

## **SYLLABUS. CORPORATE TAX SYSTEM 2016/2017**

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The objective of this subject is to provide the students with an overview of the Spanish Tax system and its main taxes. Students should be able to understand papers about taxation and discuss about Taxes and Tax Policy in the EU.

### **TABLE OF CONTENTS**

#### **LESSON I. INTRODUCTION**

Spanish Tax System overview. Basic information about the existing taxes in Spain:

Personal Income tax

Corporate Income Tax

Tax on the income of non-residents.

Wealth Tax

Tax on Inheritance and Gifts

Value Added Tax (VAT)

Tax on transfers and Stamp duty

Excise duties

Property Tax

Tax on Economic activities

Tax on mechanically-powered vehicles

Tax on construction, installation and works

Tax on the increase in the value of urban land

#### **LESSON II. PERSONAL INCOME TAX**

1. Introduction.
2. Who is Taxpayer regarding this tax?
3. Residence in an Autonomous Community.
4. Components of income.
5. Imputed Income. Urban Real Estate other than habitual residence.
6. Individualization rules.
7. Tax point. General and special rules.
8. Exemptions.
9. Income from employment.
10. Income from immovable property.
11. Income from investment.
12. Business Income.
13. Capital Gains and Losses.
14. Taxable base. Deductions from base. Personal and Family minimum.

15. Tax due.
16. Tax credits.
17. Tax credit to avoid International double taxation.
18. Maternity tax credit and other tax credits related to personal circumstances.
19. Joint Taxation. Family unit.
20. Obligation to submit a return. Results.

### **LESSON III. VALUE ADDED TAX.**

1. VAT legal base and territorial scope.
2. Chargeable event. How VAT works. Output and Input VAT.
3. Exemptions.
4. Deductible VAT.
5. Concept of businessperson.
6. Supplies of goods vs. provision of services.
7. Non-subjected operations.
8. Taxable amount. Rates.
9. Place of supply.
10. Taxpayer.
11. Tax point.
12. Intra-community acquisitions. Imports.
13. VAT returns. Deadlines. Cases of refund.

### **LESSON IV- COLLABORATIVE MATERIALS**

Projects about interesting questions in EU Tax Law. See topics and instructions for Projects on the last page.

### **ASSESSMENT**

Students must give in a card with their personal data and a photograph before the 5th October. Attendance is compulsory. If a student does not attend 3 or more classes, he cannot follow the modules system and will have to sit the exam about the whole subject at the end of the term.

The course will consist of three modules:

**-Module I:** Taxes studied in the introduction and Personal Income Tax. There will be one exam to be solved individually in class. It will consist of practical questions.  
Mark Module I= Mark in the exam.

**Module II:** VAT: There will be one exam to be solved individually in class. It will consist of practical questions. The date will be the 11<sup>th</sup> January.

Mark Module II= Mark in the test

**Module III:** Group Project (the instructions are on the last page). The mark will be the average between the mark obtained in the written project and the mark obtained in the

presentation in class. All members of the group will get the same mark for the written part. The mark in the presentation may vary.

The mark obtained in the subject will be the average of the three modules. Participation in class is strongly encouraged and will be taken into account.

If a student fails, he will have the opportunity to sit a written exam about the whole syllabus at the end of the term (same date as groups in Spanish). It will consist of ten questions about all topics covered in class (including Projects).

In September, the exam will be similar to the one in January (ten questions).

## **CLASS MATERIALS**

The main aspects of the theory will be on the Web Platform. However, more details and practical examples will be given in class. Written Projects and Presentations must be available for everybody on the Platform. Students may be asked about anything which has been explained. A calculator is recommended.

OFFICE HOURS: Mondays Tuesdays and Fridays from 8.30 to 9.30 and Wednesdays from 9.30 to 11.30. The office is in the **Faculty of Law**, Office Building, Third floor. You should ask for an appointment using the email given above (or in class).

## **BIBLIOGRAPHY**

### **In general:**

-In Spanish: AA.VV (director: Pérez Royo, F.)- “Curso de Derecho Tributario. Parte Especial”, Tecnos, Madrid. Last edition.

## **LINKS**

The following links are useful:

<http://www.minhap.gob.es/es-ES/Areas%20Tematicas/Impuestos/Paginas/default.aspx>  
(in Spanish)

[http://www.agenciatributaria.es/AEAT.internet/en\\_gb/Inicio.shtml](http://www.agenciatributaria.es/AEAT.internet/en_gb/Inicio.shtml)

[http://ec.europa.eu/taxation\\_customs/](http://ec.europa.eu/taxation_customs/)

<http://www.congreso.es/portal/page/portal/Congreso/Congreso> (most in Spanish)

## **GROUP PROJECTS-2016/17**

All Projects are related to the EU and Taxation. You should look for information in the links which are provided. That does not mean that you cannot use additional sources. On the contrary, they are welcome.

Deadline for all written projects: 30th November (the Project must be printed and handed in in class).

1. Tax Reforms in the EU Member States.  
[https://ec.europa.eu/taxation\\_customs/sites/taxation/files/docs/body/taxation\\_paper\\_58.pdf](https://ec.europa.eu/taxation_customs/sites/taxation/files/docs/body/taxation_paper_58.pdf)
2. Effects and incidence of labour taxation.  
[https://ec.europa.eu/taxation\\_customs/sites/taxation/files/docs/body/taxation\\_paper\\_56.pdf](https://ec.europa.eu/taxation_customs/sites/taxation/files/docs/body/taxation_paper_56.pdf)
3. Taxation on the financial sector. Financial Transaction taxes in the EU.  
[https://ec.europa.eu/taxation\\_customs/taxation-financial-sector\\_enc](https://ec.europa.eu/taxation_customs/taxation-financial-sector_enc)  
  
[https://ec.europa.eu/taxation\\_customs/sites/taxation/files/docs/body/taxation\\_paper\\_62.pdf](https://ec.europa.eu/taxation_customs/sites/taxation/files/docs/body/taxation_paper_62.pdf)
4. EU individual rights: Equal tax treatment to all EU citizens. Removing cross-border obstacles for EU citizens.  
[https://ec.europa.eu/taxation\\_customs/individuals/personal-taxation/eu-individuals-rights-under-eu-law\\_en](https://ec.europa.eu/taxation_customs/individuals/personal-taxation/eu-individuals-rights-under-eu-law_en)
5. Fight against Tax Fraud and Tax Evasion.  
[https://ec.europa.eu/taxation\\_customs/fight-against-tax-fraud-tax-evasion\\_en](https://ec.europa.eu/taxation_customs/fight-against-tax-fraud-tax-evasion_en)
6. Anti Tax Avoidance Package.  
[https://ec.europa.eu/taxation\\_customs/business/company-tax/anti-tax-avoidance-package\\_en](https://ec.europa.eu/taxation_customs/business/company-tax/anti-tax-avoidance-package_en)

The Projects consist of a written paper between 6 and 10 pages in Times New Roman 12p (single-spaced). In addition, each group must prepare a Powerpoint presentation to explain the most relevant points of the Project. The Presentation should last 20 minutes. All members of the group must speak. After the presentation, there will be a discussion on the topic. All students are expected to follow the presentation and to be able to defend their own opinions about the concepts/problems/ideas presented.

Dates for the Presentation in class: 12th, 14th, 19th, December. Who goes when will be decided in class.