WEBINAR 27/11/2020 DIGITAX AND DIGI4FED

TAX AUDITS ON BIG DATA: EXPLORING THE LEGITIMACY AND LIMITS IN LIGHT OF THE PROHIBITION OF FISHING EXPEDITIONS

Liesa Keunen, PhD Candidate Law and Technology, Ghent and Antwerp University Promotors: Prof. Dr. Eva Lievens, Prof. Dr. Sylvie De Raedt and Prof. Dr. Bruno Peeters











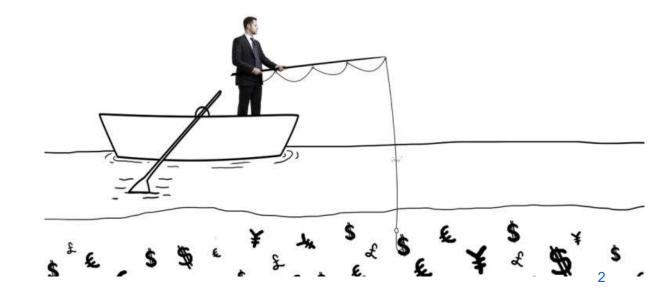




OVERVIEW

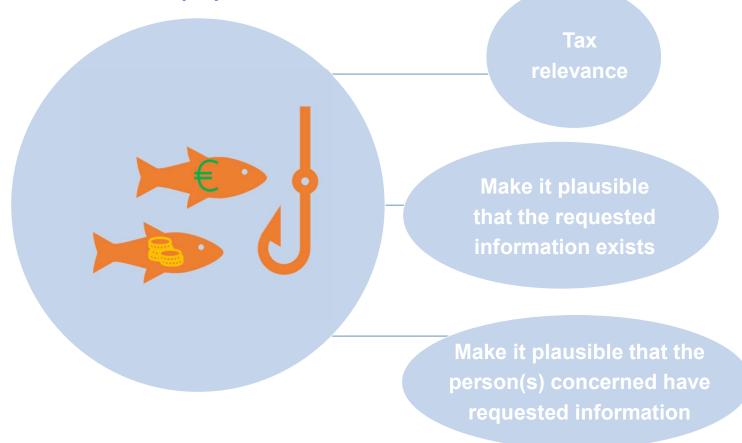
- 1. The prohibition of fishing expeditions in tax matters
- 2. Collection of big data by tax authorities
- 3. Compatibility?
- 4. Research objective





THE PROHIBITION OF FISHING EXPEDITIONS IN

TAX MATTERS (1)





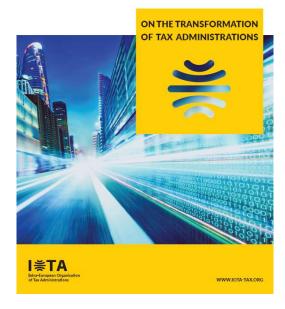
THE PROHIBITION OF FISHING EXPEDITIONS IN TAX MATTERS (1)

Second problem: worldwide recognition, but no explicit legal ground.

COLLECTION OF BIG DATA BY TAX AUTHORITIES

<u>(2)</u>

IMPACT OF DIGITALISATION





TAX ADMINISTRATION IN THE DIGITAL ERA

- THINK DIGITALLY, ACT MEANINGFULLY DIGITAL TRANSFORMATION IN ESTONIA
 by Valdur Laid, Director General of the Estonian Tax
 and Customs Board
- DIGITAL TRANSFORMATION CHALLENGES
 AND POSSIBLE SOLUTIONS THROUGH
 INTERNATIONAL COOPERATION
 by Markku Heikura, Director General of the Finnish
 Tax Administration
- TAX ADMINISTRATION IN THE DIGITAL ERA:
 THE FTS OF RUSSIA APPROACH
 by Dmitry Volvach, Head of Directorate Townternational Cooperation and Capital Movement Control
 and Maxim Solovyev, Deputy Head of International
 Division, Federal Tax Service of Russia (FTS)
- EMBRACING DIGITAL TRANSFORMATION
 THE HMRC WAY
 by Antony Collard, Operations Director HMRC
 Digital, Her Majesty's Revenue & Customs, United
- 19 DIGITAL TRANSFORMATION IN ITALY:
 BETWEEN PAST AND FUTURE
 by Paolo Valerio Barbantini, Deputy Director General
 (Taxpayers' Compliance and Enforcement Head of
 Division) and Paolo Savini, Deputy Director General
 (Taxpayers' Services Head of Division), Italian
 Revenue Azency

PUTTING DIGITAL TRANSFORMATION TO WORK

- 23 USING ADVANCED DATA ANALYTICS TO PREDICT DEBT NON-PAYMENT RISKS by Hans D'Hondt, President of the Belgian Federal Public Service Finance
- THE FRENCH TAX ADMINISTRATION (DGFIP)
 AT THE HEART OF THE GOVERNMENT'S
 DIGITAL AGENDA
 by Edouard Marcus, Director of Legal department

by Educata Marcus, Director of Legal department and Audran Le Baron, Director of Tax manage ent department - General Directorate of Public Finances, (DGFIP) France

TRANSFORMING TAXPAYER EXPERIENCE

29 MANDATORY E-COMMUNICATION - AN OPPORTUNITY TO TRANSFORM TAXPAYER EXPERIENCE

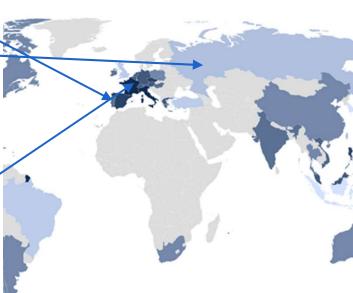
by Iveta Grossová, Director, Administration of Taxes and Tax Distrain Management, the Slovak Financial Directorate

- 32 SIMPLIFYING AND PROVIDING ASSISTANCE TO TAXPAYER - PORTUGUESE EXPERIENCE by Rui Miguel Candeias Canha, Director of the Department of International Relations Services Tax and Customs Authority of Portugal
- 35 USER DRIVEN DESIGN OF THE ATO APP by Fiona Dillon, Assistant Commissioner of the Australian Taxation Office (ATO) - Australian OECD Delegate (Tax)

TRANSFORMING TAX COMPLIANCE MANAGEMENT

- COMBATING VAT FRAUD IN UKRAINE: RISK MANAGEMENT SYSTEM AND E-REFUND by Anatolity Aleksandrov, Acting Director of the Department of Strategic Development and International Cooperation, State Fiscal Service of Ukraine
- 42 BIG DATA ANALYSIS AS AN EFFECTIVE TOOL FOR TAX ADMINISTRATION by Mikayel Pashayan, Deputy Chairman, Mate Revenue Committee of Armenia
- 5 REAL-TIME VAT REPORTING TECHNIQUES: THE SPANISH IMMEDIATE SUPPLY OF INFORMATION STEM (SII) by Rosa Prieter Director of the Service for Planning and Institutional Relations and Mercedes Jordán, Departy Director for Tax Technique,





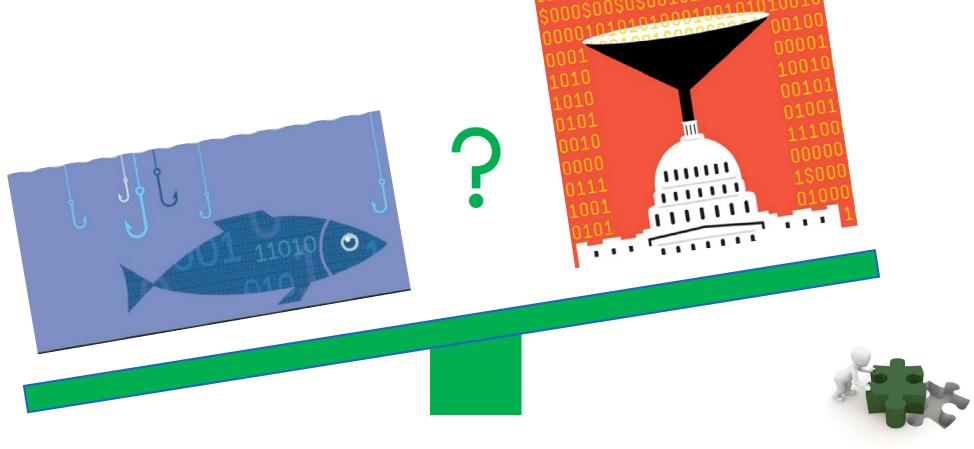


IMPACT OF DIGITALISATION ON THE TRANSFORMATION OF TAX ADMINISTRATIONS

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COMPATIBILITY? (3)





CHALLENGE: legitimate big data collection for tax purposes induced from the prohibition of fishing expeditions

RESEARCH OBJECTIVE (4)

Main focus

= to explore the legitimacy and limits of big data audits for tax purposes, induced from the principle of the prohibition of fishing expeditions in tax matters

RQ1

 Identifying the various <u>meanings</u> of the prohibition of fishing expeditions in tax matters

RQ2

 Identifying the (implicit) <u>legal</u> ground that underpins the prohibition of fishing expeditions in tax matters

RQ3

 Assessing the legitimacy and limits of big data audits in tax matters



FEEDBACK IS GOLD AND YOURS IS **APPRECIATED!**

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