



LJUBLJANA SUMMER SCHOOL 2012

COURSE TITLE: TAXES AND CORPORATE TAX BURDEN

Bachelor Course

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ECTS credits 6 ECTS

Aims of the course:

This course will address the practical aspects of taxation relevant to Companies – both in the national and international perspective. Part of the course will be also dedicated to Multinational Enterprises - MNE's, where the students can explore the important tax considerations to companies in cross-border transactions.

The class will review diverse areas of comparative company taxation important for Multinational enterprises as well theoretical and practical guidance of how to navigate between the complex rules of different jurisdictions and at the same time manage the tax opportunities and challenges as well as tax attributes of the financial statements.

Practical real business cases will be discussed to demonstrate the role of international double tax treaties, the limitations of a certain jurisdiction in a cross border transaction. The course will cover different tax considerations relevant under different business and economic circumstances.

Students will study both perspectives:

Tax as a Cost – perspective of companies and learning the fundamentals of understanding tax as a cost that companies seek to manage by Tax Planning techniques, while also understanding the legal and ethical aspects of tax planning, tax avoidance and distinguish these from tax evasion.

Tax as Revenue – perspective of governments and learning about the importance of taxation as tax revenue and its contribution to that state budget as well as techniques of using the corporate taxation as instrument for attracting commercial activities into certain regions, territories or jurisdictions.

Tax competition between different companies and the benefits and dangers arising from this for the companies will be also addressed as well as the implications of the EU legislation and harmonization efforts – e.g. creation of Common Consolidated Corporate Tax Base (CCCTB).

Instructor will develop opportunities to meet with the Slovenian based international tax experts to provide also the local element to the discussions and to encourage further research of students.

See feedback of students taking this course last year:

<http://sites.google.com/site/catrcz/catrc-events/catrc-international-experience/ljubljana-summer-school-2011>

Course syllabus

Days	Topic(s)	Activities/Requirements/Guiding questions
1	<p>Introduction/Orientation to the course</p> <ul style="list-style-type: none"> - Tax as a Cost and Tax as a Revenue - Principles of a good tax - Introduction to cross-border tax issues - Residence Based Taxation - Source Based Taxation - Introduction to tax treaties (Structure & Principles) - Interpretation of tax treaties 	<p>Syllabus review</p> <p>Case studies</p>
2	<p>Taxation of Legal Persons and Their Owners</p> <ul style="list-style-type: none"> - Taxation of dividends - classical vs. imputation system - Taxation of capital gains - Other tax considerations (other types of income) - Fiscal Transparency 	<p>Lectures</p> <p>Practical Scenarios</p>
2	<p>Choice of legal form in new territory</p> <ul style="list-style-type: none"> - Tax implications of Branch, Representative Office, Subsidiary, Agency 	Case studies
3	<p>Tax issues related to existence of Permanent Establishment</p> <ul style="list-style-type: none"> - Introduction to perspective of country of source + country of residence - Definition of Permanent establishment (comparison treaty vs. domestic law, comparison between various treaties) - Definition of activities that do not create a permanent establishment (comparison treaty vs. domestic law, comparison between various treaties) - Attribution of profits to PE (Theory, KZ Tax Law, Tax Treaties) - Considerations in the country of residence (allocation of costs, elimination of double taxation) 	<p>Case studies</p> <p>Meeting with government official</p>
4	<p>Corporate Finance (Equity and Debt) and Related Tax Issues</p> <ul style="list-style-type: none"> - International financing considerations vs. Tax considerations 	Case Studies
4	<p>Use of Holding companies</p> <ul style="list-style-type: none"> - Introduction - Focus on major holding jurisdictions - Kazakhstan as a regional holding jurisdiction 	<p>Group Exercise</p> <p>Meeting with local expert</p>
5	<p>Tax Function in a Multinational Enterprise</p> <ul style="list-style-type: none"> - Introduction and overview of tax function elements - Tax Planning - Tax Compliance 	Case Studies
6	<p>Overview of Anti-abuse legislation including</p> <ul style="list-style-type: none"> - Transfer Pricing - Thin-capitalization, - GAAR, - CFC rules, etc. 	Legal Analyzes
7	<p>Taxation of Investment Funds</p> <ul style="list-style-type: none"> - Overview of Investment Funds business model, structures and rational - Private Equity Fund specifics 	Case Study
8	<p>Taxation of Corporate Reorganizations</p> <ul style="list-style-type: none"> - Introduction to Mergers and Acquisitions - Taxation issues at levels of shareholders & companies) - Perspective of Tax Professional (Tax Due Diligence) 	<p>Case Study</p> <p>Meeting with local expert</p>
9	<p>Taxation as Revenue for Government</p> <ul style="list-style-type: none"> - Contribution to the Budget - Tax Competition and its effects - EU and Harmonization of Corporate Taxation 	<p>Lectures</p> <p>Group Exercise</p>
10	<p>Indirect tax issues related to cross-border transactions</p> <ul style="list-style-type: none"> - VAT and Excise (VAT treaties) - Customs (WTO, Custom's Union considerations) 	<p>Case Study</p> <p>Lecture</p>

Bibliography:

Instructor will provide electronic files with recommended readings and course materials – printable materials, no additional books are needed.

Teaching methods:

Instructor is a seasoned academic and also tax professional with experience in private sector (consulting in PwC, Deloitte) and public sector (Ministries of Finance and Consulting to Governments), who can share both theoretical insights and practical experience.

Material will be presented by a variety of teaching approaches including lectures by the instructor, which will include significant interactive elements. Students will be invited to deliver presentations on their individual study projects and case studies.

There are several in-class exercises, and instructor will make arrangements to invite/arrange guest lectures by tax experts and officials from Slovenia.

Prerequisites:

Students have ideally passed another taxation course, equating to Principles of Taxation or other introductory taxation topic, but it is not a must.

Instructor will be ready to compensate for absence of previous tax education through clarification remarks and explanations in the breaks and out of class meetings.

More advanced students will get additional opportunities to deepen and advance their knowledge.

Examination methods:

1. Progress Exams
2. Degree of participation in in-class discussions and problem-solving.
3. Attendance assiduity
4. Evaluation of student presentations
5. Participation in conferences/paper
6. Final exams

Exam may include problem solving, multiple-choice questions, essay questions, true false questions or other forms of assessment.