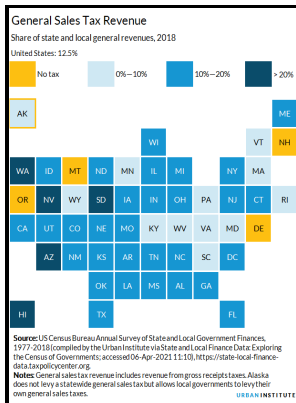


Sales and use taxes - general principles

Tax Management - ACCA FA (F3) Notes: D1c. General principles of a sales tax



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Sales & Use Tax in California

Where a transaction involves the delivery of tangible property which includes information generated from a pre-existing database, the transaction is a sale or a lease of tangible personal property and is subject to tax unless an exemption otherwise applies. If the property furnished is a print on which tax has been paid to the film processing lab, the lease of the print is not subject to tax as the property is leased in substantially the same form as acquired and tax has been paid.

What is the difference between sales tax and use tax?

Although Company B could serve a copy of the assignment on the lessee, it appears that Company B did not do so and the lessee was not notified. However, the bank did not reimburse itself for the tax it paid, by charging it to the sublessor. The service fee is 3% of the cost of the leased equipment.

Sales Taxes

For example, if the company was to store the property in California for the purpose of subsequently transporting it to waters outside California for use solely outside this state, such storage would come within the section 6009.

Sales Taxes

Since the leases are true leases which are in a tax-paid status, the 3% service fee which the lessor charges the lessees at the commencement of the leases is not subject to tax. All equipment leased is purchased tax-paid and leased in substantially the same form as acquired. However, most sellers do show the tax on the invoice.

ACCA FA (F3) Notes: D1c. General principles of a sales tax

Consumer Use Tax is a tax on the purchaser and is self-assessed by the purchaser on taxable items purchased where the vendor did not collect either a sales or vendor use tax.

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