

LAWS70146 Tax Treaties

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: September, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Coordinator:	Assoc Prof Michael Kobetsky
Contact:	For more information: Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	Globally, countries have negotiated more than 3,000 bilateral tax treaties and the number of treaties continues to grow. Tax Treaties provides an in-depth examination of international tax treaties, regarding both inbound and outbound investment. This subject uses the Organisation for Economic Co-operation and Development (OECD) Model Treaty and Commentary and examines important tax treaties of Australia and its major trading partners. Associate Professor Michael Kobetsky has advised the United Nations (UN) and country governments on these issues. This lively, engaging and relevant subject equips students to deal with the most topical and advanced issues of international tax in the application and interpretation of tax treaties, including the meaning of permanent establishment and taxation of business profits, residence and source, the treatment of investment income, exchange of information and avoidance of double taxation.

	<p>Principal topics include:</p> <ul style="list-style-type: none"> # The role of tax treaties in preventing double taxation and tax avoidance # Interpretation of tax treaties # Relationship between tax treaties and domestic law # Impact of tax treaties on investing into Australia # Impact of tax treaties on investing overseas # Entities and tax treaties # The mutual agreement procedure # Tax treaties and tax avoidance.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an integrated understanding of Australia's tax treaties regarding both inbound and outbound investment # Have a detailed understanding of tax treaty interpretation using the Organisation for Economic Co-operation and Development (OECD) Model Treaty and Commentary and the UN Model Tax Treaty and Commentary # Be able to critically examine, analyse, interpret and assess the effectiveness of the tax treaty system and its underlying principles # Be an engaged participant in the debate on the controversial issues in tax treaties such as the meaning of permanent establishment and taxation of business profits, residence and source, the treatment of investment income, exchange of information and avoidance of double taxation # Have an understanding of the challenges in the application of tax treaties # Have the cognitive and technical skills to critically evaluate tax treaty principles # Have the communicative skills to articulate and express complex information on tax treaties to specialist and non-specialist audiences # Be able demonstrate autonomy, judgment and responsibility as tax advisers in the field of tax treaties.
Assessment:	Take-home examination (100%) (23-26 October). A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70146/2015
Notes:	This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.