

LAWS70203 Transfer Pricing: Practice and Problems

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: September, 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:	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 Student Equity and Disability Support.
Contact:	Lecturers <u>Associate Professor Michael Kobetsky</u> (http://www.law.unimelb.edu.au/staff/Michael%20Kobetsky) (Coordinator) <u>Ms Shannon Smit</u> (http://www.law.unimelb.edu.au/staff/Shannon%20Smit) 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:	International transfer pricing is the price charged for the cross-border transfer of assets or services between associated enterprises in a multinational enterprise group. Transfer pricing is consistently identified in international surveys of multinational enterprises as the most important tax issue they face. Multinational enterprises have to deal with demands from the various jurisdictions in which they operate as national tax agencies implement measures to protect their revenue from cross-border trade between associated entities. This subject studies the Australian transfer pricing rules and their application. The Australian transfer pricing rules are based on the Organisation for Economic Co-operation and Development (OECD) Transfer Pricing Guidelines. This subject is designed for tax advisers,

	<p>in-house tax managers, government officials as well as those practising in transfer pricing. A background in transfer pricing is not required.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # OECD guidelines on transfer pricing # Australia's tax legislation and tax rulings on transfer pricing # Australia's tax treaties and transfer pricing # Case law # Transfer pricing methodologies—selection and application for the following transactions in respect of tangible goods, intangible assets, services and financial transactions # Transfer pricing documentation requirements # Performing a comparable search (benchmarking) # Completing the transfer pricing section of the tax return # Risk reviews and audit approach.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an integrated understanding of aspects of Australian transfer pricing rules, case law and aspects of the OECD Transfer Pricing Guidelines # Be able to critically examine, analyse, interpret and assess the effectiveness of the transfer pricing rules and principles # Be an engaged participant in the debate on the controversial issues in transfer pricing # Have an understanding of the challenges in applying the underlying arm's length principle to intra-group cross-border transactions # Have the cognitive and technical skills to critically evaluate the transfer pricing principles # Have the communicative skills to articulate and express complex information on transfer pricing to specialist and non-specialist audiences # Be able to demonstrate judgment and responsibility in the field of transfer pricing.
Assessment:	<p>Class participation (10%) Take-home examination (5,000-6,000 words as specified in the subject reading guide) (90%) (4 - 7 November) 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/LAWS70203/2016</p>
Related Course(s):	<p>Graduate Diploma in International Law Graduate Diploma in International Tax Graduate Diploma in Legal Studies Graduate Diploma in Tax Master of Commercial Law Master of International Tax Master of Laws Master of Public and International Law Master of Tax</p>