



THE CYPRUS INTERNATIONAL INSTITUTE OF MANAGEMENT  
COURSE UNIT DESCRIPTION

Course Unit Title	European and International Tax Law	
Course Unit Code	FL550	
Type of Unit	Core	
Level of Course Unit	Second cycle	
Year of Study	First/second year	
Semester	On demand	
Number of ECTS Credits	6 ECTS	
Course Unit Objectives	<p>International taxation is the study or determination of tax on income/ profit of an individual or enterprise, subject to the tax laws of different countries. In essence, international taxation refers to the global tax rules that apply to transactions between two or more countries (also called States) in the world. It encompasses all tax issues arising under a country's income tax laws that include some foreign element. Taxes are not international. However, there is no separate global tax law that governs cross-border transactions. In particular, there is no international tax court or administrative body for international tax issues. All taxes are levied under their domestic law by federal, national or local governments. As these tax laws have an impact on cross-border transactions, countries must therefore be careful to reach a balance in their tax policy between the legitimate right to exercise their tax sovereignty and taxing taxpayers in their jurisdiction, on the one hand, and the need to avoid double or multiple taxation that may hamper international operations and cross-border capital, on the other hand. They must not lose sight of the existence of other undesirable phenomenon such as double non-taxation.</p> <p>The task is not simple, no doubt, but the magnitude of the problem of aggressive tax planning requires a response of equal magnitude by tax authorities across. At the level of the European Union, the commission has striven to achieve significant harmonization of both direct and indirect taxes. Its efforts so far have been directed towards tax base harmonisation. Apparently, Member States are relatively free to compete on tax rates provided there is no ring fencing. Taxation policies across the EU must effectively be based on prevention, to hinder and prevent the development of schemes of fraud and abuse of tax agreements, but also in the design of exemplary sanctions for the most aggressive behaviors of harmful tax planning.</p>	
Learning Outcomes	On completion of this course students are expected to be able to:	
	CILO 1	Provide students with a broad knowledge of some of the concepts of international tax law, including treaties and regional tax agreements.
	CILO 2	Elaborate on the Objectives of International Taxation
	CILO 3	Comprehend the Legislation of International Taxation
	CILO 4	Comprehend Jurisdiction of Taxation
	CILO 5	Comprehend and analyze Double Taxation Conflicts
	CILO 6	Familiarize with the Principal Purpose Test
	CILO 7	Comprehend Other Tax Planning Issues: Transfer Pricing; Thin Capitalization; Tax Havens
Name of Lecturer(s)	TBA	
Mode of delivery	Face to Face	
Prerequisites or corequisites		
Course Content	An Overview of International Taxation	CILO 1

		Principles of International Tax Law	CILO 2,3,5
		Impact of Domestic Tax Systems	CILO 1, 5
		Tax Residence or Fiscal Domicile	CILO 3, 5
		Source of Income or Gain	CILO 6
		Basis of Tax Computation	CILO 6, 7
		Treatment of Tax Losses	CILO 6,7
		Advance Tax Rulings	CILO 6,7
		Passive Income	CILO 6,7
		Foreign Tax Relief	CILO 7
		Sources of European Tax Law and EU ITA	CILO 3,5,7
		EU Tax directives and CJEU direct tax jurisprudence	CILO 4,6,7
		WTO law in the area of direct taxation	CILO 5,6,7
Recommended or required reading		<p>Textbooks:</p> <p>R. Avi-Yonah, International Tax as International Law, CUP, 2007  F. Gurry, F. Abbott and T. Cottier, International Intellectual Property in an Integrated World Economy, 3rd ed., Wolters Kluwer, 2015  Miller, A &amp; Oats, L, Principles of International Taxation (Totel Publishing 2009,)  Russo, R (Editor), Finnerty, CJ (Author), Merks, P (Author), Petricione M, (Author), Fundamentals of International Tax Planning (IBFD July, 2007)  Holmes, K, International Tax Policy and Double Taxation Treatates (IBFD, 2007)  European Taxation (Amsterdam: International Bureau of Fiscal Documentation) Abbreviated as “E.T.” Intertax (Deventer: Kluwer Law and Taxation Publishers).</p> <p>Lang, Pistone, Schuch, Staringer (Hrsg.) Introduction to European Tax Law on Direct Taxation, Linde Lehrbuch, 2018 (required)  Lang, Pistone, Schuch, Staringer (Hrsg.)CJEU - Recent Developments in Direct Taxation 2018, Linde, 2019.  Lang, Introduction to the Law of Double Taxation Conventions, Linde 2013  Pinetz   Schaffer (Hrsg.), Limiting Base Erosion, Linde, 2017</p> <p>Further reading  European Union Corporate Tax Law (Cambridge University Press, 2013)  Advanced Issues in International and European Tax Law (Hart Publishing, 2015); ISBN: 1849466955  Research Handbook on EU Tax Law (Edward Elgar Publishing), edited together with Professor Edoardo Traversa and Professor Werner Haslehner (forthcoming). The Compatibility of the OECD/G20 Base Erosion and Profit Shifting Proposals with EU Law”, 70 [2016] 1/2 Bulletin for International Taxation; ISSN: 0007-4624 Are the BEPS Proposals Compatible with EU Law – Part 1”, Bloomberg BNA Tax Planning International Review, January 2016, pp.1-6; ISSN: 0309-7900  Are the BEPS Proposals Compatible with EU Law – Part 2”, Bloomberg BNA Tax Planning International Review, February 2016, pp.1-7; ISSN: 0309-7900 – forthcoming  Aare the BEPS Proposals Compatible with EU Law – Part 3”, Bloomberg BNA Tax Planning International Review, March 2016; ISSN: 0309-7900 - forthcoming Are the BEPS Proposals Compatible with EU Law – Part 4”, Bloomberg BNA Tax Planning International Review, April 2016; ISSN: 0309-7900 – forthcoming</p>	
Planned activities and methods	learning and teaching	Lectures, in-class discussions and debates; in-class exercises; team work; exercises which demonstrate the usage of statistical tools available in Microsoft Excel; problem sets; presentations.	

Assessment methods and criteria	10% Class participation 15% Group assignment 75 % Final exam (24hr take-home exam)
Language of Instruction	English
Work Placement(s)	Not applicable