
Tax-exempts and non-resident investors, 138
  thin capitalization rules, 140
Tax fairness, see Fairness
Tax Gap Map, IRS, 67
Tax integration, see Integration of corporate and shareholder tax
Tax justice (injustice)
  Carter Commission Report
taxation as the just choice, 56
  taxation is a state choice, 55
  tax burden of taxpayers must be just, 57
chasing (some of) the hard-to tax, 74
defining taxpayers, 59 et seq.
  ignoring the impossible to tax, 76
measuring taxpayer’s resources, 65
  what is the state ignoring, 68
  Google Double Irish/Dutch Sandwich, 68
  Intercompany pricing, 70
  what is the state missing, 66
  what is the state under-counting, 67
taxing the easy-to-tax, 72
  wage earners and consumers, 72
Tax Justice Network, 66
Tax levels
  Canada, consumption tax, 96
  Canada, corporate income tax, 92
  Canada, inheritance/estate/gift taxes, 98
  Canada, personal income tax, 83
  no comprehensive tax base, 90
  reliance on personal income tax, 86
diverging corporate and personal tax rates, 125
  tax rate gap, 126, 132
  OECD-20 countries, consumption tax, 96
  OECD-20 countries, corporate income tax, 92
  OECD-20 countries, wealth transfer taxes, 98
  OECD-20 countries, personal income tax, 85
Taxpayer
  defining of, 59
  as citizen, 59
  as resident, 60
  as resource-extractor, 63
Tax rate gap, 126, 132
Tax rates, corporate and personal, see Rate misalignment
Tax reform package (1971), see 1971 Tax reform legislation
Thin capitalization rules, 140

U

CBIT (US), 146
  issues with it, 147
  single business income tax rate, 146
Value-added tax (VAT), 155 et seq.
balancing pursuit of purity and factoring in constraints, 173
Carter Report view, 157 et seq.
destination-basis levy, 167
efficiency and neutrality, 172
equity efficiency trade-off, 170
equity measures, regressive tax, 160
exclusions to base, 161
history of, 155
invoice credit mechanism, 164
vs. the RST, 164
single rate VAT levied on broad consumption base, 159

Wealth tax, see Net worth tax

Numerical
1971 Tax reform legislation, 4, 130
dividend tax credit scheme, 131
modifications since, 131