International Taxation

2017-2018

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Office hours: By appointment

Course Description

In international trade, taxation is becoming a key issue and a growing area of importance due to the complexity of operations and worldwide players and the number of rules in the international context.

In any transaction, there is a possible taxation that may be deemed either in the country where the transaction is taking place, or the residency of the companies involved. Thus, the correct decision will necessarily consider the risk involved and a clear picture on net investment return. This allows for an understanding the net cash after paying the corresponding taxes that will be collected.

In a global economy, it may seem that legal and taxation should be uniform, but it is not. Taxation is still regulated by bilateral agreements between countries.

That implies that it is necessary to understand the tax treaties’ schemes, OCDE regulations and international rules to avoid double taxation and any liability. Such questions will be analyzed in class to have a general knowledge and understanding of the key issues that may rise on international trade.

Objectives

This course comprises 4 classes. The main objective is to understand the tax system, especially international to apply it in international business and transactions.

Methodology

Course material will be provided at the end of every class. The class will consist in teacher explanation previous homework to introduce into each subject. Exercises will be done in class to reinforce the teaching.

Evaluation criteria

The evaluation of this course will consist of:

- A written assessment consisting of three parts
  
  (i) test questions
  
  (ii) conceptual development questions and
  
  (iii) a numeric exercise. 60% of the final grade.

Note: This document is only informational, detailed contents and faculty may change.
• Homework and class participation. 30% of the final grade.

Students are required to attend 80% of classes. Failing to do so without justified reason will imply a Zero grade in the participation/attendance evaluation item and may lead to suspension from the program.

As with all courses taught at the UPF BSM, students who fail the course during regular evaluation will be allowed ONE re-take of the examination/evaluation. Students that pass any Retake exam should get a 5 by default as a final grade for the course. If the course is again failed after the retake, students will have to register again for the course the following year.

In case of a justified no-show to an exam, the student must inform the corresponding faculty member and the director(s) of the program so that they study the possibility of rescheduling the exam (one possibility being during the “Retake” period). In the meantime, the student will get an “incomplete”, which will be replaced by the actual grade after the final exam is taken. The “incomplete” will not be reflected on the student’s Academic Transcript.

Plagiarism is to use another’s work and to present it as one’s own without acknowledging the sources in the correct way. All essays, reports or projects handed in by a student must be original work completed by the student. By enrolling at any UPF BSM Master of Science and signing the “Honor Code,” students acknowledge that they understand the schools’ policy on plagiarism and certify that all course assignments will be their own work, except where indicated by correct referencing. Failing to do so may result in automatic expulsion from the program.”

Calendar and Contents

The subjects that will be covered are:

Introduction to taxation.

The concept of tax, tax legislation and how it is applicable to countries of the OECD framework will be analyzed. The different types of taxes will also be discussed.

Different taxes that apply to OCDE countries.

Direct and indirect taxes, how they work and the implications on international trade will be examined.

Taxation of non-residents.

The treatment of resident tax payers and non-residents that act in international transactions, International taxation for companies that act as non-residents and the mechanisms to avoid double taxation will be covered.

Definition of permanent establishment.

The definition of permanent establishment is a key issue where taxes are applied. Business models of multinational corporations will be studied.

International tax planning.

We will analyze the different investment schemes and business models to perform investments in multinational markets.
Bio of Professor

Toni Prat is International Partner of Andersen Tax & Legal and Managing Partner of the Barcelona office. He is Director of the Fiscal Department of the Barcelona office. Toni has more than 20 years of professional experience, having started his professional career in Arthur Andersen and Garrigues, and later founding his own firm; Global Lawyers.

He has experience in tax advice, commercial and corporate law, private equity. Throughout his career, he has advised companies from different sectors; Industrial and production, energy and energy efficiency, sports and entertainment, technology, e-commerce, health, financial and consulting, among others.

Toni has extensive experience representing private equity funds and small and medium-sized enterprises in commercial transactions, including business restructuring, reporting, negotiation and legal direction in merger, acquisition, divestment, leverage, recapitalization and private investment projects.

Toni is a member of the Tax Law Committee of the Chamber of Commerce of Barcelona. As well as Professor of International Taxation in the "International Master of Digital Marketing" and in the Master in "International Business" of the University Pompeu Fabra, ESCI and professor in the "International Master in Accounting and Finance" of the EADA Business School.

Education

- Degree in Law, University of Barcelona.
- Degree in Business Administration and Management, Universitat Abat Oliba - CEU.
- Executive Development Program (PDD), University of Navarra - IESE Business School.
- Program Management and Direction of Law Offices, Harvard University.
- Master of Marketing and Financial Management, EADA.

Languages

- Spanish
- English
- Catalan