

TAXATION

General Principles

1. Consider the following statements:
I. The power of taxation involves the promulgation of rules.
II. The state has the power to impose taxes even without a constitutional grant.
III. Taxes are based upon the lifeblood theory.
IV. There should be no improper delegation of the power to tax.
Which of the following is true?
A. Statements I and II are both manifestations of taxation being legislative in nature.
B. Statements II and IV are both manifestations of taxation being legislative in nature.
C. Statements I and IV are both manifestations of the inherent nature of taxation.
D. Statements II and III are both manifestations of the inherent nature of taxation.
2. The power to tax is the power to destroy. Is this always so?
A. No. The Executive Branch may decide not to enforce a tax law which it believes to be confiscatory.
B. Yes. The tax collectors should enforce a tax law even if it results to the destruction of the property rights of a taxpayer.
C. Yes. Tax laws should always be enforced because without taxes, the very existence of the State is endangered.
D. No. The Supreme Court may nullify a tax law, hence, property rights are not affected.
3. The City of Iloilo passed an ordinance imposing a license fee on all motor vehicles entering the city between the hours of 8:00 a.m. to 4:00 p.m. Commuters assailed the validity of the law. Decide on the validity of the ordinance.
A. Valid, because it was issued as a source of revenue.
B. Valid, because it is a legitimate exercise of police power.
C. Void, because it discriminates against those who are not able to pay the license fee, particularly, the low-salaried workers.
D. Void, because it is not imposed by any other city.
4. One of the characteristics of a sound tax system is administrative feasibility, which requires that:
A. The amount of taxes should be collected based on ability to pay.
B. Tax administration must be honest and accountable.
C. Tax laws must be capable of effective and efficient enforcement.
D. Taxes collected must be sufficient to meet the needs of the government.
5. Real property taxes should not disregard increases in the value of real property occurring over a long period of time. To do otherwise would violate the canon of a sound tax system referred to as:
A. Theoretical justice
B. Fiscal adequacy
C. Administrative feasibility
D. Symbiotic relationship
6. Which theory in taxation states that without taxes, a government would be paralyzed for lack of power to activate and operate it, resulting in its destruction?
A. Power to destroy theory
B. Lifeblood theory
C. Sumptuary theory
D. Symbiotic doctrine
7. Which of the following concepts of taxation is the basis for the situs of income taxation?
A. Lifeblood doctrine
B. Symbiotic relationship
C. Compensatory purpose of taxation
D. Sumptuary purpose of taxation
8. Double taxation in its general sense means taxing the same subject twice during the same taxing period. In this sense, double taxation:
A. Violates substantive due process.
B. Does not violate substantive due process.
C. Violates the right to equal protection.
D. Does not violate the right to equal protection.

Taxation Multiple Choice Questions

**CA Anoop Modi, CA Mahesh Gupta, CA
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