

Regular Exam 2021

Question 1

Mobile telecommunications Limited the first and largest mobile telecommunications company in Namibia with over two million active subscribers since 1994 has organized and sponsored a music concert at the Sam Nujoma stadium in aid of two charitable organisations to which the net proceeds of the concert even though received by MTC were duly paid to the organisations in terms of a contract which was entered into before the music concert.

The Receiver of Revenue now wants to tax the proceeds from the music concert and argues that such proceeds form part of MTC's Gross Income. You are a Tax Expert and MTC has now approached you for legal advice as to whether or not the proceeds can be included in their gross income. [25]

[deals with the "Receipt" requirement of gross income"]

Issue

Whether or not the proceeds can be said to be "received" by MTC in regards to satisfying the definition of gross income that is taxable?

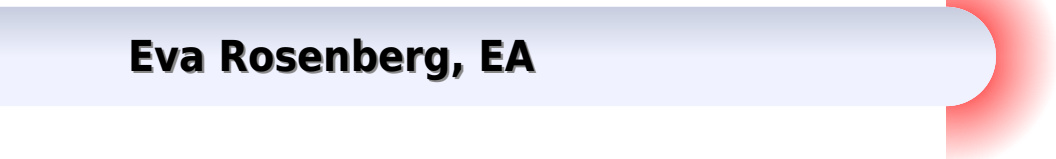
Relevant Law

For tax purposes the gross income of a person has to meet specific requirements. The determination of gross income is therefore the first step in the calculation of a taxpayer's taxable income. This means that prior to ascertaining the liability of a taxpayer to pay income tax, it should first be determined whether a person has a gross income on which tax can be levied. A person can be a natural person, juristic person, association of persons such as a trust, insolvent estate or deceased person's estate.

Gross income is: **The total amount, in cash or otherwise, received by or accrued to or in favour of such a person during such a year or period of assessment from a source within or deemed to be within Namibia, excluding receipts or accruals of a capital nature.**

Tax Law Exam Answers

Eva Rosenberg, EA



Tax Law Exam Answers:

Core Tax Legislation and Study Guide 2022 Stephen Barkoczy, 2022-01-12 Core Taxation Legislation and Study Guide is a reference text for students undertaking tax subjects. It provides curated extracts of legislation as well as useful guidance on study skills. Part 1 The Study Guide assists students to prepare for a tertiary taxation course and conduct basic taxation research. It refers to key reference material including websites and research tools and includes useful tips on study techniques, researching a tax problem, essay writing and presentation, answering taxation law exam questions and how to cite legislation, cases, articles, rulings and reports for assignments. Part 2 The Core Tax Legislation comprises selected extracts from relevant sections of taxation legislation and regulations. An essential resource, this text allows students to access the parts of the legislation they will need for a taxation law course in a time saving and user friendly way. Core Taxation Legislation and Study Guide 2022 is designed to be used in conjunction with Foundations of Taxation Law 2022.

Federal Income Taxation Camilla E. Watson, 2011 Tax law is a daunting subject for many law students. It requires a firm grasp of the Internal Revenue Code provisions, the reasoning behind them, the way they interact and the way courts have interpreted them. Students must also acquire a brand new vocabulary of tax terms. For the first time Oxford University Press equips students with an accessible guide to acing this most challenging of law school tests. In Federal Income Taxation Model Problems and Outstanding Answers, Camilla E. Watson helps students demonstrate their knowledge of federal income tax law in the structured and sophisticated manner that professors expect on law school exams. This book includes clear introductions to the major topics in tax law, provides hypotheticals similar to those that students can expect to see on an exam and offers model answers to those hypotheticals. Professor Watson then gives students the opportunity to evaluate their own work with a comprehensive self analysis section. This book prepares students by challenging them to use the law they learn in class while also explaining the best way to express an answer on law school exams.

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