



The Six Perceptions about What Corporate Donations Mean to Legislatures in Business Language

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Abstract

Purpose: This study aims to design a set of perceptions and logical visions that are compatible with all expected tax treatments of corporate donations. **Design / Approach / Methodology:** Depending on the logical justifications- to a large extent, this study relied on the personal judgment "diligence" of the researcher who visualized all the expected visions about the interpretation of the meaning and connotation of the term corporate donations, and identified tax treatments that are consistent with the content of those visions. **Findings:** In the language of business, there are six visions on the interpretation of the meaning of the term corporate donation, and each vision has a specific tax treatment consistent with its content. **Originality/Value:** This study will contribute to intellectual enrichment in the field of tax legislation. The meaning and connotation of the term corporate donation can be interpreted according to the general perception- which is the common interpretation, and the specialized perceptions in the language of business. The specialized visions will contribute to giving legislative bodies -in the field of tax legislation, a better opportunity to understand the term corporate donation in a more accurate and in-depth way. This intellectual enrichment may contribute to the development of tax laws related to corporate donations.

Keywords: Corporate Philanthropy. Corporate Social Responsibility (CSR). Corporate Donations .Tax Treatment. Tax Incentives. Advantages and Disadvantages.

INTRODUCTION

According to tax laws in most countries of the world, corporate donations are treated as follows: Reducing the value of taxable income by the value of a part of those donations, as an incentive for these companies to continue their charitable spending. What is the vision or perception adopted by legislative bodies in explaining the meaning of the term "corporate donations", from which this treatment emerged? In other words, how do legislative bodies interpret the meaning of the term "corporate donation"? There may not be an accurate answer to this inquiry. There is a belief in the researcher's mind that the tax incentives are given to donor corporations as an incentive only "just as an incentive", without an accurate and clear perception for the legislative bodies about the interpretation of the meaning and connotation of the term "corporate donations",

on the basis of which those incentives were granted except for the general meaning or the more broad concept in the interpretation of the meaning of the term "corporate donations".

The term "corporate donation" has a general meaning and several specialized meanings - more accurate than the common general meaning. The general meaning of the term corporate donation indicates that "corporate donations are charitable activities that are performed voluntarily by corporations, aiming to achieve social benefits for certain sects in society or society as a whole". As for the specialized meanings" in business language," they are more accurate than the general meaning regarding the interpretation and determination of the meaning and connotation of this term. Those meanings that may only be understood by specialists in field of the business. These meanings can be inferred through careful analysis and a deep understanding of the impacts that these donations can make in business. In fact, specialized meanings do not conflict with the general meaning in the interpretation and definition of the term "corporate donations", but they are more precise and specialized. The meaning and connotation of the term "corporate donation" can be defined according to the general perspective and professional perspectives" specialists' visions." According to an professional perspective" specialist perspectives ", corporate donations can be seen from more than one angle - which may not be perceived by the legislative bodies. Each angle interprets the meaning and connotation of the term "corporate donations" in a way that differs from other perceptions" "interpretations" that can emerge from other angles. Through the study and evaluation of some laws on tax treatment of corporate donations to some countries (such as Libya, Egypt, Syria, etc. "), it was found that these laws were issued in accordance with the general meaning of the term "corporate donations". There are no precise specialized interpretations to explain the meaning and connotation of the term within the texts of these laws and their implementing regulations. Most of the world's laws focus their attention on "reducing taxable income by the value of a part of the donations granted, as an incentive for donor corporations to continue making more donations to their communities." This remarkable similarity in tax treatment laws for corporate donations in most countries of the world is a clear indication of the lack of legislative bodies in those countries for more specialized and accurate visions and perceptions about interpreting the meaning and connotation of the term corporate donations in the language of business (just a belief that cannot be proven or denied.). The various visions and perceptions - portrayed by the researcher, regarding the interpretation of the meaning and connotation of the term "corporate donations" - from which several different tax treatments can emerge, which may be unaware by legislative bodies and even specialists (it cannot be definitively confirmed) because these visions and perceptions are the product of the researcher's philosophy based on careful analysis and deep understanding of the meanings that can be deduced from the effects that can be produced by corporate donations in the field of business and that can be used to explain its precise meanings.

PROBLEM DESCRIPTION

Pre-tax deductions are the most common incentive method. The tax treatment that requires corporate donations to be deducted from taxable income - within the permissible limits, is a treatment adopted by many corporate income tax laws in many countries of the world, including the Libya. The question raised by the researcher in this study is what is the vision or logical conception to explain the meaning and connotation of the term corporate donation, which is consistent with this treatment? The answer to this question by legislative bodies may be consistent with the general meaning of the interpretation of the meaning and connotation of the term corporate donation, which is" Corporate donations are charitable activities that are performed voluntarily by corporations, aiming to achieve social benefits for certain sects in society or society as a whole." In order to encourage donor corporations to continue their charitable activities, laws allow granting tax incentives to them. And since there are several tax

treatments for exemptions in exchange for those donations, and each treatment stems from a specific perception to explain the meaning and connotation of the term corporate donations, so the general meaning is not in harmony with the essence of the tax treatment referred to above. As the deduction can be from the value of the taxable income or from the value of the tax invoice "income tax." In order to find a specialized and accurate vision to explain the meaning of the term corporate donations, which corresponds to that treatment, the researcher imagines all the visions about the interpretation of the meaning and connotation of the term corporate donations that can be adopted by legislative bodies and through which tax treatments emerge. The better visions that matches that treatment is: Donations as if they are Operating Expenses "conditional Tax Incentive and Donations as if they are joint cost."

A variety of tax treatment methods for corporate donations- including tax exemptions adopted by most countries of the world, in order to motivate donor corporations to continue making more donations to their communities in which they operate, those tax Treatments are:1) Ignoring those donations when determining corporate income tax; 2) Allowing the total value of donations to be deducted from taxable income; 3) Permission to deduct a portion of the donation from taxable income; 4) Permission to deduct a portion of the donation from tax invoice "income tax"; 5) Allowing the total value of donations to be deducted from tax invoice "income tax" over a period of several years (given that the donations are interest-free loans that must be returned in installments that are deducted from the annual income tax). In fact, these treatments are consistent with logical visions about the interpretation of the meaning and connotation of the term corporate donations, which may be unknown to many specialists in the field of tax legislation in many countries of the world. The economic reality may impose on the state to adopt a specific tax treatment in line with its economic conditions in order to achieve its public interest. And this is normal. Regardless of the state's need to adopt any method that serves its economic interests, these treatments hide behind them many visions and logical perceptions about interpreting the meaning and connotation of the term corporate donations that may be unknown to many specialists in the field of tax legislation. Knowing those visions that are consistent with those tax treatments may contribute to an increase in knowledge enrichment in the corridors of many legislative bodies. This knowledge may contribute to the development of corporate income tax laws, specifically with regard to tax treatments for corporate donations.

LITERATURE REVIEW

The Corporate Social Responsibility (CSR)

The idea of CSR is nothing new. The new is the evolution that has occurred in the content of its thought over time. CSR - which means the need to conduct business in a socially responsible manner, evolved from an era of philanthropic initiatives to an era of strategies and policies that meet the needs and ambitions of the communities in which they operate. CSR was no more than philanthropic initiatives by employers to help workers and the poor. Improving working conditions, consumer protection and welfare, environment protection, interacting with community issues and aspirations, compliance with all sustainable development requirements represents the recent salient developments in CSR thought.

The charity provided by the employers to the poor and their employees in the past centuries has had a great impact on the emergence of CSR thought. These initiatives were indirectly indicating the existence of rights for others (other than shareholders or owners, and the government) in corporate profits. Those rights imposed by the concept of social contract theory. Among the general public, there is still confusion between the concept of philanthropic responsibility and CSR. The first is considered one of the components of the second. It contributed to its development. Development does not only include the concept of CSR, but also encompassed the

concept of philanthropy - as one of its components, to transform from a mere practice into an effective strategy.

There are many definitions of CSR with similar meanings. In this study, the researcher has developed a definition that includes almost all those meanings. The researcher defines CSR in its general sense as follows: Corporate Social Responsibility (CSR) means exercising economic activities (by corporations) with legal guidance and ethical behavior, when achieving their desired goals that ensure the growth and continuity for them. Taking into account compliance with the following requirements: Contributing to the continuation of life and improving its quality, and achieving prosperity on the planet Earth for present and future generations; Not to inflict material and moral damage on others, and serious interaction with them to achieve common interests, and belief that they are an important and irreplaceable part to ensure the process of their continuation and achievement of their objectives; Commitment to everything that makes life organized in the environment in which they work.

Corporate Philanthropic Responsibilities

The philanthropic responsibilities are the voluntary responsibilities of the enterprise. They reflect the current expectations of the public towards the enterprise. These volunteering activities are animated only by the desire of the enterprise to involve itself in community activities which are not imposed or requested by law and which generally are not to be expected from an enterprise, in an ethical way. The public expects that an enterprise should involve in philanthropic actions and thus this category becomes a part of the social agreement between the enterprise and the society. Such activities can include donations of goods and services, volunteering activity, the involvement of the enterprise or of its employees in the community or of the stakeholders. Philanthropy includes those corporate actions which answer to the society's expectations, according to which the enterprises are good corporate citizens. This includes the efficient commitment in actions or programs of promoting the welfare or the human good will (Grigore, 2010 : 170; Carroll, 2016: 4). The researcher defines philanthropic responsibility as a component of CSR as follows: It is a set of the initiatives that includes philanthropic "material and non-material donations" that contribute to improving the quality of life within the communities in which they operate, which is voluntarily provided by corporations without any legal coercion, in response to the aspirations of contemporary societies and their urgent desires to develop the role of corporations to be the ideal partner who will bear part of their worries and problems due to the inability of governments - in most countries of the world, to meet all the needs of their contemporary societies and achieve all their aspirations.

Corporate Philanthropy" Corporate Giving / Corporate Donation"

Charitable corporate donations (subsumed sometimes under the wider concept of Corporate Social Responsibility) have often been seen as a way of giving back to the society within which a corporate entity operates in order to engender goodwill and promote a positive corporate image of the company among the citizenry. Behind this facade of promoting good relations however, there may be an ulterior motive of exploiting the tax advantage such adventure confers on the corporate donor (Odubunmi, 2018:19).

Philanthropy is a term connected with the American tradition of charitable giving. At first it was associated with a person- philanthropist, but today the term corporate philanthropy is more developed, meaning business sector's voluntary giving (Mihaljevic and Tokic ,2015: 804). Philanthropy stems from the Greek word which means love of humanity. Popular interpretations today refer to private initiatives for public good (J. W. Gardner) or initiatives directed at the improvement in the quality of human life (Robert Bremner). Colloquially, philanthropy is most commonly used interchangeably with charitable giving. – WINGS (John et al, 2017: 136).

Corporate philanthropy is the act of corporations donating a portion of their profits or resources to various non-profit organizations (Madrakhimova, 2013: 125). This definition may be consistent with the laws in some countries that require the payment of donations to nonprofit organizations to prevent fraud and deception. This definition is limited, it excludes direct donations to poor people, completion of some public projects such as building schools and hospitals, etc. as well as non-material help for the public good "volunteer work", unless the laws of the State so require, where the public interest so requires. Here, nonprofits will play the role of mediator. Another definition is: The use of discretionary financial and human resources for primarily public benefit, while recognizing that impact might also accrue for the company's shareholders and employees (John et al, 2017: 133). The researcher defines corporate philanthropy (corporate giving or corporate donation) as follows: It is all material donations "money, assets and goods" and non-material "services", which are provided to nonprofit organizations or the poor and the needy or for the public good to improve the quality of life in the community. This may result in the achievement benefits for corporations such as exemptions and tax incentives, in addition to enhancing the competitive advantage. There is increasing interest by corporations in their philanthropic responsibility, especially in developed countries, where many studies have shown that corporate giving has been on the rise in recent years. For example, a study on corporate donations in the United States in 2005 has shown that 62 biggest companies in the U.S. gave \$8.4 billion last year, an increase of 14% from 2004. Also, 87% of the companies surveyed indicated that they have an employee volunteer program, with 44% of them offering paid time off to employees who volunteer (Man, 2006: 1; Perry, 2006). The global survey of CSR spending over the period 2011 – 2013 by Dattani et al. (2015) revealed that the top 10 most generous companies worldwide gave US\$ 17.7 trillion towards CSR spending annually. An estimated 28 percent of this sum (nearly US\$5 trillion) was in the form of grants rather than in-kind donations or volunteering (John et al, 2017:18). Donations may be a stone for more than a bird "more than a purpose." They may hide behind them many unwanted behaviors, in addition to legitimate purposes. The purpose of the donation depends on the intentions of the donor. In general, donations can be a tool to achieve the following purposes: Embezzlement "collusive embezzlement"; Tax evasion; Political gains; Tax incentives; Competitive advantage; Improving the quality of life; Distracting the attention of the public opinion on a particular issue; To reduce or avoid losses resulting from obsolescence or expiration of inventory (Saleh, 2020: 89-93).

What Might Be Hidden Behind The Corporate Monetary And In-Kind Donations?

Donations may be a stone for more than a bird "more than a purpose." They may hide behind them many unwanted behaviors, in addition to legitimate purposes. The purpose of the donation depends on the intentions of the donor. In general, donations can be a tool to achieve the following purposes:

Embezzlement "Collusive Embezzlement"

Donations may be used as a means of embezzlement through the collusion of both the management of the corporation and the recipient of the donations "a charity\ charitable organization". This unethical behavior occurs as a result of the following factors: (1) Separation of ownership from management; (2) A malicious administration manages the affairs of the corporation; (3) Weak internal and external control systems; (4) Excessive trust given to management.

Tax Evasion

It can be achieved through subsidies received by individuals, charities and NPOs for false declarations of charitable donations. Taxpayers in many developed countries can deduct donations to charities from their income tax and reduce their tax liabilities by reporting higher

cash or gift donations (e.g. clothes, cars) to charities than they have actually made, and thus evade income tax (Nell,n.d :7). Donations of the corporations may be one of the tools of economic crimes such as tax evasion and smuggling of money, etc. In Russia, the law was far imperfect, as stated by many educated people in the issues of taxation. In the early 2000s, the government began to deal with this state of affairs as a result of the abolition of many benefits for donors. Before a period of directing up to 5% of their income to charity, this legislation establishes that donation by firms and organizations can only occur at the expense of net profit. The Ministry of Finance has decided that companies providing charitable activities through the provision of free services or delivery of goods are exempted from VAT, but payments to the state treasury is not reduced. In order to avoid the transfer of funds through bogus charities against government charity, double taxation was introduced. According to the Tax Code of the Russian Federation, donation recipients have to pay income tax, but people can avoid it if they obtain grant in the field of education, science, culture and art (Madrakhimova, 2013: 128). On 5 December 2015, Al-Sharq Al-Awsat published an article entitled "Donations by America's billionaires: Are they donations or tax avoidance?" This article discussed the suspicions surrounding the America's billionaires, the policy of "giving by the right hand and taking by the left hand" and the economic benefits that will be gained by those billionaires (Al-Kholi,2015).

Political Gains

The donation for the purpose of political gains is an acquisition of the influence of the government and its administrative agencies, and use that influence in order to pressure the government to make decisions in favor of the donor corporations. Philanthropy may be a way for political businessmen to gain power, where their charitable work will help to show them as good men who are good at managing their country's affairs. Bertrand et al in their study in 2018 in the USA, their empirical results implied that 8.8 percent of corporate charitable giving is politically motivated.

Tax Incentives

In many countries, charitable contributions benefit from a favorable tax treatment that may take the form of a deduction from taxable income or of a tax credit. Recently, these tax incentives have been further promoted by the governments of several European countries, as a way to increase private funding for fields like education, research and culture (Fack and Landais,2010: 117)."Charitable giving by individuals and businesses is an important source of funding for nonprofit organizations. These charitable donations are influenced by various factors. For donors in the state of Michigan." Some of the more common reasons to give to nonprofits are to help others, to support an organization or cause they believe in, and felt it is morally obligatory to contribute." While these factors vary for each individual or business, research indicates that tax implications influence the size of the donation. Donors receive economic benefit from a reduction in the amount of paid taxes. The motivation to reduce taxes by contributing to a nonprofit is known in economic terms as a tax incentive. The most common tax incentives are either tax deductions or tax credits, as in USA "(Enders, n.d.). In developed countries, governments have recognized the importance of donations to charities or nonprofit organizations in solving many social problems and also to encourage corporations to continue their noble activities. Many tax-related laws have been reformed and improved in those countries, while in other countries - especially in developing countries - claims are still increasing the need to amend the tax laws to be consistent with charity. The United Kingdom, the United States, Canada and Australia, since the beginning of their income tax regimes, have all permitted a deduction or tax credit for gifts to certain public purpose organizations. In the last decade all these countries have used policy measures such as nonprofit fundraising capacity building, publicity campaigns and tax

incentives to encourage philanthropy (Lyons and Passey,2006 ; McGregor-Lowndes et al, 2006: 496).

Competitive Advantage

Increasingly, philanthropy is used as a form of public relations or advertisement to promote a company's image or brand through cause related marketing or other high-profile sponsorships—arguing that “social and economic goals are not inherently conflicting, but integrally connected (Porter and Kramer, 2002: 1). Whereas philanthropy can be a source of competitive advantage (Porter and Kramer,2002 1; Henderson and Malani, 2008: 7).

Improving the Quality of Life

Corporate philanthropy is a key component of a corporation's broader social responsibility, and includes cash gifts, product donations, and employee volunteerism. It serves as a major link between the corporation and its communities. Corporations support their communities in numerous ways—foundation giving, providing local volunteers, donating goods and services, and even pro bono assistance (without charge). Corporations work hard to help improve the quality of life in their communities and have a strong sense of responsibility to the people in their communities (JA Worldwide\online). Donations provided by corporations to non-profit organizations are often used to achieve the following goals: (1) Contributing to solving the social problems of certain categories of people within communities such as orphans, elders, alcoholics and drug abusers, etc.(2) Economic assistance to the poor and needy within communities.(3) Combating some negative phenomena within societies and correction of deviant behaviors.(4) Supporting public attitudes and issues that are in the interest of society.(5) Supporting public awareness and educational programs on some issues within societies.(6) Combating all types of pollution "environmental / moral / noise, etc ." resulting from economic and technical developments.(7) Completing some other projects such as construction, maintenance and development which are in the interest of society. Certainly, these achievements will contribute to improving the quality of life within these communities.

Distracting the Attention of the Public Opinion on a Particular Issue

Through charitable donations and using excessive media propaganda, some corporations try to distract the public opinion about some of the scandals and immoral practices they have committed, or due to the nature of harmful products produced by those corporations" such as the tobacco and alcohol industry," or as a result of environmental damage caused by those corporations, , in order to alleviate the anger of the public towards those corporations in an attempt to convince the public that they are good citizens, their benefits for the society " financial support provided by them " are more than their harms.

To Reduce or Avoid Losses Resulting From Obsolescence or Expiration of Inventory

When the inventory (products/ machines/ materials, etc.) expiration date is close to completion, or when the inventory is outdated due to the emergence of new models "as in clothes," corporations will try to get rid of it with the least amount of economic losses, by donating the stock and achieving tax savings.

Income Tax and CSR

Income tax is a key source of funds that the government uses to fund its activities and serve the public. Those funds of the taxes are part of the revenues of the state government, without those

funds the government cannot manage the state affairs. Corporations must be committed to supply" pay" the value of taxes to the tax administration "tax authority." That commitment comes from the reality of the legal responsibility of corporations to the community and its institutions. Also, non-compliance with tax laws and tax evasion by corporations mean facing sanctions in accordance with the law of the State's economic crimes." Academics have advocated including the paying of taxes in CSR. For example, the American professor Avi-Yonah adamantly maintains that companies bear a social responsibility that includes loyally paying taxes. He also argues in favor of companies refraining from business transactions whose sole objective is to minimize taxes" (Avi-Yonah, 2014; Svernlöv, 2016: 8).On the contrary, in recent years, there have been calls for the development of tax laws on corporate income in many countries of the world. This calls for the need to change the Laws to conform to the strengthening requirements of the idea of practice of CSR by corporations through the creation of a system of incentives to achieve tax justice among the corporations and contributes to encouraging corporations to adopt the idea of social responsibility. For example, Jordanian Al Rai newspaper published an article on 18 - 11-2014 under the title" The private sector calls for legislation to stimulate the adoption of the idea of CSR." Also, there were some actual initiatives in many countries aimed at reforming tax systems, for example, tax reform in France in 2003 about incentives for corporate giving \ corporate philanthropy (Lordemus, 2013: 16).The Sudaress website published an article in 2013 under the title "Donations for Taxes". This article was an invitation to the Sudanese government to develop the tax code to encourage taxpayers to donate as is the case in the United States. This article stressed the need to find a law that allows deducting the contributions of corporations and businessmen from the taxes imposed on them (Sudaress, 2013).In order to encourage taxpayers to contribute to charity and community service. In 2017, the Sultanate of Oman carried out tax reforms "Amendment to the Tax Code" under Royal Decree No. 9/2017.Those reforms included tax treatment of donations. In kind donations are as costs that must be deducted when determining taxable income. Those amendments were as incentives for donors (Ministry of Finance \ General Secretariat of Taxation "Sultanate of Oman",2017).

Conditions for Recognition of Corporate Monetary and In-Kind Donations and Granting Tax Exemption.

Most legislative bodies in most countries of the world try to develop their texts and articles in the field of income tax law, specifically in the area of corporate donations treatment, to limit the use of those donations as a means of tax evasion or other illegal purposes, and to achieve a kind of tax justice among taxpayers. As a result, most legislative bodies in the field of taxation have designed a package of procedures and conditions under which the donation process is recognized, as well as to grant tax exemption for such contributions. What distinguishes these conditions is that they are almost identical in the tax systems in most countries of the world. To obtain the recognition of donations and the granting of tax exemption in exchange for those contributions, tax systems in many countries of the world require certain conditions, for example: In accordance with the tax law of the Arab Republic of Egypt(Income Tax Law No. 91 of 2005 and its amendments).(1) Contributions paid to the Government, local government units and other public legal persons are recognized regardless of their amounts as the deductible cost (of taxable income) ; (2) Donations and subsidies paid to accredited Egyptian NGOs," scientific institutions, scientific research institutions and hospitals" subject to government supervision, must be deducted (of taxable income) according to the following conditions; (3) That such contributions and subsidies have already been paid;(4) These donations and subsidies shall be paid to Egyptian charitable societies, which shall be recognized in accordance with the provisions of the laws governing them; (5) The value of these contributions shall not exceed 10/110 of the net adjusted tax profit of the Company (the amount of contributions paid or 10/110 of the net adjusted tax

profit, whichever is less). Any donations or other subsidies than the foregoing are not recognized as deductible costs such as donations to the poor of the neighborhood or to an unrecognized charity or victims of Afghanistan or to the Mujahideen/ fighters of Palestine , etc. (Egyptian Tax Authority). According to the tax law of the Syrian Republic(Law No. 24 of 2003 on Income Tax), Article 7 provides that: Expenditures/ donations that can be deducted from non-net profits are voluntary contributions paid by taxpayers to officially recognized public or private entities" according to official receipts" to achieve public benefits , Provided that both donors and the recipient have an accounting system and regular books accepted by the income tax departments, not exceeding 3% of net profits(General Commission For Taxes And Fees). The Irish tax system contains a range of incentives aimed at facilitating and encouraging charitable giving by individuals and companies, which help to ensure that charities receive the maximum benefit from public and private donations. Tax relief is available for donations by both individuals and companies provided: there is a donation of money or of shares, stock or debentures of a class quoted on a recognized stock exchange, the recipient is either an "eligible charity" or another approved body, there is no arrangement that the donation can be repaid, neither the donor nor anyone connected with the donor benefits from the donation, the donation does not depend on and is not conditional upon the acquisition of property by the charity otherwise than by way of a gift from the donor, an individual donor is resident in Ireland (corporate donations may be made by branches of foreign companies in Ireland), and the minimum donation in any year to any one eligible charity or approved body is €250(Charitable giving guide,2017:.5). In accordance with the Canada Revenue Agency, A gift is a voluntary transfer of property for which the donor receives no benefit in return. For there to be a gift, the following conditions must be met: the donor transfers ownership of property (cash, or gifts in kind such as goods or land) to a registered charity; the transfer is voluntary; and no benefit is provided to the donor, or a person selected by the donor, unless the benefit is of nominal value (Canada Revenue Agency, n.d.:7).

PURPOSE OF THE STUDY

This study aims to design a set of perceptions and logical visions that are compatible with all expected tax treatments of corporate donations.

THE IMPORTANCE OF STUDYING

The importance of this study lies in the intellectual enrichment that it will add to the legal thought in the corridors of legislative bodies specialized in tax legislation.

STUDY METHOD

In the language of business, corporate donations can be seen from more than one angle. Each angle can represent a specific perception or vision about the interpretation of the meaning and connotation of the term corporate donation. Each perception or vision has a specific tax treatment that is consistent with its content. In this study, the researcher identified all possible visions- *which also can represent the visions of the legislative bodies*, to explain the meaning and connotation of the term corporate donations according to logical justifications and translate them into tax treatments that are consistent with them in content. To a large extent, this study relies on the personal judgment" diligence" of the researcher. In this study- depending on the logical justifications, the researcher will define all the expected visions regarding the interpretation of the meaning and connotation of the term corporate donations and tax treatments that are consistent with the content of those visions.

The Researcher's Perception on the Interpretation of the Meaning and Connotation of the Term Corporate Donation and Tax Treatments Methods:

Interpretation of the meaning and connotation of the term corporate donations, which is compatible with the prevailing economic and social conditions in society, cannot exceed the following six scenarios: 1) Donations as if they are operating expenses "unconditional tax incentive"; 2) Donations as if they are indirect taxes; 3) Donations as if they are not granted; 4) Donations as if they are loans; 5) Donations as if they are joint cost; 6) Donations as if they are operating expenses "conditional tax incentive".

Donations as if they are Operating Expenses "Unconditional Tax Incentive"

The Two logical justifications for adopting this perception: According to this perception, donations are the complementary value of the invoices paid in exchange for the purchase of goods and services in line with the content of the idea of social contract theory. The corporation provides donations to its society-in which it operates, as compensation for the depletion of its resources and damage to its environment. As a result, corporate donations can be viewed as operating expenses that must be deducted in full from the value of taxable income. The second justification: Although corporate donations are voluntary and not compulsory, they have become necessary - in the modern era, in developed countries, as they contribute to gaining and enhancing the competitive advantage, which is one of the requirements for the survival and continuation of corporations in competitive markets. The competitive advantage contributes to enhancing the economic performance of corporations in these competitive environments. Therefore, corporate donations can be considered as operating expenses that indirectly contribute to generating income for those donor corporations. The tax treatment according to this perception is as follows: Revenue – (operating expenses + donations) = taxable income x income tax rate = income tax.

Advantages and disadvantages of this method:

The disadvantages of this method: This method contributes to reducing state tax revenues; This method contributes to creating what can be called a mandatory "Compulsory" partnership between the government and the donor corporations; This method contributes to achieving the tax savings These gains were not created by a competitive advantage. This is distortion of the content of the idea of CSR; This method does not contribute to the achievement of tax justice among corporations "donor and non-donor." It does not achieve fair economic growth for corporations, especially when there is no role for competitive advantage; this method may also contribute to a reduction in the market value of the shares of the donor corporations. Especially when the amount of the donation is large, and also in the absence of a role for competitive advantage and the investor who is aware of the important role of CSR in society; This method may be unfair to shareholders in corporations "donor and non-donor", especially if the donations had a big impact on the distribution values; This method generates tax savings and therefore the value of donations does not represent real sacrifice incurred by corporations; This method is incompatible with the meanings and contents of the CSR. One of the most important of which is the realization "achievement" of justice in rights among all stakeholders. This method may be a gateway to pass many unethical practices and behaviors. As for the advantages-for donor corporations: Donor corporations can realize economic benefits (tax savings); Enhancing competitive advantage. This method is as an incentive for corporations to continue their charitable activities in the communities in which they operate.

This treatment can be adopted under the following circumstances: Lack of an influential role for competitive advantage in the market" the competitive advantage arising from the commitment to CSR" ; In developing countries to promote the idea of CSR; In poor countries that suffer from problems in financing economic and social development programs in order to motivate

companies to provide more support to their societies; In countries whose governments do not rely on taxes as the only source to finance their public expenditures, etc.

This method is inconsistent with the content of the idea of CSR, for the following reasons: According to the researcher's point of view, the accurate analysis of this method conceals behind it a state of compulsory partnership. CSR is a commitment based on voluntarism in most of its areas. According to this method, donations are voluntarily incurred by corporations while the government is obligated by law to bear "incur" a portion of those donations (tax savings earned by donor corporations). The researcher believes that this method compels the government to contribute to these donations in a mandatory, non-voluntary manner. The tax laws that permit this are in fact distorting the true meaning of CSR; The idea of CSR did not appear to exist for economic gain outside the competitive advantage, and it did not come into existence to promote opportunistic behavior and exploit legal loopholes. If this happens, the CSR will lose its true meaning and will deviate from its noble and lofty goals and motives. This method contributes to achieving the tax savings and economic gains-outside the competitive advantage, thus it is incompatible with the content of the CSR idea; CSR is the performance of activities and the achievement of goals in an ethical manner and behavior. The CSR should be above the level of suspicion and uncertainty. CSR as a modern idea is antagonistic to the opportunistic behavior. The CSR is not a means of exporting the administrative failure to other parties, and is not a means of reducing the economic losses of corporations through the exploitation of legal gaps. This method may be a means to achieve that. This method may be exploited by corporations to get rid of obsolete inventory or inventory whose validity period is nearing completion through the donation to government agencies and bodies or charities, not to interact with the issues and aspirations of the community, but to reduce the economic losses of those corporations; CSR is not a means of circumventing and deception. This method, in the absence of a comprehensive disclosure of donations "not to disclose the tax savings and real sacrifice" can contribute to misleading public opinion about those donations. This is contrary to the principle of transparency in the presentation of data and financial information; One of the contents of the CSR idea is to achieve justice in the field of the rights among all stakeholders. Adopting this method is unfair to the government. It contributes to reducing government revenues from taxes. As well as, this method does not contribute to the achievement of tax justice for donor corporations" especially when there is no market competition. "This method also does not achieve tax justice for investors in the donor and non-donor corporations" taxes on dividends."; The idea of CSR is to achieve the goals of the organization in an ethical behavior. It fights corruption. It is a tool to make corporations above all suspicions. It avoids adopting all means and factors by which unethical behavior can be practiced by bad management. This method may be an entryway through which many unethical behaviors can be passed on; CSR is an idea above all suspicions. It did not emerge to exist to be within the circle of suspicion and interpretation of intentions by the public and evaluators. The adoption of this method does not reflect the hidden intent behind the incurring of monetary and in kind donations by corporations; CSR does not mean to cause harm to any of the stakeholders. CSR does not mean support for a party and at the same time harming another party. According to this method, the aggrieved party is the government. This method contributes to the reduction of government revenues from taxes.

Donations as if they are indirect taxes

The idea of this perception stems from the following justification: The government uses money earned from corporate taxes to finance public sector expenditures, implement economic and social development programs, and strengthen infrastructure in order to provide services to its citizens, as well as to finance various development programs. Donations made by corporations

also contribute to promoting economic and social development in the communities in which they operate, and solving many social issues of certain communities in those societies. These donations have a positive impact in field of the service of the common good. Therefore, donations can be considered as indirect taxes provided by corporations to their communities without mediation the government in the process of receiving and re-spending. Ignoring these expenditures may create a state of double taxation, which includes two types of taxes are contributions "indirect taxes" and income taxes "direct taxes." Ignoring means paying two kinds of taxes "direct and indirect." The tax treatment according to this perception is as follows: Revenue– operating expenses = taxable income x income tax rate = income tax- donations=the final value of the tax invoice.

Advantages and disadvantages of this method:

The Disadvantages of this Method: This method contributes to reducing state tax revenues; This method may contribute to the atrophy and the disappearance of the idea of CSR or loss of the true meaning of the CSR in the field of interaction with the issues and aspirations of society. Donations will be refunded to the donor corporation as if those who incur those donations are the governments and not the corporations. As for the advantages, the only potential advantage is to enhance the donor corporation's competitive advantage.

This treatment can be adopted under the following circumstances: In rich countries that have no problems financing economic and social development programs; In countries whose governments do not depend on taxes as the sole source of financing their public expenditures, etc.

Donations as if they are not granted

The idea of this perception stems from the following justifications: Donations are expenditures that have nothing to do with the economic activity of corporations. In other words, they do not contribute directly to achieving the profit and their impact on the corporation's economic performance is unclear; Donations are voluntary activities "charitable acts" that should be completely ignored when determining taxable income. Not to ignore these expenditures will contribute to harming the government by reducing its tax revenues. CSR does not mean giving benefit to a party at the expense of another. CSR means achieving justice among all stakeholders. As is known, donations are often given to non-profit organizations or charities, with the aim of providing assistance to specific communities or to addressing special issues. In this case, donations are not to support the vital expenditures of the government. When donations are made to nonprofit organizations or charities, the claim that these donations should be ignored will be justified. Those charitable acts - in these areas, must be borne by donor corporations and not the government "by reducing its tax revenue." Equitable rights must be achieved among the donor corporation, the government, and the beneficiaries of such donations. The interest of the donor corporation and the beneficiaries of the donation should not be at the expense of the government "at the expense of government revenue." As a result of these contributions, the corporation may gain the tax savings resulting from those contributions and government will bear the burden of the decline in the volume of its revenue from taxes, so this result will be considered unfair to the government; As well as, Donations may be the entrance to pass many unethical practices and behaviors, especially in the most corrupt societies. Adopting this scenario is to avoid the impact of these unethical behaviors and practices on the government's tax revenues ; Another argument to support this vision, corporate donations can be considered are alms made by shareholders or owners paid from their ownership rights in the corporation. Donations, according to this vision are nothing more than a reduction in the value of ownership rights. The deduction of donation values from shareholders 'equity reflects corporations' pure commitment to their CSR. Donations

can be likened to withdrawals from invested capital for personal purposes that have no effect on the results of the corporation's activity. The tax treatment according to this perception is as follows: Revenue – operating expenses = taxable income x income tax rate = income tax. (taxable income - (income tax + donations) = shareholders' equity or distributable income".

Advantages and disadvantages of this method:

The disadvantages of this method: This method does not achieve tax justice among corporations "especially in a non-competitive market situation." As well as, it is unfair to shareholders. This method may contribute to the emergence of so-called double taxation. Shareholders will incur such donations in addition to tax on distributions; This method does not generate any tax savings for the donor corporations. This may contribute to the reluctance of corporations to continue to make donations. Advantages of this method: According to this method, donations cannot be used as a means of tax evasion. This method prevents the use of donations as a means to pass some unethical practices and opportunistic behaviors by corporations; This method has no effect on government tax revenues. This method does not generate the tax savings, which can contribute to reducing the amount of real sacrifice incurred by corporations; This method reflects the true intentions of corporations regarding contribution to the development of the communities in which they operate. The obligation of corporations to pay donations will reflect the optimum level of corporate dedication "sincere intentions" to fulfill their social responsibility toward their societies. This treatment can be adopted under the following circumstances: In poor countries that have trouble financing their public expenditures; In countries that suffer from the spread of the phenomenon of corruption.

This method is consistent with the content of the idea of CSR, but not ideally, for the following reasons: This method will put corporate donations above the level of suspicions. The sincere intention of corporations to develop their communities and their serious commitment to their social responsibility in the societies in which they operate can be confirmed when this method is adopted by the legislative bodies and applied by the tax authority, and with the continuation of corporations in the donation activities. This situation will reflect the desired ideal position of CSR in the community; This method is consistent with the content of the CSR idea with regard to the achievement of justice in rights. Justice here is in the sense not to harm a party in return for the benefit of another party. Government revenues should not be affected by donations paid by corporations. In light of the terrible population explosion and the increase in the burden of government, this method will contribute to support the government in meeting its obligations towards its society without any financial bottlenecks due to the decrease in revenue from direct taxes as a result of these unexpected donations. As the continuation of corporations to make donations despite the application of this method by the tax authority in the State reflects an idealism degree about CSR within the community. Here, it should be noted that both society and government are independent parties in the stakeholder group and both represent an area of CSR areas. Based on this it can be said that, the method of tax treatment that favors a party at the expense of another party will be a breach of CSR's content that calls for the achievement of justice in the distribution of rights; This method does not achieve justice among corporations, and among investors in corporations (because there are some corporations incur those donations and others do not incur; CSR means transparency and non-circumvention and this method is fully consistent with this matter. The tax treatment of monetary and in kind donations by using this method will reflect the real sacrifices incurred by corporations towards both the society -through donations in the context of interaction with its issues and aspirations "without achieving any economic gains outside the framework of competitive advantage," and the government through taxes paid without any deductions for those contributions. This method contributes to the

promotion of noble and great principles of CSR. This method is not conducive to the practice of unethical behaviors.

Donations as if they are loans

Donations can be envisioned as if they are loans "interest-free loans." The idea of this perception stems from the following justifications: CSR does not mean giving priority to philanthropic responsibility over economic responsibility. Rather, the two responsibilities must be adhered to in a more harmonious manner. The idea of corporate donations as if they are loans is to create real harmony between corporate economic responsibility" protecting the corporation's economic capabilities" and corporate philanthropic responsibility" providing social benefits by moving from a waiver approach to a lending approach." Government spending is for the purpose of achieving well-being in all areas for citizens- it is the responsibility of the government; Taxes represent government rights in corporate profits. Any obligations paid by the corporation on behalf of the government must be returned to corporation by reducing the value of taxes due to the government. The non-return of these contributions to donor corporations means covering up the government's failure to manage its affairs, including the search for financial resources other than taxes (corporate donations may contribute to the emergence of a surplus in the state budget. This surplus does not reflect the effectiveness and efficiency of the government in the management of state affairs.). Spending on public sectors and government bodies, addressing social issues and strengthening the infrastructure of the state is the competence of the government, it is not the competence of corporations; If corporations do not make donations, then governments will resort to borrowing. Donations are voluntary, not compulsory. They are mostly to finance what the government is unable to finance or to finance projects and programs that serve the public interest and that are not included in the government's plan at the present time. Of course, those programs and projects, if the government wants to implement them in the current period, it would have to borrow to finance them. Regardless of any other considerations, for this reason, corporate donations can be considered as indirect loans to support the government. The intended meaning of this perception lies in tax treatment and not in the acceptance or non-acceptance of such donations by the government. The tax treatment according to this perception is as follows: Revenue– operating expenses = taxable income x income tax rate = income tax- a part of the donations" annual installment"= the value of the final invoice for the annual income tax.

Advantages and disadvantages of this method:

The advantages of this method: This method contributes to reducing the impact of legal imbalances in the field of rights to the lowest possible level, unlike the previous methods; This method contributes to strengthening of economic development and infrastructure in the country in a more effective and clear way "under the assumption that, donations will be made to accomplish those purposes, according to the vision on which this method depends" ;This method also contributes to increasing the rate of flow of corporate donations to the public treasury of the state and the growing of the social role of corporations; This method safeguards the content of the idea of CSR and contributes to the achievement of an unparalleled harmony between corporate philanthropic responsibility and corporate economic responsibility (by preserving the economic resources of the corporation and contributing to the development of the society in which it operates, at the same time);This method contributes to the development of the concept of corporate philanthropic responsibility by moving from the traditional role (donation approach/ waiver approach) to the modern role (lending approach). As for the disadvantages, if the texts of this law and its articles are not selected in a professional manner and defined in a smart way and with the influx of large amounts of corporate donations to the State Treasury and the government is committed to returning "pay" installments of those donations to donor

corporations. It will be expected that the government will be subjected to financial bottlenecks in future periods due to the decrease in the amount of tax revenues. This problem can be avoided by issuing an executive regulation that includes all the precautionary measures. This treatment can be adopted under the following circumstance: In poor countries that suffer from financial problems to strengthen their infrastructure and who wish not to borrow from outside sources.

Donations as if they are joint cost

One of the visions that the researcher provided in this study is to consider corporate donations as a joint cost. According to the researcher's perception, corporate donations are an investment in the competitive advantage (as an intangible asset)"or for other purposes unknown and unspecified " motivated by humanitarian, religious, or patriotism ,etc. ", that result in achieving social benefits for society or one of its sects- at the same time. Donations contribute to achieving two purposes, "competitive advantage and social benefits." The process of separating the costs "donations" to distribute them on the competitive advantage and social benefits achieved is very difficult. When determining tax exemption in exchange for these donations" for these donations" , the part that relates to competitive advantage is an investment "intangible asset" that must be excluded, while the part that relates to social benefits can be considered indirect taxes (especially if the donations are in the areas of government spending), " amounts paid to the public interest without mediating the tax authority in the process of receiving and re-spending" , or considering it necessary operating expenses according to the concept of the idea of the social contract. The tax treatment according to this perception is as follows: Revenue – operating expenses =taxable income x income tax rate = income tax- a part of the donations" share of social benefits from the joint cost" = the value of the final invoice for the annual income tax. A part of donations as if it is indirect tax . Or revenue – (operating expenses+ a part of the donations" share of social benefits from the joint cost") = taxable income x income tax rate = income tax. A part of donations as if it is operating expense.

Advantages and disadvantages of this method:

This method has the same advantages and disadvantages as the first and second methods, in addition to the following two disadvantages: There is a difficulty in apportioning the joint cost to determine the share of competitive advantage and the share of social benefits; The share of the social benefit in the joint cost does not represent the true cost that produced that benefit. Also, the share of the competitive advantage in the joint cost does not represent the true cost that enhanced that advantage. This treatment can be adopted under the following circumstance: In societies that realize the importance of the social role of corporations. In societies where corporate social performance influences consumers and investors decisions.

Donations as if they are operating expenses "conditional tax incentive"

The advancement of societies and the achievement of economic prosperity for them is a **joint responsibility** between governments and corporations. The two parties must sacrifice to achieve that goal, but within reasonable limits, especially the government, which is an entity whose mission is not to achieve profit and growth. Based on this scenario, corporate donations can be viewed as operating expenses that must be deducted from taxable income within the permissible limits. These limits can be considered the contribution of governments to support development issues in those contemporary societies and enhancing their well-being at all levels. The tax treatment according to this perception is as follows: Revenue – (operating expenses + donations or part thereof) = taxable income x income tax rate = income tax. Conditional exemption "Donations are deducted from taxable income, provided that the value of the donations does not exceed a certain percentage of the taxable income. For example , according to the Libyan law:

Law No. (7) Of 2010 on income taxes: Article (39) :(F): Donations to non-profit charitable bodies recognized by the state not exceeding two percent (2%) of the net income.

Advantages and disadvantages of this method:

The disadvantages of this method are the same as the disadvantages of the method of "donations as if they are operating expenses "unconditional tax incentive", in addition to the fact that this method is not considered an incentive for donor corporations to make more donations to the communities in which they operate. With regard to advantages, this method protects, as far as possible, the government's tax revenues from the decrease resulting from the granting of tax incentives. This treatment can be adopted under the following circumstance: In countries whose governments depend to a large extent on taxes to finance their public expenditures.

RESULTS

Each tax treatment - regarding corporate donations, is the embodiment of a perception and a logical vision to explain the meaning and connotation of the term corporate donation. In other words, it is possible to create a logical perception and vision about the meaning and connotation of the term corporate donations for each tax treatment related to corporate donations, which can be adopted by the legislature as a basis for tax treatment. Every perception about the meaning and connotation of the term corporate donation has a tax treatment that is consistent with its content.

CONCLUSION

It is assumed that the legislative body's vision - regarding the interpretation of the meaning and connotation of the term corporate donations - is in line with the prevailing economic, social and cultural conditions in society. It will also be necessary for that vision to be compatible with the tax treatment, but in exceptional circumstances, that vision may not coincide with the treatment for public interest considerations. In general, any tax treatment for corporate donations adopted by any legislative body must be consistent with one of the six perceptions presented in this study, even if the reality " the prevailing conditions" does not correspond to the content of the chosen treatment.

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