



The Nigerian Approach to E-Commerce Taxation and Compliance: Some Legal Considerations and Economic Perspectives

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ABSTRACT

Despite the high volume of e-commerce transactions and the huge virtual tax revenue generated from different online trading platforms worldwide, the tax compliance intention remains low, coupled with the complexity of its legal tax provisions. Several administrative efforts and frameworks have recently been put in place to address these lingering issues. However, information about e-commerce laws and their provisions remains minimal among most users and operators in both formal and informal sectors in developing countries like Nigeria. This paper provides detailed information on global and nationally recognized e-commerce tax provisions that are applicable to Nigerian users. The paper aims to raise e-commerce legal awareness, which will help combat various irregularities in e-commerce trading activities that undermine the intention of tax compliance, thereby promoting timely and increased e-tax remittance.

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INTRODUCTION

One of the ways to help a country's tax authority in minimising the cost of revenue generation for government expenditure is through tax compliance intention. Tax compliance intention looks into people's readiness, tendency, and willingness to comply with legal tax obligations (Salaudeen & Ejiofor, 2022; Utama, Nimran, Hidayat, & Prasetya, 2022). It can also explain and predict compliance behaviour in an economic setting through the interaction of people in social networks (Hashimzade & Myles, 2018; Mu, Ren, & Wang, 2022). Therefore, increasing people's tax compliance intention assists the government in realising and generating more tax revenues for a country's economic growth and development, especially through e-commerce. It is because e-commerce is directly linked to an increase in online sales, tax collections and revenue generation in many countries of the world (Argilés-Bosch, Somoza, Ravenda, & García-Blandón, 2020; Baozhuang, Mu, Cao, & Gao, 2021). More especially during covid-19 pandemic (Saidu, Jibrin, Shagari, Kabir, & Abubakar, 2021).

E-commerce has modernised and enhanced the connections between sellers, manufacturers and consumers in a better way that applies vital tools of financial incentives. For instance, Coppola (2021) reported worldwide e-commerce net sales of 4.28 trillion USD from over two billion online purchases and 5.2 billion online visitors, primarily via mobile devices during the Covid-19 pandemic. Besides, e-commerce on the regulatory level greatly influences the payments of Value Added Tax (VAT) to different nations' economies, as more countries are now moving toward a digital economy (Tofan & Bostan, 2022). Additionally, according to a report by Suominen (2017), 63% of e-commerce traders sell two or more stocks compared to offline traders, thereby increasing their international exposure and revenue generation with 17% more from cross-border trading. Equally, Nigeria strives to ensure it generates revenues from e-commerce platforms by collecting digital services taxes.

Consequently, Nigeria is ranked second in Africa and 75th globally in the Business to Customer (B2C) digital services index for e-commerce operations (Cebreiro-Gómez, Clavey,

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Estevão, Leigh-Pemberton, & Stewart, 2021; Charlemagne Igwe & Alinsato, 2021). Nigeria had around 108.75 million internet users and ranked fourth in Africa, with 53.2 B2C index value points in e-commerce (Varrella, 2021). Furthermore, according to Global E-Commerce Intelligence (2019), in Nigeria, 1% of adults traded e-commerce daily, 23% weekly, and 41% once, where 51% of the purchases were from online shoppers. The statistics indicate Nigerian citizens' active participation and university students' inclusion in utilising e-commerce resources and platforms in Africa and worldwide.

Unfortunately, tax compliance intention, especially in e-commerce, is not utilised as expected worldwide. Statistically, tax non-compliance intention in some countries, like the Middle East, has risen by 48% (Alshirah, Alsour, Lutfi, Alsyouf, & Alshirah, 2020). Similarly, tax revenue in many sub-Saharan African countries continues to be well below the 15% minimum annual target of the United Nations' Sustainable Development Goals due to low and weak tax compliance intention (Dom, Custers, Davenport, & Prichard, 2022). For example, in Nigeria, the tax compliance rate is mainly low, at around 5% of GDP compared to other countries of the world (Herbert, 2020; Oyedele, Agbeye, Erikume, Uwaegbute, & Adu, 2021; Vincent, 2021; Vincent & Ntim, 2021). Besides, the issues of e-commerce and non-tax compliance intention are related to the dynamic tax provisions around the world. That was why Atanassova (2018) notes that the international e-commerce tax legal frameworks affect tax compliance intention and revenue generation around the globe. Thus, the complexity of the tax law also contributes to non-tax compliance (Utama et al., 2022).

Moreover, on the part of recent studies that examined tax compliance intention in e-commerce, very minimal attention was given to the same issues in the African context and other developing countries like Nigeria (Abdullah, Naved Khan, & Kostadinova, 2021; Etimphd, Jeremiah, & Udonsek, 2020; Gupta, Kiran, & Sharma, 2020; Kumar, Lim, Pandey, & Christopher Westland, 2021; Opemuti, 2020; Saidu et al., 2021; Villa, Ruiz, Valencia, & Picón,

2018; Yaacob & Gan, 2021). Against this backdrop, this paper provides the legal positions toward enforcing and collecting indirect taxes on e-commerce from the global position to the Nigerian context.

Tax Compliance Intention

Tax compliance serves as a means of helping the government realise and generate more revenues for the economic development of a given country. Tax compliance is the extent to which individual taxpayers abide by a given state's existing tax laws and regulations. It is also a degree to which people honour their legal tax obligations (Sebele-Mpofu & Ntim, 2020). Tax compliance highlights the willingness, judicious reporting and payment of taxes as a sign of fulfilling tax obligations provided by the law (Kupoluyi, Oloyede, & Oyedokun, 2022; Salaudeen & Ejiofor, 2022; Surugiu, Mazilescu, & Surugiu, 2021). The promotion of tax compliance can be enhanced further when the taxpayers intend to comply with the tax regulation provisions. The tax compliance intention is a key to better revenue generation. According to tax scholars, a tax amnesty, related economic factors such as manufacturing SMEs and non-economic factors like tax education were vital in influencing tax compliance (De Simone, Lester, & Markle, 2020; Kurniawan, 2020).

Similarly, individual tax compliance helps verify the business parties involved while conducting audit traces of e-commerce transaction sources and destinations (Agbo & Nwadiakor, 2020; Agrawal & Fox, 2016; Harbolt, 2019; Scarcella, 2020). In addition, a better understanding of taxpayer behaviour and role helps influence taxpayers' tax compliance behaviour and intention (Bornman & Ramutumbu, 2019). Conversely, when governments fail to provide adequate public services, corporate entities and individuals exchange them for non-tax compliance (Bethencourt & Kunze, 2020). Although non-tax compliance may lead to short-term benefits for the evader, but could also contribute to the eventual loss of everyone in the long run (Hallsworth, List, Metcalfe, & Vlaev, 2017).

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Empirical studies on tax compliance intention have proliferated over the years due to government tax policies, documents and interventions (Lopez-Luzuriaga & Scartascini, 2019). For example, Musimenta and Ntim (2020); Peprah, Abdulai, Agyemang-Duah, and McMillan (2020) found lack of adequate tax education, high tax rate, compliance costs, less income, and high family consumption as the dominant factors affecting tax compliance in some enterprises. In addition, Taing and Chang (2020) also found that tax morale, tax fairness, and complexity significantly and positively influence tax compliance intention among taxpayers. Soon, Derashid and Bidin (2020) also noted that the perceived views of peers and tax knowledge significantly influence individual taxpayers when they relate to voluntary tax compliance intention.

E-commerce and Taxation Categorisations

The most common taxes associated with e-commerce trading are the VAT and sales tax. Firstly, VAT is a tax more flexible than the sales tax as the seller of goods charges it at a lower tax rate based on the net amount of the transaction than sale or income tax (Bardopoulos, 2015). VAT is an e-commerce solution and transactional indirect tax an individual pays upon consuming goods and services from a given location or source (Bardopoulos, 2015; Beebeejaun, 2020; Olokooba, 2019). Some tax scholars consider VAT as an indirect tax system based on consumption and collected by intermediaries, transferring the tax burden to the final consumers (Agbo & Nwadiolor, 2020; Bardopoulos, 2015).

VAT is considered a multistage tax levied on the manufacturing and distribution process. It enables the tax authorities to collect them at different production stages or on the jurisdiction, where the provider renders the services or where the users utilise the final goods or services (Bardopoulos, 2015). Moreover, traders determined the price level of goods or services with the online payments of (VAT) taxes inclusive (Malmberg & Öberg, 2021). Sometimes, VAT is levied at the final destination in international transactions involving physical

commodities, while in cross-border shopping, the authorities levy it at the origin (Agrawal & Wildasin, 2020; Bardopoulos, 2015).

E-commerce trading warrants the involvement of the tax authorities in collecting VAT on online transactions (OECD, 2019b). In the E.U. member states, the VAT collection relies upon the definite VAT registration requirements of individual VAT legislation (Alexander, 2013; Bardopoulos, 2015). That was why the OECD (2021a) recommends re-evaluating taxes as highly needed to ensure a fair, efficient and progressive tax system worldwide. The OECD also suggests the full enforcement of VAT on all owners of international e-commerce platforms over their online sales and data sharing and greater cooperation between the online platform owners, marketplaces, and tax authorities toward reducing tax revenue losses (OECD, 2021a; Scarcella, 2020). In some countries like Mauritius, government tax authorities introduced a comprehensive VAT tax system for non-resident e-commerce platform providers of digital or electronic trading and services to online consumers (Beebeejaun, 2020). Similarly, adult individuals and corporate entities in Nigeria are obliged to pay direct and indirect taxes where applicable, at the State level to the States Internal Revenue Services and at the Federal level to the Federal Inland Revenue Service (Olokooba, 2019).

Furthermore, individual taxpayers also pay direct sales tax to the relevant tax authority at a specific rate over the profit realised at a given period. It is a tax paid by a taxpayer who directly bears the burden and also collected on the proceed of sole traders or as part of company income tax on the retail sales of a business at a given location (Agbo & Nwadiolor, 2020; Bardopoulos, 2015; Olokooba, 2019). Eventually, the most taxing aspect of direct tax in e-commerce transactions is the sales tax consisting of almost all taxable online purchases of goods or services (Agrawal & Fox, 2016). Revenue generation through sales tax in the world's trending digital economy resulted from the growth of e-commerce over the last few decades (Bardopoulos, 2015; Harbolt, 2019).

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Different countries' tax authorities, subject firms engaging in e-commerce trading to pay sales profits taxes (Agrawal & Wildasin, 2020; OECD, 2014, 2019b, 2019c, 2021c). Governments of different countries benefit from such technological advancement when applied to sale tax and policy. Sales tax is paid to the government on behalf of the buyer after a purchase has occurred, although some countries have not yet imposed it on online sales (Zhang & Choi, 2020).

E-commerce and International Tax Legal Framework

The larger the number of jurisdictions involved in multiple e-commerce transactions, the more complicated the legal, tax and accounting problems turn out to be (Atanassova, 2018). E-commerce laws are ethical and advisory that do not distinguish the limits of e-commerce platform owners' liability over third-party patent infringement and related intellectual property rights (Weijun & Li, 2019). The legal issues of international e-commerce agreements are mostly not applicable to the conventional written contract used in local business transactions, making the settlement of network infringement disputes tough (Luzhao, 2020). They are mostly not applicable because there is a considerable lack of explicit and international acceptable judicial norms concerning e-commerce in accounting and taxation, resulting in divergences in e-commerce tax regulations and government policies (Atanassova, 2018).

One of the frontiers that promote and regulate the collection of online sales taxes is the Organisation of Economic Cooperation and Development (OECD). The OECD is a Paris-based international organisation that promotes global economic and social policies for the development of people (OECD, 2021a). The organisation has 37 European member countries, including Austria, Australia, Belgium, Canada, Chile, Colombia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland,

Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States.

Through the OECD/G20, the member states proposed a framework in July 2013 for regulating e-commerce and related digital economy taxes around European nations known as BEPS (OECD, 2021c). They further opined that the framework was an international tax rule of the century designed to be implemented by member states to change countries' domestic tax laws, practices, and agreements. Later, OECD extended BEPS membership to other countries of the world. As a result, BEPS membership now includes Nigeria, among other international nations involved in further developing the framework on whose action implementation report was submitted by the OECD on 17th February 2021 (FIRS, 2021; OECD, 2019a, 2021c). BEPS package or framework also attracted the attention of over 135 countries around the world who collaborated in putting to an end the tax avoidance approaches used by firms, e-commerce platforms owners and individuals who exploit taxation gaps and mismatches in e-tax rules around the world (OECD, 2014, 2019a, 2021c).

E-commerce Laws in International Tax System

Different nations and international organisations put several efforts into drafting e-commerce laws applicable to the international tax system. Opemuti (2020) opined that the United Nations Commission on International Trade Law (UNCITRAL) was established in 1996. It was later amended in 1998 and enacted via the United Nations General Assembly Resolution 2205 (XXI) of 17th December 1996. UNCITRAL founded the e-commerce model currently used globally and adopted in Nigeria. Users' participation, marketing of intangible assets, and significant digital presence from non-resident countries are parts of the international tax law perspective changed to unilateral fiscal policies (Turina, 2020). The provision in the UNCITRAL model on e-commerce further informed the significant validity of the conventions, evidence, electronic presence, online payment system and related e-commerce

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laws peculiar to online business transactions (Opemuti, 2020).

Addressing the issues brought about by the digitalisation of the economy in line with e-commerce, the European nations advocated a law proposal on an interim solution that centred upon a levy on digital services and a long-term solution on the significance of digital presence (Christie, 2021; Turina, 2020). Furthermore, the OECD and G20 countries established and implemented the BEPS package, an enhanced international tax framework that warrants profits to be taxed or levied where economic activity and value creation occur (Argilés-Bosch et al., 2020; Christie, 2021; IMF, 2015; OECD, 2019a, 2021c). They also opined that several countries, including the United States, the E.U. member states and India, have also enacted initiatives to address the issues posed by e-commerce and digital economic taxation. Furthermore, the suggestion of OECD on BEPS Action Plan One, which focuses on the taxing of digital and e-commerce services, inspired many countries to extend their scope of indirect electronic taxation laws to the international standard (Beebejaun, 2020; OECD, 2017, 2019a, 2019b, 2019c, 2021b, 2021c; Scarcella, 2020). As a result, the extension of the electronic taxation laws now paves the way to regulate e-commerce platform activities in most countries.

E-commerce Laws Challenges

E-commerce laws and regulations in line with the online trading legal systems did not go well in many nations. The tax challenges and the Base Erosion and Profit Shifting (BEPS) concerns raised by the global digital economy via the multinational online enterprises brought through the e-commerce online payment services, online application stores, online advertising, cloud computing and regulated networked platforms with high-speed transactions are devastating to the nation's tax systems (OECD, 2014, 2019a, 2021c). Most issues associated with e-commerce are related to legal jurisdictions, financial, managerial, taxation, and forensic or financial auditing (Atanassova, 2018). That ends up generating additional challenges for tax policymakers globally. Besides, online sales have

constrained enforcing the traditional VAT laws and put it at a higher risk of tax evasion and fraud (Scarcella, 2020). Decreased tax revenues have also led to different governments' rapid revenue deficits and debt increases in many developing economies (OECD, 2021a).

The e-commerce software is not well balanced to serve commercial, accounting, taxation, and reporting purposes, resulting in the inability to detect and record some self-created intangible assets (Atanassova, 2018). Furthermore, suppliers must agree with the platform owners considering the wholesale contracts where the platform owners will choose retail prices or agency contracts. As a result, the e-commerce taxation issue includes tariffs and taxes under different conditions in different countries (Luzhao, 2020). In addition, charges on the cost of the goods sold and total revenue generated over time are also part of the e-commerce laws' challenges.

However, the utilisation of e-commerce globally has brought about some critical challenges in contributing to nations' tax compliance and revenue generation (Tang & Zhu, 2020; Zhou, Sun, Ma, & Chen, 2018). Notably, despite the rapidly developing new business technologies in every aspect of life, some online users have difficulty adjusting to the advancement of technological changes (Na, Lee, & Yang, 2021). Similarly, the digital technology optimism of some countries responsible for an effective digital transformation strategy has not received adequate attention (Jafari-Sadeghi, Garcia-Perez, Candelo, & Couturier, 2021). The lack of proper technological optimism and attention leaves many local technology users grappling to meet the demand and advancement of the new e-commerce business activities, let alone increase their compliance intentions.

E-commerce in the Nigerian Tax System

Nigeria's tax system comprises the tax policy, legislation, and administration with some basic legal and regulatory requirements that promote tax incentives for attracting foreign direct investment (Adeosun, 2017; Dike, 2014). The tax incentives policies address tax policy and effective

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tax administration in Nigeria. One of the standard tax policies in Nigeria is the NTP published in 2012 (Adeosun, 2017). Moreover, Chapter 2 of the Constitution of the Federal Republic of Nigeria 1999 contains relevant objectives and guiding principles of the Nigerian NTP (Adeosun, 2017; Federal Government of Nigeria, 2021; FIRS, 2012, 2021).

Concerning levying and paying taxes, under part one of the second schedule, the Nigerian constitutional law stipulates that the Senate and House of Representatives can make tax laws or impose a tax on the exclusive and concurrent legislative list (Olokooba, 2019). The Federal Government of Nigeria designed the country's tax system to promote fiscal responsibility and accountability, growth and development, public goods and services, tackle inequalities in income distribution and economic stabilisation, and contain market failures or imperfections (Dike, 2014). Some of the tax policies as parts of Nigerian tax laws enforced in the country include:

1. Capital Gains Tax Act (CGT) CAP C1 LFN, 2004 (commencement 1st April 1967)
2. Companies Income Tax Act (CITA) CAP C21 LFN, 2004 (commencement 1st January 1958)
3. Deep Offshore and Inland Basin Production Sharing Contracts Act
4. Education Tax Act CAP E4 LFN, 2004 (commencement 1st Jan 1993)
5. Federal Inland Revenue Service (Establishment) Act No. 13 of 2007
6. Industrial Development (Income Tax Relief) Act
7. Industrial Inspectorate Act
8. Insurance Act of 1997 (as amended)
9. Investment and Securities Act, 2007
10. National Information Technology Development Agency Act (NITDA)
11. Nigeria LNG (Fiscal Incentives, Guarantees & Assurances) Act
12. Personal Income Tax Act (PITA) CAP P8 LFN, 2004 (as amended in 2011)
13. Petroleum Profits Tax Act (PPTA) CAP 13 LFN, 2004 (commencement 1st January 1958)

14. Stamp Duties Act CAP S8 LFN, 2004 (commencement 1st April 1939)
15. Value Added Tax Act (VATA) CAP D1 LFN, 2004 (commencement 1st Dec, 1993) (Dike, 2014, p. 5; FIRS, 2012; Olokooba, 2019).
16. Financial Act (2020) as amended

These laws regulate the deduction of taxes from funds generated from individuals' incomes like the personal income and development taxes, the companies' incomes from corporate entities at the rate of 30%, the technology development levy, petroleum profits tax at 50% and 85%, capital gains tax at 10%, stamp duties, export duty, import duty and excise duty (Dike, 2014; FIRS, 2012). However, Nigeria is increasingly adopting e-commerce. Therefore, transacting any form of business, whether online-based or manual-based, is guided by the law enacted in Nigeria or agreed to be part of it based on international business treaties. For example, section 93(2)(3) of the Nigerian Evidence Act 2011 posits that an electronic signature concerning a data message sufficiently used in the context of commercial activities conveniently satisfies any requirement for a handwritten signature and is enough to be identified as an electronic detail to an individual (Opara, 2014; Opemuti, 2020).

Similarly, in January 2020, a new Finance Bill in Nigeria was signed into law and is now referred to as the Financial Act 2020. The new Act provides significant economic importance for taxing the non-resident corporate entities operating digital services like technical, management, consultancy and e-commerce business activities in Nigeria or to Nigerians (Agbeyi & Kasali, 2021; Aslam & Shah, 2020; Federal Government of Nigeria, 2021; FIRS, 2021; Oyedele, Chime, & Olaniyi, 2021; Oyedele & Erikume, 2019). The Financial Act 2020 empowers the FIRS to use online technology in compiling taxpayers' information, tax administration, and tax collection on certain online transactions (Federal Government of Nigeria, 2021; FIRS, 2021; Herbert, 2020; Oyedele, Chime, et al., 2021). They observed that the new Act allows the FIRS to ensure that the non-

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residents' platforms comply with tax obligations. In addition, it also includes filing of online CIT returns, compulsory VAT registration and TIN acquisition due to their Significant Economic Presence (SEP) in Nigeria as provided under Section 6(A) of PITA.

The e-commerce platform owners or any expatriate earning business profits from Nigeria are subject to be taxed under Section 6 of PITA and subjected to withholding tax of approximately 5% for individuals, resulting in double taxation of the profits earned (Agbeyi & Kasali, 2021). Furthermore, the e-commerce platform owners providing online SEP in Nigeria must also file their CIT returns detailing complete audited financial statements of their global business operations and those concerning their Nigerian online business operations (Oyedele, Chime, et al., 2021). In addition, the income of non-resident staff virtually earned from technical, management, professional and consultancy services is also subjected to tax in Nigeria (Federal Government of Nigeria, 2021; Oyedele, Chime, et al., 2021; Oyedele & Erikume, 2019).

E-commerce platform operators that provide payment or financial services to Nigerians under the Consumer Protection Framework of 2016 must comply with the CBN's provision (Elegushi & Ntamere, 2021). They further asserted that if e-commerce operators provide e-commerce operations in mobile communications, they must comply with the NCC and CCPR of 2007. Ignorance of such laws provisions is never an excuse for e-commerce operators in and around Nigeria to breach any part of the law, affecting their businesses or resulting in Court cases (Opemuti, 2020).

Moreover, the informal sector's lack of a robust tax framework, lack of tax legislation review, and high networked individuals decrease Nigeria's revenue base and create inequities in relevant sectors (Adeosun, 2017). Furthermore, according to Agbo and Nwadior (2020), the rise in the volume of cross-border transactions and digitisation of information makes e-commerce activities very difficult to trace the transactions' sources and destinations in Nigeria, thereby creating colossal tax revenue losses. In addition,

enforcing complete tax laws is becoming tough on e-commerce compared to the Paragraph 7 provision of the PITA, which warrants the collection of taxes on incomes of non-resident individuals derived from sources in Nigeria (Agbo & Nwadior, 2020). Moreover, the lack of compliance with PITA mostly happens in private business firms than public firms, as found in some studies (Agrawal & Wildasin, 2020; Argilés-Bosch et al., 2020; Jianjun, Wang, & Wu, 2020; Josep, Ravenda, & Garcia-Blandón, 2020; Kovermann & Wendt, 2019; Lim, 2020; Muslim & Setiawan, 2020; Scarcella, 2020; Tanya, 2020).

However, the Laws of the Federation of Nigeria (LFN) consider an act illegal and unauthorised for anyone to carry on a business in Nigeria without due registration of the business entity, company or enterprise with the Nigerian relevant agency (Elegushi & Ntamere, 2021; Federal Government of Nigeria, 2021; FIRS, 2021; Opemuti, 2020). It is contained in the Corporate Affairs Commission (CAC) LFN of 2004. They further asserted that it was also made compulsory under the NITDA Act for all companies or individuals operating an e-commerce business to register with National Information Technology Development Agency (NITDA) on the business they operate or are about to commence. Furthermore, under the provision of the FCCPA of 2019, Elegushi and Ntamere (2021) note that business entities in Nigeria that aim at generating profit are obliged to display the actual prices of their goods and services. The provision tries to prevent a business transaction or engagement that is unfair, unreasonable or unjust while satisfying the public consumers.

E-commerce and VAT Enforcement in Nigeria

The new provision in the Financial Act of 2020 has now changed the collection of VAT in Nigeria from its earlier restriction on only the registered businesses and non-resident entities carrying on business in Nigeria to now making it mandatory for every e-commerce platforms owners supplying goods and services in Nigeria (Federal Government of Nigeria, 2021; Oyedele, Chime, et al., 2021). As a result, the VAT tax rate in Nigeria is calculated on certain goods and

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services at 7.5%, as provided under Sections 5 and 6 of the VAT Act 2004 as amended under Financial Act 2020 (Agbeyi & Kasali, 2021; Olokooba, 2019). Furthermore, the VAT Act stipulates that any person obliged to pay VAT and refuses to comply with the requirement has under Section 39 of the VAT Act committed an offence and is subject to a fine of N10,000, N30,000 or imprisonment for six months or both combined (Agbo & Nwadiolor, 2020; Herbert, 2020; Olokooba, 2019).

Furthermore, Nigerian tax authorities face significant challenges regarding monitoring, collecting, and tracking the relevant e-commerce transactions regarding direct taxes like online sales and indirect taxes such as VAT taxes (Agbo & Nwadiolor, 2020; Herbert, 2020). In support of this assertion, Etimphd et al. (2020); Opara (2014) found that lack of technical capacity, outdated tax legislation, electronic fraud activities, corruption, and infrastructural decay led to poor implementation of VAT on e-commerce platforms in Nigeria. Lastly, Section 39 of the VAT Act provides for an authorised tax officer to get to any business premises at any time convenient without using a warrant once he notices that a business requiring the collection of VAT but not been reported (Olokooba, 2019). It is to ensure whether VAT Act is being complied with or not in a given business setting.

The informal sector contributes to a large part of tax non-compliance sectors in Nigeria (Augustine, Samuel, & Babatunde, 2020). However, most e-commerce platforms in Nigeria fall under the informal sectors that essentially contribute to non-tax compliance intention. Similarly, the federal government of Nigeria note that some social media providers under the informal sectors did not register their e-commerce platforms with the proper authorities but engaged in e-commerce business activities (FIRS, 2021; Ogundele, Akowe, Ogunwale, & Onanuga, 2021; Oyedele, Chime, et al., 2021). It thereby promotes non-tax compliance intention and revenue shortages. Tax and revenue deficiencies left the Nigerian government to borrow funds from national and international financial institutions. Lastly, the devastating part is that such borrowing

had put Nigeria among the top developing countries with a high external borrowing rate to finance its annual budget deficit (World Bank, 2021).

E-commerce, Tax Compliance and Online Tax Payment

The introduction of information technologies in tax administration is becoming increasingly significant. It helps domestic and international businesses improve service quality, service delivery, and relevance in providing tax information of users to the relevant taxpayers (Tran & Hong, 2021). E-commerce trading laws now require the users to pay a certain amount of levy as tax to the nation's tax authorities where such transactions occur or where such sales profits occur as tax compliance to the existing tax laws. The conventional mode of paying taxes by individual taxpayers was through cash payment, but with the advancement of technology, it has now moved to online payment techniques. According to Bestaria, Sinagab, and Saudi (2019), the online tax system helps public members obtain tax information and ease tax payments. However, most of the online tax payments by taxpayers are through the third-parties.

Similarly, the tax payments are made by directly paying taxes, using online or electronic means or through third parties appointed by the government (Solichin & Astuti, 2021). The third-party online payment platforms are the modern means of online tax payment that simplifies tax payment directly from taxpayers' homes or offices without being physically present in the tax administration office.

The online tax payment first requires online tax filing of returns. This online taxation technique enables taxpayers to file tax returns using internet-connected devices (Tran & Hong, 2021) due to their online knowledge of payment, behaviour, and consumption (Yu, Chen, Yao, & Liu, 2021). Furthermore, it is transmitted directly to the tax authorities via the internet, without a post, paper submission, or personal delivery. Tran and Hong (2021) further opined that it is entirely online taxation between the taxpayers and the relevant tax authorities who do not physically interact but

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use virtual means for tax operations, declaration and filing. Therefore, online tax declaration and e-tax payments provide the most advanced technology breakthrough in tax administrative procedures and the gradual modernisation of taxation. In addition, it raises taxpayers' satisfaction with online services provided by tax authorities and saves time.

CONCLUSIONS AND RECOMMENDATIONS

E-commerce has promoted online business transactions and fast delivery of goods and services over long distances worldwide. It has also contributed to an increase in tax revenues of many economies. However, one of its great challenges is the high concealment of transactions which leads to loss of tax revenues and difficulty tracing virtual transactions, especially the non-registered e-commerce business ventures from informal settings. Different legal frameworks were recently implemented to checkmate the despicable business activities worldwide. Yet, there is more to be done on e-commerce operators using the informal sectors not corporately recognised by the states. Tackling such issues and adjusting the existing e-commerce tax laws will ensure more revenue supply from e-commerce business transactions and tax revenues worldwide. In addition, a minimum tax rate is greatly needed to motivate informal e-commerce operators and users to comply with the state's tax provisions.

To address the challenges related to tax evasion and loss of revenue in e-commerce, three key recommendations can be proposed. Firstly, governments should strengthen regulation and enforcement measures, specifically targeting non-registered e-commerce ventures operating in informal sectors. This entails implementing stricter monitoring, conducting regular audits, and imposing penalties for non-compliance. Secondly, international cooperation should be improved to establish common standards and facilitate information sharing among countries to effectively trace and regulate virtual transactions in e-commerce. Lastly, the introduction of a minimum tax rate for informal e-commerce operators could serve as an incentive for compliance with tax

provisions, bridging the gap between formal and informal sectors and encouraging fair taxation practices. By implementing these recommendations, it is possible to enhance revenue collection from e-commerce transactions and mitigate the challenges associated with tax evasion.

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