

INTERNATIONAL TAX PLANNING. By B. Spitz. [London: Butterworths. 1972. xxiii + 159 pp. Including index £4.50].

This slim volume concerns itself essentially with the methodology of international tax planning. Thus much consideration is given to the mechanics of collecting and preparing the data base and the analysis of such base.

The appearance of such a work in the English common law world marks perhaps another indication of the time lag that exists between this world and the American common law world. American investment manuals and tax planning works have long existed and have acquired a sophistication which as yet has not been attained by the English common law world. Perhaps the opportunities of the European Economic Community will provide the necessary impetus to such investment works.

The pitfalls awaiting the unseasoned tax planner are accurately highlighted here. The nuances of a legal system manifest themselves unconsciously and to attempt to transpose one's understanding of one legal system upon another is apt to be disastrous. The writer is thus at pains to point out the varying differences in definitional content of such staples of tax law as 'resident', 'income tax' and 'permanent establishment'. The work surveys, sometimes briefly, the general considerations of tax planning with constant effective resort to actual cases as illustrations of the points raised. A checklist of tax planning questions would have enhanced the value of this work particularly to the lawyer-tax planner.

The chapter on tax havens, provides sketchy description of the main havens that come to mind i.e. Bermuda and Switzerland, which could with deeper analysis have read as something more than a mere investment promotional brochure.

On investment incentives, perhaps too much importance is placed on the Irish model. This Eurocentricity, while pardonable to a South African, is misplaced in a work which seeks to provide a professional manual on tax planning. This chapter might have been more relevant had it concentrated on the more successful investment incentive models of other developing countries.