



TAXATION

FINAL PRE-BOARD EXAMINATION

INSTRUCTIONS: Select the correct answer for each of the questions. Mark only one answer for each item by shading the box corresponding to the letter of your choice on the answer sheet provided. STRICTLY NO ERASURES ALLOWED. Use pencil no. 2 only.

1. Which of the following may not raise money for the government?
  - a. Power of taxation
  - b. Police power
  - c. Power of eminent domain
  - d. Privatisation of government's capital assets
2. The basic principle of taxation, where, "Taxes must be based on the taxpayer's ability to pay" is called:
  - a. equality in taxation.
  - b. ability to pay theory.
  - c. theoretical justice.
  - d. equity in taxation.
3. Which of the following statements is not correct?
  - a. Taxes may be imposed to raise revenue or to provide incentives or disincentives for certain activities within the State.
  - b. The State can have the power of taxation even if the Constitution does not expressly give it the power to tax.
  - c. For the exercise of the power of taxation, the state can tax anything at any time.
  - d. The provisions of taxation in the Philippine Constitution are grants of power and not limitations on the taxing power.
4. Is it possible for the tax to be used partly for public and partly private without violating the limitation that a tax must be for public purpose?
  - a. Yes. The purpose to be accomplished by taxation need not be exclusively public. Although private individuals are directly benefited (e.g. giving aid to flood victims), the tax will still be valid provided such benefit is only incidental.
  - b. No. The purpose to be accomplished by taxation need to be exclusively public. To benefit private individuals will be tantamount to deprivation of property of those who paid the tax without due process.
  - c. Yes. The purpose is not important as long as the use of the tax can be properly accounted for.
  - d. No. The purpose shall either be public or private. It cannot be both.
5. The principle of separation of powers ordains that each of the three branches of the government has exclusive cognizance of and is supreme in matters falling within its own constitutionally allocated sphere.
  - a. The tax imposed should be for public purpose.
  - b. There should be no improper delegation of the taxing power.
  - c. The power to tax is limited to the territorial jurisdiction of the taxing government.
  - d. Exemption of government entities from taxation.
6. Which of the following is not an element of double taxation?
  - a. Two taxes
  - b. Same subject matter
  - c. Same year
  - d. Same amount
7. Which is not an essential characteristic of tax?
  - a. Unlimited as to amount
  - b. Payable in money
  - c. Proportionate in character
  - d. Regular payment
8. Statement 1: The value-added tax is a property tax.  
Statement 2: The estate tax is a direct tax.
  - a. The two statements are correct.
  - b. The two statements are wrong.
  - c. Statement 1 is correct while statement 2 is wrong.
  - d. Statement 1 is wrong while statement 2 is correct.
9. Mr. Bill Morgan, a Canadian citizen and a resident of Scarborough, Ontario, sends a gift check of \$20,000 to his future daughter-in-law who is to be married to his only son in the Philippines. Is the donation subject to Philippine donor's taxes?
  - a. Yes, but only up to extent that exceeds the allowable P250,000.00 exemption for donations.
  - b. Yes. There is no showing in the problem that the marriage actually took place within one (1) year from the date of the donation.
  - c. No. The donor is a non-resident alien hence he is not subject to the Philippine donor's tax law.
  - d. No. The donation took place outside the Philippines hence not subject to the Philippine donor's tax law.

# Tax Exam Questions And Answers

**M Mosston**



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### **Table of Contents Tax Exam Questions And Answers**

1. Understanding the eBook Tax Exam Questions And Answers
  - The Rise of Digital Reading Tax Exam Questions And Answers
  - Advantages of eBooks Over Traditional Books
2. Identifying Tax Exam Questions And Answers
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Tax Exam Questions And Answers
  - User-Friendly Interface
4. Exploring eBook Recommendations from Tax Exam Questions And Answers
  - Personalized Recommendations

- Tax Exam Questions And Answers User Reviews and Ratings
- Tax Exam Questions And Answers and Bestseller Lists
- 5. Accessing Tax Exam Questions And Answers Free and Paid eBooks
  - Tax Exam Questions And Answers Public Domain eBooks
  - Tax Exam Questions And Answers eBook Subscription Services
  - Tax Exam Questions And Answers Budget-Friendly Options
- 6. Navigating Tax Exam Questions And Answers eBook Formats
  - ePub, PDF, MOBI, and More
  - Tax Exam Questions And Answers Compatibility with Devices
  - Tax Exam Questions And Answers Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Tax Exam Questions And Answers
  - Highlighting and Note-Taking Tax Exam Questions And Answers
  - Interactive Elements Tax Exam Questions And Answers
- 8. Staying Engaged with Tax Exam Questions And Answers
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Tax Exam Questions And Answers
- 9. Balancing eBooks and Physical Books Tax Exam Questions And Answers
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Tax Exam Questions And Answers
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Tax Exam Questions And Answers
  - Setting Reading Goals Tax Exam Questions And Answers
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Tax Exam Questions And Answers
  - Fact-Checking eBook Content of Tax Exam Questions And Answers

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
- 14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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