

**COURSE DATA****Data Subject**

<b>Code</b>	35966
<b>Name</b>	Tax planning and international taxation
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	4.5
<b>Academic year</b>	2021 - 2022

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. year</b>	<b>Period</b>
1315 - Degree in Finance and Accounting	Faculty of Economics	4	First term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1315 - Degree in Finance and Accounting	23 - Year 4 optional subjects	Optional

**Coordination**

<b>Name</b>	<b>Department</b>
HIGON TAMARIT, FRANCISCO	110 - Applied Economics

**SUMMARY**

Planificación Fiscal y Fiscalidad Internacional (Tax planning and International Taxation) is an elective course (4,5 ECTS credits), included in the subject “Year 4 optional subjects” and it is part of the Module “Elective courses” in the Degree of Finanzas y Contabilidad (Finance & Accounting).

It is a training with professional orientation that facilitates the student's incorporation to any financial company, insurance company, consulting and auditing companies in their administration departments (accounting, finance, costs, treasury, analysis and risk management, analysis of investments, taxes, ...).

In addition, we seek to train people who are professionals, business leaders or entrepreneurs who maintain the highest level of honesty, integrity and service to society which, ultimately, is the hallmark of a true professional.



## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

### Other requirements

No previous knowledge is strictly required but a basic understanding of the principles of taxations are quite important to succeed with this course.

## COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

### 1315 - Degree in Finance and Accounting

- Capacidad para interpretar las cifras calculadas según las distintas alternativas, realizar ajustes en función del objetivo del análisis e identificar criterios que permiten imprimir mayor relevancia a la información.
- Conocer el aparato analítico necesario para anticipar las situaciones de carácter fiscal a las que se enfrente tanto el individuo como la empresa.
- Conocer las situaciones fiscales en las que se va a encontrar una empresa que comercie fuera de España. Conocer y analizar las normas y los problemas relacionados con la fiscalidad internacional.
- Conocer y entender las implicaciones que tienen las normas fiscales sobre las decisiones que debe tomar la empresa.
- Dotar al estudiante de espíritu crítico y analítico a la hora de analizar problemas relacionados con la fiscalidad internacional.
- Capacidad para resolver casos prácticos de aplicación de la normativa estudiada, demostrando un manejo adecuado de los textos legales.

## LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)

- Regarding the general purposes, the University of Valencia states that, regardless of the specific objectives of each module / specific area, it should also ensure future graduates the following:
  - a) The development of critical and reflective capacities.
  - b) Stimulate and encourage their ability to work as a team.
  - c) Encourage and develop their skills and abilities in decision making.
  - d) Strengthen and develop their capacities for analysis and synthesis of socio-economic and business phenomena.



- Ultimately, *Tax planning and international taxation* aims to collaborate in the achievement of these general objectives and develop the initiative, creativity, responsibility and critical thinking of students.
- Regarding the objectives of the Optativity module, the fourth-year optionality has been established so that students can complete their general economy and business training (with subjects such as the EU Business Environment: *Policies and strategies, Valencian economics, Family business, Corporate governance and social responsibility of the company*) or that can, if they opt for it, access subjects that will allow them to deepen and expand knowledge and skills of the proposed degree, especially in the international area, with subjects such as *International business financing, Tax planning and international taxation, Budgetary control and management*, etc.).
- In particular, the objective of *Tax planning and international taxation* is to publicise the variables of personal, corporate and international tax planning, international trade taxation and international double taxation, the Income Tax of the Non-Residents and the anti-circumvention and anti-abuse tax measures.

## DESCRIPTION OF CONTENTS

### 1. Tax planning main variables

- 1.1 The tax rate.
- 1.2 Progressivity of taxes.
- 1.3 Deductions.
- 1.4 The taxpayer
- 1.4 The space and time

### 2. Personal tax planning.

- 2.1 Choice among savings instruments.
- 2.2 Tax planning in the family.
- 2.3 Transmission of personal assets.

### 3. Business tax planning.

- 3.1 To set up a business.
  - 3.1.1 The choice of company form: individual versus corporate.
  - 3.1.2 Census registration statement of the company.
  - 3.1.3 Income determination regimes.
  - 3.1.4 Special VAT schemes.
- 3.2 Business operation.
  - 3.2.1 Acquisition and transfer of assets.
  - 3.2.2 Depreciation of assets.
  - 3.2.3 Financing decisions.
  - 3.2.4 Investment decisions
- 3.3 Transfer, dissolution and succession of the company.



#### **4. International tax planning**

- 4.1. The location of the company
- 4.2. Financial investments
- 4.3. Holding companies in tax planning
- 4.4. Tax havens

#### **5. Consumption taxation**

- 5.1 The VAT and excise duties in the European Union.
- 5.2 Intra-Community acquisitions and the VAT.
- 5.3 Imports and the VAT.
- 5.4 Taxation of electronic commerce.

#### **6. International double taxation.**

- 6.1 Concept and methods for its correction.
- 6.2 Conventions to avoid double taxation.
  - 6.2.1 Scope of application
  - 6.2.2 Business Income.
  - 6.2.3 Artists and athletes.
  - 6.2.4 Transfer pricing.
  - 6.2.5 Dividends and interest.

#### **7. Nonresidents income tax.**

- 7.1 Taxable events and exemptions.
- 7.2 Income obtained without permanent establishment.
- 7.3 Taxation of permanent establishments.

#### **8. Anti-avoidance and anti-abuse tax measures.**

- 8.1 Spanish legislation and measures in the double taxation agreements.
- 8.2 Tax havens.
- 8.3 Thin capitalization.
- 8.4 Controlled Foreign Companies (CFC).

**WORKLOAD**

ACTIVITY	Hours	% To be attended
Theory classes	30,00	100
Classroom practices	15,00	100
Attendance at events and external activities	2,00	0
Study and independent work	30,00	0
Readings supplementary material	7,50	0
Resolution of case studies	25,00	0
Resolution of online questionnaires	3,00	0
<b>TOTAL</b>	<b>112,50</b>	

**TEACHING METHODOLOGY**

During the course we will work the program contents, either theoretical contents or exercises and different tasks that the student must deliver fulfilling some formal requirements and before the deadline. To do this, the should used, if necessary, all the available resources (slides, references, Internet, on-line quizzes, etc.) that are appropriate to achieve the correct fulfilment of the objectives of the course.

In general, the methodology of the classes will combine lectures with a more practical approach (problems and tasks). On the one hand, the teacher will highlight the main aspects of each topic and guide the study through the basic and additional bibliography, which is essential to master the subject; on the other hand, practical session will consist on raising questions and exercises more linked with real world and linked with the economic and legal fields, as well as solving questions of general interest raised by in the teaching materials, problems and recommended exercises. Students must have worked previously this practical exercises that they will solve in each class proceeding to the discussion of the solution and analysis of the essential aspects of the issues raised.

Those teaching materials provided buy the lecturer can be accessed from the virtual classroom, <http://aulavirtual.uv.es>.

**EVALUATION**

In order to evaluate the acquisition of contents and competences to be developed in the module, a diversified evaluation system will be used, selecting the most appropriate evaluation techniques, which allow highlighting the different knowledge and skills acquired by students during the course while studying each subject.

The subjects that form this module shall be evaluated based on the consideration of several aspects:





1. Written examination(s) assessing the achievement of learning outcomes and, in particular, the specific competences of the subject regarding the content and its application.
2. The continuous evaluation of students, based on their participation and involvement in the teaching-learning process. This evaluation will include attendance at class and on-site training activities, as well as practical activities developed through the preparation of papers, resolution of exercises and / or individual or group reports, presented in written and oral form. In the case of activities designed to be presented in class, these tasks will be non-recoverable.
3. The attendance and participation of students in the planned activities will be a basic requirement to be evaluated.

Based on the foregoing, the evaluation will be carried out by applying the following general criteria:

The subject will be evaluated through tests (essay, objective and oral) and through observation techniques:

1. Written exams consisting of theoretical and practical questions (will be a maximum of 70% of the final grade). The grade of 5 out of 10 must be exceeded in this written test, so that it can be added to the rest of the grade.
2. Evaluation of the practical activities developed by students during the course, from the preparation of papers, oral presentations and problem solving. For the evaluation of the proposed activities and tasks, they must be delivered on the date and manner stipulated for each one of them.
3. Continuous evaluation of students, based on their participation and involvement in the teaching-learning process.

The grade derived from points 2 and 3 will suppose a minimum of 30% of the final grade. Observation techniques will allow evaluating the student's ability to work in groups, argue and defend ideas, as well as their attitudes according to criteria of equity, equality and respect for human rights.

1. To pass the subject it will be necessary to obtain a minimum grade of 5 out of 10.
2. The student who has not passed the continuous assessment tests may take the final exam of the subject (70% of the total grade).

3. In the final grade the teacher reserves the right to assess the work of the student throughout the course.

## REFERENCES

### Basic

- Domínguez Barrero, F. (2015). Introducción a la planificación fiscal. Prensas de la Universidad de Zaragoza, Zaragoza.
- Rohatgi, R. (2005): Basic International Taxation, Richmond: Richmond Law & Tax, cop.
- Domínguez Barrero, F. (2017) Planificación fiscal: personal y en la empresa. Thomson Reuters Aranzadi, Cizur Menor (Navarra)



### **Additional**

- Cordon Ezquerro, T (Dir.) (2007): Manual de Fiscalidad Internacional, Instituto de Estudios Fiscales, Madrid.
- Lang, M.; Pistone, P. y Schuch, J. (2008): Introduction to European Tax Law: Direct Taxation, Spiramus Press, London.
- OECD Tax Policy Studies (2009): Taxation of Smes - Key Issues and Policy Considerations, OCDE, Paris.
- Scholes, M.S. et al. (2008): Taxes & Business Strategy. A planning approach (4th Edition). Pearson Academics.

### **ADDENDUM COVID-19**

**This addendum will only be activated if the health situation requires so and with the prior agreement of the Governing Council**

The theoretical classes will be preferably taught face to face, however some of them could be taught on-line, using the different options available in the University of Valencia.

The practical classes of the subject will be based on face-to-face teaching unless the health circumstances do not allow them. In this case, the teaching and the assessment will be adapted to the guidelines prepared by the University.