

The Financial Transactions Tax: A Popular Source for Innovative Financing

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For years, civil society organisations have promoted the introduction of small taxes on financial transactions as a source for innovative financing.⁶² Many such organisations see the tax as a good source to finance for example development, protection of the environment, climate policy measures and various social purposes. After the outbreak of the Global Financial Crises in 2007, these initiatives have gained considerable momentum. In 2010, a campaign for a "Robin Hood Tax" was launched in the UK, a campaign that is now supported by thousands of charities, economists and civil society organisations world-wide.⁶³ The supporters of a tax on financial transactions (FTT) now also include the Commission of the European Union and a large number of governments.

New taxes are seldom welcomed by the general population. The FTT, however, enjoys an unprecedented popularity as a tax. Opinion polls indicate that 65% cent of the population in the European Union support the tax (EU Commission MEMO 11/640), which may thus deserve a ranking as "the most popular tax ever proposed". As a political instrument, FTT gives a unique opportunity to combine several worthy objectives such as *funding* of various developmental purposes, better *regulation* of the financial sector by *curbing* harmful financial speculation, and greater *fairness* in the distribution of burdens of taxation. While the administrative feasibility of this kind of taxation has earlier been questioned, the proliferation of information technology over the latest decades has made the implementation of this kind of "micro-taxation" quite feasible, with low administrative costs compared to the revenue.

This essay relates innovative financing to the latest developments concerning FTT. It presents current proposals for FTTs, including the proposal by the European Commission (2011), and some of the main arguments in support of the tax. Some of the major arguments used *against* FTT are also presented together with a discussion of why these are considered to be of limited relevance compared to the benefits. In this connection, a section is devoted to the administrative feasibility of the FTT. Finally, there is a brief discussion of who will pay for the FTT and its possible revenues. We start out, however, with some background for the recent initiatives.

1. Financial Taxation in the Context of Innovative Financing

Taxation of the financial sector should be seen in the broader political context of innovative financing. The concept of "innovative financing" was introduced at a conference on developing countries coordinated by the United Nations in Monterrey in 2002 (Dousté-Blazy, 2011). Since then, many initiatives for innovative financing have emerged, such as the UNITAID solidarity levy on airline tickets where Norway contributes via its carbon tax. Despite much initial resistance, the "micro-tax" of UNITAID is now seen as a considerable success, both in terms of revenues, the programmes that are funded (e.g. mass vaccination) and in terms of political legitimacy. In a recent publication, the leader of UNITAID, Dr. Philippe Douste-Blazy, declared that the time has now come to include an international taxation of financial transactions, FTT, among the international policy tools for funding developmental objectives such as the Millennium Development Goals (Dousté-Blazy, 2011). In the context of the United Nations (UN), innovative financing is seen as an expression of international politics "rooted

⁶² It should be noted that the authors of this essay are board members of the organisation ATTAC, and are thus proponents of the FTT.

⁶³ http://www.oxfam.org.uk/get_involved/campaign/actions/robinhood.html

in solidarity”, not “generosity or humanitarianism” (Dousté-Blazy 2011, p.53-54). In the context of financial taxation, this perspective targets the fact that the financial sector has been under-taxed, and the introduction of such a tax will be a step towards greater fairness in the global economy.

In 2010, a UN advisory group on climate change financing co-chaired by the Norwegian Prime Minister Jens Stoltenberg, recommended the introduction of an FTT as a source for financing climate policy measures. The group stated that, even though an FTT is not directly related to carbon emissions, the FTT has other merits it is worthwhile exploring: it has a potentially global basis for a global cause; it has a capacity to raise significant amounts; it would be, without any doubt, a new and additional source of financing; one could even argue that there is an indirect link with the carbon agenda, the development of financial transactions being a by-product of globalization, as is climate change (High-Level Advisory Group for Climate Change Financing, Work Stream 5 on Financial Transaction Tax).

In addition to the possible revenue, the “wider” problems of climate change are related to problems in the economy as a whole, where the financial sector plays a key role. And again, the implementation of a tax is seen as a way to remedy serious global problems.

In Norwegian politics, there has been an increasing interest for taxation of the financial sector over the past years. The Norwegian Government White Paper, “Report No. 13 (2008–2009) to the Storting: *Climate, Conflict and Capital*”, declared the government’s support for innovative financing for development. The report stresses the need to integrate developmental concerns with foreign policy in general and *regulation of financial markets in particular*. A main concern of the government is to stop illicit capital flows and the possibilities to use secrecy jurisdictions, which seriously affect the opportunities for economic, political and social development in developing countries. The report also acknowledges the need to continuously look to new sources for the funding of “global public goods” – a demand that has dramatically increased with the recent

economic crisis (Report No. 13 (2008-2009)). In the same line, the Norwegian Green Paper “*Tax Havens and Development*” (NOU 2009:19) focused on the harmful effects of the massive flight of capital from developing countries. The globalized financial sector operating through secrecy jurisdictions beyond effective political control carries a huge responsibility in this context. There are, in short, various political reasons for considering a regime for international regulation of the financial sector. The next section discusses some of these in more detail.

2. History and Recent Developments of the FTT

The use of a small financial transaction tax as a tool to selectively discourage excessive speculation without discouraging other economic activity was already envisioned by John Maynard Keynes in 1936. Then, in 1973, Nobel Laureate James Tobin proposed the Currency Transaction Tax, CTT, with the aim of discouraging speculation in the foreign exchange markets, often referred to as the “Tobin Tax”. Targeting only currency transactions, the CTT has a more narrow range than the more general FTT, but many of the arguments for a CTT are overlapping those for the FTT. In contrast to FTT, however, which can be implemented in one country alone, or a small group of countries, a CTT will need to be implemented internationally, if not globally. The North-South Institute has made an informative summary of recent initiatives for CTT in the context of innovative financing for development (North-South Institute, 2008).

In the late 1990s, the devastating effects on the economies of East Asian countries and Mexico after the so-called Asia crisis – and the raids against national currencies – gave new momentum to demands for taxation of currency transactions. In December 1997, the editor of the international newspaper *Le Monde Diplomatique*, Ignacio Ramonet, wrote an editorial on the topic which led to the establishment of the organisation ATTAC (*Association pour une Taxation des Transactions financières pour l’Aide aux Citoyens*) with the main purpose of promoting a financial transaction tax. This tax should be a tool to curb harmful speculation in the financial markets, and in

addition provide funds for the benefit of citizens. ATTAC now has chapters in more than 40 nations worldwide, and engages academics, NGOs, trade unions and politicians from all sides of the political spectre. In 1998 the focus was on the excessive amount of speculation in the foreign exchange market. Since then, however, there has been a steep growth of speculation in the derivatives markets. Accordingly, the original focus on a currency transaction tax (CTT) has been expanded to a much broader financial transaction tax (FTT).

The global financial crises that started in 2007/2008 brought new political pressure for taxation of the financial sector from civil society as well as politicians. In most countries, the financial sector is considered to be under-taxed compared to the part of the economy that is concerned with actually producing goods and services. Moreover, the activities of the financial sector were instrumental in creating and deepening the crises, leading to enormous expenses and loss of income for national governments. In many countries, the crisis was addressed with large public spending cuts, including cuts in budgets for development.

The G-20 nations have discussed various responses to the crisis. In April 2010, the International Monetary Fund (IMF), upon request from the G20, presented a report called "A Fair and Substantial Contribution by the Financial Sector" (IMF, 2010). Here, a financial transaction tax was set forth as one of several options to finance the economic turmoil caused by the crises. The G-20 nations supported the idea of a "fair and substantial contribution by the financial sector" and called IMF to come forward with a proposal. The IMF later proposed an extra tax on financial institutions that is not based on transactions, denoted FAT (Financial Activities Tax). This is the type of tax that was advocated by the Norwegian Financial Crisis Commission (Hippe et.al., 2011). We will return to this tax in a later section.

European politicians have seen the destructive effects from speculation in sovereign debts during the euro crises, and they are currently looking for tools to make excessive speculation more costly for the speculators. Over the past few years, the political momentum and support for the FTT

has gradually increased and the tax is now supported by a large number of governments, among them France, Germany and Norway (the UK and Sweden have so far been among the opponents).

Organisations that have been promoting the FTT are experiencing a rapidly growing interest in the media and the political system. Currently, the strongest initiative lies with the European Union. In February 2011, the European Commission issued a consultation paper eliciting the views from interested parties on an FTT. Then, in March 2011, the European Parliament adopted a resolution urging the European Union to introduce an FTT. In June the Commission indicated that it will prepare an impact assessment on financial sector taxation. Finally, on the 28th of September 2011, the Commission presented a proposal for such a tax, to be introduced in the European Union from 2014 (The European Commission, 2011). At the time of writing, it is uncertain whether the proposal will be passed by all the member states. However, it seems likely that the nations in favour, notably Germany and France, will implement the tax in one form or another, if not on the scale of the Union as a whole, then possibly in a group of nations (e.g. the Euro-zone). What is certain is that discussions of the FTT are now on the top of the international political agenda.

Political discussions for and against FTT have largely centred on policy implications and administrative feasibility. Before turning to these matters, we will give a brief presentation of the more technical principles of the tax, followed by a presentation of the proposal by the European Commission.

3. What is the FTT, and how does it work?

The financial transaction tax is aimed at taxing the change of ownership of financial assets with a small fee (ranging from 0.005% to 0.1%). The essential features of a broad based, general financial transaction tax are briefly described as follows by the Austrian economist and researcher in financial taxation at the Austrian Institute of Economic Research, Stephan Schulmeister:

- The FTT is levied on all transactions involving buying/selling of spot and derivative assets. These instruments are traded either on organized exchanges or “over the counter” (OTC), i.e. bilateral OTC transactions, exclusively carried out by professional market participants
- The tax base is the value of the underlying asset; in the case of derivatives their notional value (e. g., the value of a futures contract at the current futures price; the notional principle of a swap; the spot value of the underlying asset in the case of options)
- The tax rate should be low so that only very ‘fast’ (= speculative) trading with high leverage ratios will become more costly due to the FTT (e.g. 0.05%)
- The FTT does not tax ‘real-world-transactions’ like payments related to the goods and labour markets, initial public offerings of stocks and bonds [or] foreign exchange transactions which stem from international trade or direct investment

The tax burden is divided between the buyer and the seller; hence, each side of a financial transaction would just pay 0.025% of the asset value (2.5 basis points).

(Schulmeister, 2011, p.1).

A tax with such features ensures that the more frequently an investor is buying and selling, the more tax has to be paid. Investors *holding* a financial asset will not be burdened by the FTT. Nor will a small tax (in the region of 0,05%), shared between buyer and seller, affect transactions aimed at holding an investment over time.

4. The Proposal by the European Commission for an FTT

On September 28th 2011 the European Commission announced its proposal for a new directive on a European Financial Transaction Tax. The proposal is to be discussed in the European Council, and will be presented by the Commission at the G-20 meeting in November, 2011. The proposal is a broad based tax that includes trade with shares, bonds and derivatives (such as options and swaps). The tax will further include currency derivatives, whereas spot market currency transactions are exempt. The tax is estimated to hit about 85% of the volume of transactions taking place between financial institutions. Ordinary business transactions and private transactions will not be taxed (European Commission, 2011).

The proposed tax rate is 0.1% for trade in shares and bonds, and 0.01% for trade in derivatives. The tax is proposed to be in effect from the beginning of 2014 and is assumed to give revenue of approximately 57 billion Euros every year. At least part of this revenue is proposed to be allocated to the EU, whereas there is no mention of the possibility of using the tax for financing development.

The principles of the tax are as follows: Each transaction involving a seller or buyer based in the European Union will be charged. Even if the trading partner is based in Barbados, New York, or Tokyo the tax will be levied. This means that the tax cannot be avoided by transferring a deal outside Europe, for instance by making the deal through a daughter company located outside Europe. A buyer or seller would have to leave the EU to avoid the tax. The tax will be levied by electronic platforms, in such a manner that each single transaction is taxed in real time, as soon as it starts (Gross Real Time Settlement). This accrual rule will effectively hit high frequency trade by computers. If the computer makes one thousand transactions during a day, the tax will have to be paid one thousand times.

The Commission proposes to implement the FTT in the EU as a whole. However, if the UK, Sweden or other nations continue to oppose the tax, as they currently do, the Euro-zone or establishment of an area of so called ‘enhanced cooperation’ are considered as alternatives.

5. Effects of the FTT on Financial Markets

In the last two decades, the financial trade has more than quadrupled relative to the size of the economy that is concerned with actually producing goods and services. In 1990 the total volume of financial transactions was 15 times higher than the world GDP. In 2010 the volume of transactions was 67 times higher than the world GDP, and the volume of foreign exchange transactions is currently around 70 times higher than world trade. These increases in volume are for a large part caused by traders using automated high-frequency trading systems, along with an explosion in the volume of trade of derivatives. It is generally accepted that the size of the derivatives market today allows speculative trade far above the level of trade required for purposes of hedging and insurance (Schulmeister, 2011, p.2).

These numbers illustrate that the vast majority of transactions in which financial institutions are engaged are with other financial institutions, not with ordinary businesses. There is excessive trading in the financial markets, which in turn indicates excessive liquidity in the financial markets. The large volumes of high-frequency trading means that the market is highly "volatile", with enormous amounts of liquidity being moved *within seconds*.

In this period of financial expansion, the economy has been subject to increasing economic fluctuations and crises. There are clear indications that excessive financial trading increases economic fluctuations. High frequency trading, unrelated to economic fundamentals, strengthens short time price runs and converts short time runs into long time price runs.⁶⁴ The price runs on assets are destructive to the economy, and are an important factor in creating and strengthening economic crises (Schulmeister, 2011).

The financial transaction tax will not in itself prevent new crises, but there is reason to believe that it will curb the most excessive forms of speculation and contribute to a more stable economy.

An FTT of the kind described above will be most costly to *high frequency speculative trade*. Today most of this trade is performed by automatic trading systems, based on market trends. The automatic trading systems can be seen as cleverly designed *betting machines*, capable of taking high profits from real time analysis of market trends, without adding value in form of new knowledge on the development of market fundamentals. Even a small FTT will probably make these systems unprofitable, without affecting transactions that aim at holding an investment over some time.

6. Common Arguments against the FTT – and their Limited Relevance

High frequency traders (HFTs) often claim to be a benefit to the financial market by bringing increased liquidity. However, as pointed out by financial commentator John Plender, this "liquidity can vanish in an instant, as it did in the notorious 'flash crash' of May 2010. Unlike market makers, the HFTs make no commitment to remain active under all circumstances during all trading hours. So the liquidity is illusory and the risk that HFTs will cause liquidity to implode makes them systemically dangerous" (*Financial Times*, September 27, 2011).

It has been argued against the FTT that the tax may *raise the cost of capital*. However, the FTT is not taxing assets or dividends on assets, only the trade of assets. As we have just seen, the tax will only have a significant impact on high frequency trading. Since high frequency trading does not necessarily give lower capital costs than low frequency trading, it is hard to see that the effect on cost of capital will be significant.

It has also been argued that FTT may *distort the market prices of assets*. Since the FTT just taxes the change of ownership of an asset, not the change of value of the asset, it is hard to see that the market price will be significantly affected. The tax is comparable to a tax on gambling on the future price of an asset: a tax that has to be paid each time a new bet is made (Schulmeister, 2011).

⁶⁴ A price run is a successive series of price changes, all in the same direction (upwards or downwards)

Opponents of the FTT often quote Jonathan Friedman who argues that *speculators act to stabilise markets through rational arbitrage* (see, e.g., Spratt, 2006, p.16). That is, when prices rise above their fundamental ‘fair value’, rational speculators will sell and drive prices back to their ‘equilibrium level’. Conversely, when speculators see prices below this equilibrium level, they will buy, thus bidding prices up. The process of rational arbitrage will however not be much affected by a small FTT. A transaction tax at the proposed level will simply restore transaction costs to levels typical for the 1980s, and that level was not a problem to rational arbitrage.

Conversely, there is a clear correlation between the deregulation of financial markets and the rising financial instability over the past three decades. The deregulation since the 1980s has created more instability and more booms and busts, not less. The phenomenon of long upward price runs (“bulls”) and long downward price runs (“bears”) have become progressively more pronounced over this period: in the stock markets, the currency markets and the commodity derivatives markets in particular. Moreover, the use of automated trading systems which only process information contained in past prices, unrelated to market fundamentals, has increased tremendously during this period. The transaction costs in the financial markets have been reduced through massive use of information technology. It is hard to see that this reduction and thus the creation of a theoretically more “perfect market”, with very low transaction costs, have actually resulted in a more stable marketplace.

7. Administrative feasibility of the FTT

It has often been argued that the FTT is difficult to implement and that the effects of its implementation are uncertain. However, transaction taxes on financial securities are currently in operation in at least 20 countries world-wide, and some of these taxes have existed for decades (for a general overview of present taxes on financial securities, see Matheson, 2011). There is a substantial base of knowledge on the feasibility and implementation available, including knowledge on how

they should *not* be implemented. One general characteristic of the established FTTs are that the administrative costs are low in proportion to revenue when compared to other taxes.

A recent working paper from the IMF assesses the administrative feasibility of a broad based financial transaction tax (Brondolo, 2011). The paper concludes that:

In principle, the FTT is no more difficult and, in some respects easier, to administer than other taxes. The same administrative tasks that apply to other taxes—registering taxpayers, assessing and collecting the tax, and verifying the tax liability—also apply to an FTT. These tasks are aided by certain features of an FTT: the transaction-based nature of the tax makes the tax liability fairly easy to calculate for many financial instruments; the strong recordkeeping capacity of the financial sector simplifies accounting for the tax, and the relatively small number of entities that would be subject to an FTT reduces a tax agency’s workload in administering the tax (Brondolo, 2011, p.5, emphasis in the original).

The IMF working paper further considers how such an FTT could be applied to three broad and partially overlapping categories of financial instruments:

1. exchange-traded instruments (typically the general trade of stocks, bonds, etc)
2. over-the-counter instruments, (typically trade of derivatives directly between banks etc)
3. foreign exchange instruments (the trade in currencies)

With regard to (1), the working paper concludes that "exchange-traded instruments offer a number of advantages in introducing an FTT. The high degree of market regulation and the requirement that transactions must take place through registered intermediaries (broker-dealers), the ease of establishing the timing of a taxable event and calculating the tax base, and the possibility of collecting the tax through clearinghouses all

facilitate administration and reduce the scope for evasion" (Brondolo, 2011, p.6).

In most countries, a broad range of financial instruments are bought and sold in 'over-the-counter' (OTC) markets (2). The IMF working paper argues that OTC instruments present somewhat greater challenges to levying an FTT than exchange-traded ones, but a number of countries already impose a transactions tax on certain types of OTC instruments. The Swiss stamp transfer tax is an example of how to apply an FTT to these instruments, and ongoing regulatory reforms will facilitate taxation of the OTC market. The working group concludes that "it is more difficult to assess and collect a transactions tax on OTC instruments than on exchange-traded instruments, but solutions are available for resolving these difficulties" (Brondolo, 2011, 29).

The IMF paper further states that an efficient tax on currency transactions (3) poses some difficulties that stem from the global nature of the foreign exchange market, the ease with which currency transactions can migrate across borders, and the lightly regulated currency market in many countries. The paper concludes that implementation of tax on currency transactions will be much facilitated if foreign settlement institutions (such as the CLS Bank, a bank for settlement of foreign exchange transactions regulated by the Federal Reserve Bank of New York) were obliged to report information on currency transactions to the tax authorities, or even better, to collect the tax on behalf of the authorities. If such arrangements are not possible, the working group suggest some other possible arrangements (Brondolo, 2011, p.43).

The IMF paper discusses the experiences from a number of transaction taxes, and various measures to prevent that the tax is avoided through migration and substitution of trade, as for instance happened with Swedish FTT during the second half of the 1980s. The paper concludes that the Swedish tax was designed so that it was easy to avoid taxation both by asset substitution and by moving the trade out of Sweden. Additionally, the Swedish tax rate was much higher than the current proposals, and therefore gave high incentives for avoidance. Taxes of this kind should be

carefully designed so that the costs and risks of *avoiding* the tax are perceived to be *higher* than the costs of paying it. The paper asserts that such designs are quite possible, but that the tax rate has to be set at a level that corresponds to measures available to enforce compliance to the tax.

Opponents of the FTT often argue that an FTT could not be effectively introduced without a world-wide agreement (well knowing that such an agreement will never be reached). As the IMF working paper shows, a well planned such tax could be effectively implemented even in one country alone, as for instance is the case with the Swiss duty on financial transactions.

8. Who will have to pay for the tax?

The FTT will primarily be paid by those who are engaged in financial transactions of high volume and high frequency. This will secure substantial contributions from investment banks and other actors whose activities contributed most to the development of the financial crises in 2008/2009 and the euro crises in 2010.

As always with taxation it could be argued that those hit by the tax may to some extent be able to transfer the costs of the tax to others. However, in this respect the FTT compares favourably to other taxes proposed for the financial sector. The Financial Activities Tax (FAT) proposed to the G-20 by IMF, levied on wages, profits and remuneration packages of financial institutions, will hit all banks simultaneously with more or less the same relative extra cost. In that case it is relatively easy for banks to transmit the burden of the FAT to ordinary banking customers. By contrast, the FTT would levy *activities*, irrespectively of who carries them out, not institutions as such. Banks which do not engage in proprietary trading would pay no FTT at all (if the bank carries out an order for a customer, the latter pays the tax). An FTT will hardly hit traditional banking activities, and thus give no reason for raising the cost of these.

Pension funds are typically long term investors, and as such they will be relatively unaffected by the FTT. Senior editorial writer and columnist at the *Financial Times*, John Plender, recently

commented that long-term investors would probably *benefit* from the FTT (*Financial Times*, September 27, 2011). The reason is that automated high-frequency trade, which is assumed to disappear with the FTT, obtains profits at the expense of long term investors

As usual with new taxes, those who will have to pay the tax are much engaged in campaigning and lobbying against the tax. Civil society organisations campaigning for the introduction of FTTs, in their contact with politicians, usually find themselves vastly outnumbered the lobby of the financial sector. This can be taken as an indication of who will have to pay.

9. Tax revenue from the FTT

The European Union, charities, trade unions and civil society organisations expect the tax to bring large revenues that can be used for various purposes. The exact amount, however, depends on a number of factors like: Who will be liable to pay the tax, what is included in the tax base, the rate of tax, and indeed, its effect on the traded volumes. Among the many available analyses we would point out a recent analysis of Schulmeister (Schulmeister, 2011). The numbers are based on the actual trade in 2010 and a global FTT with a broad tax base at the level of 0.05%, and a 'medium scenario' for the reduction of the volume of trade. The conclusion was that such a tax in 2010 could have raised the revenue of US\$ 650 billion, or 1.1% of the world GDP (Schulmeister, 2011, p. 6).

There are a number of other estimates based on taxes with different rates and various limitations of tax liability and tax base. Matheson (2011), in the IMF Working Paper mentioned above, gives an overview over a number of these estimates, as well as actual revenues collected from existing taxes. One estimate based on a 0.005% currency transaction tax (CTT) on the four major currencies (US\$, Yen, Euro and Pound Sterling) would alone raise over US\$ 33 billion per annum. Another referred study estimates that between US\$ 117 and 353 billion could be raised annually through differentiated tax rates for different markets (Matheson, 2011, p. 7 and 11). The European Commission (2011), as already mentioned, has

made an estimate for approximately 57 billion Euros every year.

The volume of financial trade is very unevenly distributed between countries. This implies also that the revenue from the tax will be unevenly distributed. In general, the authority implementing the tax decides who should control the use of the revenue. The revenue may or may not be allocated for specific purposes. It is reasonable to expect lively political discussions about the expected revenue in the years to come.

10. Conclusion

An FTT is an innovative form of financing for development with very large potential revenue. The potential revenue of a worldwide tax is far above the present worldwide budgets used for development. In the present economic situation this will open a discussion of dividing the revenue between several purposes, as for example proposed by the "Robin Hood Campaign".

The introduction of FTTs will of course not alone solve the deep problems in the economy like the excessive indebtedness of citizens, companies and states, or the vast differences in income. This is really too much to ask from a tiny tax. However, the positive effects in addition to the revenue should be taken seriously:

- the positive effects of reducing high frequency speculation
- the fairness of the tax in relation to the costs of the financial crises

Last, but not least, compared to other taxes there is a very positive attitude in the population towards this tax. What more can a politician ask from a new tax?

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