

# RIVISTA DI DIRITTO FINANZIARIO E SCIENZA DELLE FINANZE

LA TASSAZIONE DEL TABACCO RISCALDATO IN ITALIA:  
DAL TEMPO DI CONSUMO AL TABACCO CONTENUTO

di **Giovanni Carnazza, Francesco Crespi, Paolo Liberati, Massimo Paradiso**

In the European Union, heat-not-burn products indirectly fall under the EU Directive 64/2011, which regulates the taxation structure of manufactured tobacco within a well-defined supranational regulatory framework. For many countries, this has led to a taxation system consistent with that provided for traditional tobacco products. On the contrary, in Italy the taxation of this kind of products is based on a particular equivalence which does not reward the lower tobacco content — and, therefore, the lower harm — present in these new products. Our paper analyses the current legislation in Italy, proposing a reform that overcomes the current system of equivalence in favour of the actual tobacco content. The resulting reduction in tax revenue should be recovered by increasing the total incidence on traditional cigarettes and acting on the level of the specific excise duty. This would reconcile the objective of health protection with that of revenue, while leaving the price gap between the two markets unchanged.

*J.E.L. Classification:* H23; I18

*Keywords:* Taxation; Cigarettes; Heat-not-burn tobacco

CAMBIAMENTI CLIMATICI E POLITICHE FISCALI: IMPATTI SOCIALI ED EFFETTI  
ECONOMICI DEL PACCHETTO EUROPEO “FIT FOR 55”

di **Maria Teresa Monteduro**

With the United States re-joining the Paris Agreement, the European Union placing its Green Deal at the heart of the recovery plans and many countries making commitments to reach carbon-neutrality around the middle of the century, fighting climate change will be at the heart of international economic policy in the next decades. Making sufficient progress to stabilizing the climate risks requires ratcheting up near-term mitigation policies. Together with regulatory standards limiting the use of the most carbon intensive practices and the removal of subsidies for fossil fuels, carbon pricing can be instrumental in ensuring that the climate targets set in the Paris agreement are effectively met. As countries strengthen their domestic measures, the risk of carbon leakage — whereby efforts to reduce emissions in one country are fully or partially offset by the replacement of products or the relocation of production to countries with less stringent climate policies — is also increasing. To overcome these challenges, as part of the Green Deal, the European Commission adopted a set of proposals to make the EU’s climate, energy, transport and taxation policies fit for reducing net greenhouse gas emissions by at least 55% by 2030, compared to 1990 levels. The so called “Fit for 55” package includes the strengthening of the EU emissions trading

system, the establishment of a Carbon Border Adjustment Mechanism, the revision of the Energy Tax Directive. Our simulations of the economic effects and distributional impacts of the EU climate mitigation policies show that the carbon border adjustment mechanism is effective to limit carbon leakage compared to maintaining the current ETS free quota system. Its introduction has modest direct effects on the contraction of output, on the prices of goods in the sectors exposed to international competition and on the prices of final goods. The distributional effects of the revision of the Energy Tax Directive depend on the choices made by each State on the rates taken as a reference for each group of polluting products. The negative effects on households and businesses of the increases of prices should be mitigated through appropriate compensation and incentives, financed by any higher revenues deriving from the environmental reforms.

*J.E.L. Classification:* Q48, Q54, Q58

*Keywords:* Climate changes, Sustainable development, Climate mitigation policies, Carbon pricing

## PROFILI TRIBUTARI DEI CONTRATTI MINERARI

*di* **Giuliano Tabet**

Disposal deeds of mining assets are mostly relevant for the purposes of both registration tax and income tax. As for the former, the difficulties arising in civil law regarding the proper “localization” of the reservoirs have affected the drafting and the interpretation of tax provisions for a long time. As for the latter, the distinction between the “ownership of the fields” and the “mining activity” reflects the difference laid down in income tax law between “other income” and “business income”.

*J.E.L. Classification:* K34

*Keywords:* Mining; Quarry; Moorland; Reservoir site; Registration tax; Income tax; Business income; Other income

## L'IMPOSTA ITALIANA SUI SERVIZI DIGITALI

*di* **Nicola Sartori**

Addressing tax challenges raised by the digitalization of the economy is a priority both for the OECD, the EU and many countries, like Italy. The basic international tax policy problem is still the one raised in 1923: the amount of taxes on cross-border income and what countries have a better right to tax. However, one hundred years ago the main source of wealth was the land; while now digital data and information are. Because of the absence of a physical presence, corporations are generally not subject to income tax in the country where users are, based on current rules. For this reason, Italy, as other countries, adopted a digital service tax, which is not an income tax but a temporary indirect tax on the use of personal data of the users. This tax raises many (domestic, EU and international) issues, but it closes a gap (the lack of taxing rights in the country where users are located) and solves redistributional concerns (multinationals involved in digital economy not paying a fair amount of taxes). Moreover, this tax is putting pressure on the international community to find a common solution. And if the result of the digital services tax, adopted by Italy and by other countries, is that the international community will find a good common solution, this is a positive result.

*J.E.L. Classification:* K34

*Keywords:* Digital services tax; Taxation of digital economy; International tax regime; Residence; Source; Market jurisdiction; Digital data; Artificial intelligence