

Tax Arbitrage The Trawling Of The International Tax System

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Tax arbitrage is the process of using the differences in how transactions are treated for tax purposes to earn profits, or, in some cases, to reduce the burden of taxation. The tax laws that govern different countries, including India, are often very complex and intricately structured.

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Basically, tax arbitrage is a 'commercial activity that...seeks out differences in tax rules in two or more jurisdictions to achieve a tax benefit.' The term seems to have originated in the Wall Street Journal in 2006 in which 'tax arbitrage' was described as a system which 'plays off one nation's tax system against another to reduce the banks' tax bills'.

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Tax arbitrage is a specific form of legal (and often fully disclosed) tax avoidance, where typically a multi-national company achieves a tax benefit from a commercial transaction that is treated differently by two (or more) jurisdictions, including what is sometimes known as a "double-dip".

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