



Institute for Austrian and
International Tax Law



BBE Bachelor - Specialization "International and European Tax Law"



Welcome to the
Institute for Austrian and International Tax Law



Specialization

“International and European Tax Law”

What are the main topics of the specialization “International and European Tax Law”?

The specialization will cover the most relevant areas of international tax, one of the hottest topics in today’s international debate. This will include the law of international tax treaties (i.e. which state may tax which type of income), international tax policy (e.g. how a tax system could be designed), tax law and policy of the European Union (issues of EU freedoms, state aid, measures against tax avoidance), transfer pricing in MNEs and international business taxation.

Which interests, strengths, and capabilities should applicants of the specialization have?

Students should be interested in (primarily) tax law, but also business, economics and public policy. An understanding of accounting concepts is helpful. The phenomenon of tax should be understood equally as a rule of law based legal issue, as well as a cost for taxpayers and as a revenue source for society. International mindset is important, as the specializations will focus on internal dimensions of tax law.

Which career prospects do graduates of the specialization have?

In their further academic career, graduates are well prepared to apply for international master programs with a focus on tax. In professional practice, there is a high demand for top qualified tax experts. Many graduates with a tax specialization start their professional career in the tax advisory and accounting industry, either to stay there or use this as a first step for a business executive career. In the public sector, government authorities and International Organizations dealing with tax policy issues (like European Union, OECD, UN, World Bank etc.) are in need of tax experts as well.

The institute of Austrian and International Tax Law offers within our specialization five courses (worth a total of 20 ECTS credits):

<i>Course Title</i>	<i>ECTS credits</i>	<i>Credit hours</i>	<i>Type of examination</i>
<i>European Tax Law</i>	4	2	VUE
<i>International Tax Law</i>	4	2	VUE
<i>Tax Law in Practise</i>	4	2	VUE
<i>Transfer Pricing</i>	4	2	VUE
<i>EU tax policy in the area of direct taxation</i>	4	2	VUE

COURSE DESCRIPTIONS

1. European Tax Law

The course deals with the effect of the fundamental freedoms and of the tax directives on domestic tax law. We will analyze the parent-subsidiary directive, the interest and royalty directive and the merger directive as well as their implementation in Austrian tax Law. In addition, the jurisprudence of the Court of Justice of the European Union on the fundamental freedoms will be closely examined.

Having attended the course the students will be able to analyze whether Austrian tax law is in compliance with EU law.

The basics of European Tax Law will be taught in a classical lecture. We will analyze particular problems in the form of case studies.

Prerequisites to pass the course are: Exam: 80%; Class participation: 10%; Clicker: 10%

2. International Tax Law

Why study international tax law? As Benjamin Franklin used to say, in this world nothing can be said to be certain, except death and taxes. Taxes though are a critical factor for individuals, businesses and the States. And this is also true in a cross border context. International tax law affects our daily operations and our relations with other States in the context of international mobility and trade.

In the old days, taxes may have been a single state's local affair. However, in our increasingly globalized and digitalized world, taxes become more central for international policy design!

Who gains? Who loses? What international tax law can do about it? Where is the dividing line between legal certainty and permissible tax planning on the one hand, and the measures aimed at combating abusive practices, on the other?

Answering the above questions and understanding how the global tax environment functions is at the core of the international tax law course. Apart from the policy questions, the course will also address more technical topics following the structure of double tax treaties. Moreover, we will add a further layer of complexity for those who are operating in the European Union by demonstrating how certain rules of the Union law interact with double tax treaties and domestic measures. During this course, students will be able to solve complex questions of international tax law following theory and case studies analysis. The students will also be encouraged to make the first steps into developing critical thinking about the international tax agenda.

More specifically, the course tends to cover the following topics:

- Introduction to the concepts of jurisdiction to tax, double taxation, double non-taxation
- Scope of Tax Treaties
- Allocation rules part 1 (Art 7 and 9 OECD Model Convention)
- Allocation rules part 2 (Art. 10 to 12 OECD Model Convention)
- Allocation rules part 3 (Art. 15 to 20 OECD Model Convention)
- Methods of elimination of double taxation
- Anti-avoidance measures

Prerequisites to pass the course are : Participation: 40%; Exam: 60%

3. Tax Law in Practice – The tax departments of multinational corporations

The aim of the course is to give a comprehensive overview of the activities and the organization of tax departments of multinational corporations. The various tasks are explained reaching from the classic areas of securing tax compliance, tax advice and optimization through to tax reporting, illustrated by "real" cases. Additionally, various forms of organizations will be discussed. In this context, the principles of "tax accounting" - ie the determination of deferred and current taxes – will be conveyed and typical interface issues of tax advice are discussed.

After completion of the course, students will be able to:

- record the key group-relevant specialist topics.
- understand the practical dimensions of tax issues in the context of multinational corporations.
- understand the effects of tax consultancy with other areas.
- identify and effectively address evolving needs for advice.
- understand the accounting effects of various transactions on the tax position under IFRS and to determine the effective tax rate.

The course envisages a continuous active participation of the students and builds on a mix of lecture, discussion and work on case studies. Since specialist topics and their practical applicability are discussed, students are required to think in new directions.

Prerequisites to pass the course are: Participation: 30%; Exam: 70%

4. Transfer Pricing

The 20th century was the age of globalization, which highly influenced business and taxation. While the multinational enterprises (MNEs) took advantage of new possibilities and established their activities all around the world, international policymakers and local authorities faced the challenge of adapting the regulations to the new reality to prevent increasing abuses.

Transfer pricing (TP) is at the forefront of these changes. It is a tool ensuring that MNEs are taxed fairly and under market conditions in each country where they operate. Such rules are needed since 80% of transactions in global trade are performed within MNEs. Even though TP has its roots in tax law, it connects legal and economic aspects of business. With the fast-paced globalization, TP has recently gained more significance than ever. Many high-profile cases of giants such as Google, Apple, Facebook or Amazon prove the central role of transfer pricing in tax schemes. The ongoing international discussion on the taxation of new digital business models will ensure that TP remains one of the most topical and debated branches of international tax law.

With the above in mind, this course aims to familiarize you with the meaning of TP and its basic concepts during six following classes:

- What is this all about? The fundamentals of TP.

Our course starts with the fundamental questions, such as what is TP and why do we need it. We will discuss its historical background and contemporary approaches. International developments and the legal basis for TP in domestic law systems will also be addressed.

- Act as if you do not know each other: the arm's length principle (ALP).

Arm's length principle is at the heart of TP, accepted and used all over the world. Here we discuss what this principle is about and how we apply it.

- How to decide whether your deal is at arm's length? The application of the ALP.

Having introduced the ALP, we go through the steps for its application, such as the delineation of the actual transaction and its comparison with transactions on the free market through functions, assets and risks analysis and comparability analysis.

- TP methods: all the intricacies of pricing transactions under free market conditions.

You will learn about the methods used to set prices at arm's length. The correct choice of a method is one of the primary points of focus of any tax audit and hence it is crucial to make the right choice when assessing the transaction.

- You failed to deal at arm's length and what now? TP adjustments.

During this session you will get to know what happens when the TP established by an MNE cannot be considered to be at arm's length. You will see what tax authorities can do in such a situation, what the consequences on the taxes paid are and what administrative complexities are involved.

- The art of storytelling and evidence building using TP documentation.

You will learn about the basics of TP documentation and the importance of additional evidence in defending the position of an MNE.

- Don't want to have any disputes with tax authorities in the future? Know how to avoid/minimize TP disputes.

During this session you will get to know different legal options available for taxpayers to obtain certainty on TP in order to avoid disputes.

- Already in a dispute with the tax authorities? Your options to resolve the disputes.

Some TP disputes are unavoidable and hence we want to discuss international dispute resolution mechanisms and their interplay with domestic remedies. We will identify characteristics of these mechanisms and discuss their procedural aspects.

- 'Permanent what?' Permanent establishments and profit attribution.

Sometimes MNEs conduct business in a number of countries without a registered company there, but with a permanent establishment (PE). Meanwhile, the host countries of such PEs want to tax profits generated on their territory. In this session, you will learn how to attribute profits to PEs.

After the course, you will be familiar with the concept of transfer pricing as well as the modes of its application and specific intricacies connected with it.

Every unit of the course will consist of two parts – a lecture on the specific topic of the class and case studies to show the practical impact of the issues discussed. The first case study will be discussed by the lecturers with the entire class, whereas the second case study will have to be solved entirely by the

students during each class, divided into groups of 4-5 persons and afterwards presented in front of the other participants.

Prerequisites to pass the course are: Participation: 20%; Exam: 80%

5. EU tax policy in the area of direct taxation

This course introduces students to the basics of EU tax law using case studies. The systematics of EU law as well as tax policy developments, especially in the last decade, will be taught. In addition, students will learn about the functioning of the most important EU directives as well as basic CJEU jurisprudence and the Commission's coordination efforts in the area of direct taxation.

After completion of the course, the students are able to:

- Understand and explain the main features of EU tax law.
- Recognize the systematics of the most important directives in the field of direct taxation.
- Assess international circumstances from the point of view of EU law in terms of tax law.
- Independently process and analyse complex EU tax law issues and practical cases
- Form one's own opinion on the basis of specialist literature and case law.
- Discuss questions at a scientifically high level.

By discussing and solving case studies, students learn the basics of EU tax law. In addition, tax policy issues and developments will be discussed. Within the framework of this course, current special questions of EU tax law will also be discussed.

Prerequisites to pass the course are: Exam: 60%; Participation in the discussion: 20%; Participation in solving the cases: 20%

The Institute for Austrian and International Tax Law.

Our mission. Who we are. What we offer.

Our mission is academic leadership in tax law – at WU and beyond. Our Institute is the largest university-based institution in tax law worldwide. As a hub for the international tax community, we offer a unique academic platform for tax-related research.

OUR RESEARCH AGENDA

Our research is committed to being significant, innovative and inspiring. We aim to be at the forefront of the global tax discussion, delivering high quality scientific impact in publications, at conferences or in the media. We have the capacity to cover a broad range of research areas, including business taxation, VAT, transfer pricing, EU tax law, tax treaties, tax policy and administrative issues. We are also up-to-date with future developments in the field of tax, e.g. digitalisation and the use of technology. We think globally, but also recognise that taxes may be local. We therefore equally cover both national and international topics.

COMMITMENT TO TEACHING

Teaching is a core function, where we develop the next generation of tax professionals. Our teaching is research-led, introducing our students to the latest developments in the tax world. We offer courses on all academic levels (bachelor, master, postgraduate and doctoral). For bachelors, we offer a solid academic education in tax. For masters, our aim is to prepare students for a high-level career, ideally in tax, where our graduates can make the best use of the comprehensive tax education received in our programs. At the doctoral level, we are proud to offer elite programs where the best young tax talents are shaped for their further careers in academia or tax practice. Our postgraduate LLM program, with a truly international faculty, is among the top in the world.

We are committed to excellence in our teaching. We treat our students with fairness and respect. In turn, we ask for their sincere contribution. We teach in German and English (as appropriate), bringing also the international dimension of tax to our students. In our teaching, we apply a case-study approach, giving our students a real-life experience. Furthermore, we connect students with tax practice through projects with our many partners from the private sector, government institutions and international organizations.

ACADEMIC INTEGRITY

We do not compromise on academic integrity. Our work is always objective, truthful and impartial. We are diligent in our research on existing tax laws, as it will give guidance to the judiciary, tax administrations and practitioners. Equally, we are respectful for the relevance our work may have for the design of future tax policies or tax systems. As a legal discipline above all, we see tax as a legal issue governed by the rule of law. As a publicly funded university, we are also particularly mindful of the various roles of tax in modern society, as e.g. an important source of public revenue, a duty toward society, and yet also a cost for taxpayers.

INTERNAL AND EXTERNAL COOPERATION

We promote a culture of cooperation in order to excel in our work. Convinced that we can be more than the sum of our parts, we trust that an exchange of thoughts in an open academic debate will make our research better. We are open to sharing our ideas and projects with other researchers, from WU or other universities. We aim for a multi-disciplinary approach to tax issues where appropriate. To ensure innovation, we promote an open and constructive dialogue with the tax world outside academia, including business, government and international institutions.

PROFESSIONALISM

We aim to provide our staff with an efficient and professional working environment. Our professionalized administration gives our research staff the room they need to focus on their academic work. Though different in task, administration and research staff treat each other as colleagues with mutual respect and collegiality.

DIVERSITY

We welcome diversity and promote gender equality. We are proud that our institute is a melting pot of people from different countries with many different languages and cultural backgrounds. At the same time, we are united through our dedication to tax law, commitment to excellence and professionalism. We have a culture of respect, honesty, personal appreciation, flat hierarchy and mutual support. There is an open invitation for everyone sharing these values to join us.

Be part of it.

For any questions please contact the Institute of Austrian and Internal Tax Law (Front Office): office@taxlaw.wu.ac.at (www.wu.ac.at/taxlaw)