

LAWS70009 Comparative Corporate Tax

Credit Points:	12.5						
Level:	7 (Graduate/Postgraduate)						
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.						
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours 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:	<p>Melbourne Law Masters Students: None</p> <p>JD Students: Successful completion of the below subject:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50046 Taxation Law and Policy</td> <td>Semester 1, Semester 2</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50046 Taxation Law and Policy	Semester 1, Semester 2	12.5
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LAWS50046 Taxation Law and Policy	Semester 1, Semester 2	12.5					
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 Student Equity and Disability Support.						
Contact:	<p>Lecturers</p> <p>Professor Peter Harris (http://www.law.unimelb.edu.au/staff/Peter%20Harris) (Coordinator)</p> <p>Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190</p>						
Subject Overview:	Globalisation is driving corporate tax systems closer together and often into conflict. For many tax practitioners, it is now not enough to know their own corporate tax system—they must grapple with and question the operation of other corporate tax systems. This subject seeks to develop an ability to understand and analyse any corporate tax system and assess its						

	<p>impact on corporate decision-making. With a dedicated textbook (written by the presenter), this subject compares a number of influential and archetypal corporate tax systems (both common law and civil law) and assesses their behaviour in the context of practical problems. For tax professionals, this subject develops an ability to ask direct and informed questions about a foreign corporate tax system and discuss that system at a high level with foreign tax professionals</p> <p>This subject will compare and analyse income tax law in selected countries and consider how these laws interface with corporate law.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Identification of entities (including hybrids) subject to corporation tax # Corporate groups and service companies # Debt versus equity and dividend relief # Cross-border corporate income and dividends # Gains/losses on the disposal of shares, takeovers and trading in loss companies # Corporate formation, share buy-backs and liquidation # Bonus issues, convertible notes, mergers and demergers.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the income tax law and policy of Australia compared with our major trading partners, including the United States, Japan, the United Kingdom, Canada and some European countries, with a particular focus on business taxation # Be able to critically examine, analyse, interpret and assess the effectiveness of these laws and policies # Be an engaged participant in debate regarding emerging and contemporary issues in the field of corporate tax # Have a sophisticated appreciation of the factors and processes driving reform of the legal framework in the countries chosen for comparison # Have an advanced understanding of the significance of the role of the courts in judicial approaches to taxation of corporations in the common law and other legal traditions # Have a detailed understanding of the latest developments and trends in laws dealing with corporate taxation # Have the cognitive and technical skills to generate critical and creative ideas relating to laws and policies dealing with corporate taxation, and to critically evaluate them # Have the cognitive and technical skills to independently examine, research and analyse the key elements and features of corporations tax from a comparative perspective # Have the communication skills to clearly articulate and convey complex information regarding corporations tax to relevant specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of comparative corporations tax.
Assessment:	<p>Assignment (30%) (20 April) Take-home examination (5,000-6,000 words as specified in the subject reading guide) (70%) (20 - 23 May) or 7,000 word research paper (70%) (6 July) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Links to further information:	<p>www.law.unimelb.edu.au/subject/LAWS70009/2016</p>
Related Course(s):	<p>Graduate Diploma in Corporations and Securities Law Graduate Diploma in International Law Graduate Diploma in International Tax Graduate Diploma in Legal Studies Graduate Diploma in Tax</p>

Juris Doctor
Master of Commercial Law
Master of International Tax
Master of Law and Development
Master of Laws
Master of Public and International Law
Master of Tax