

SYLLABUS. CORPORATE TAX SYSTEM 2017/2018

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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 an international context.

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LESSON I. INTRODUCTION

1. Spanish Tax System overview.
2. Personal Income tax.
3. Corporate Income Tax
4. Tax on the income of non-residents.
5. Wealth Tax
6. Tax on Inheritance and Gifts
7. Value Added Tax (VAT)
8. Tax on transfers and Stamp duty
9. Excise duties
10. Property Tax
11. Tax on Economic activities
12. Tax on mechanically-powered vehicles
13. Tax on construction, installation and works
14. 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. Instantaneous Information System. Cases of refund.
14. Special Schemes.

LESSON IV. CORPORATE INCOME TAX.

1. Introduction.
2. General and special schemes.
3. Taxable income. The off-balance-sheet adjustments.
4. Residence criteria. Fiscal Address.
5. Exempt and partially-exempt entities. Exempt income.
6. Tax year. Deadlines to pay.
7. When must income be included?
8. Non-deductible expenses.
9. Depreciation.
10. Bad debts.
11. Transfers.
12. Calculation of gross amount due.
13. Tax credits for double taxation.
14. Relief in art. 33-34 LIS.
15. Tax credits to encourage certain activities.
16. Tax return.

LESSON V- COLLABORATIVE MATERIALS

Projects about taxation in an international world. 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.

Mark Module II= Mark in the test

Module III: 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. If it is a group project, 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.

In September, the exam will have the same structures as the one in January.

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: Wednesdays from 9.30 to 11.30; Fridays at 11.30 (Other times also possible: ask for an appointment). 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) at least two days before.

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:

Spanish taxation (most in Spanish):

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

<http://www.agenciatributaria.es/>

Spanish legislation: (most in Spanish)

http://www.congreso.es/portal/page/portal/Congreso/Congreso/Iniciativas/LeyesAprob?_piref73_1335447_73_1335446_1335446.next_page=/wc/busquedasLeyesAprobadas&anoLey=2017&selectLey=tituloListadoLeyes

European Union:

https://europa.eu/european-union/law_en

https://europa.eu/european-union/topics/taxation_en

https://ec.europa.eu/taxation_customs/index_en

OECD:

<http://www.oecd.org/tax/>

Andalucia (only in Spanish):

<http://www.juntadeandalucia.es/temas/personas/economia.html>

Seville: (only in Spanish):

<http://www.sevilla.org/ayuntamiento/areas-tematicas/ayuntamiento/competencias-areas/area-de-hacienda-y-administracion-publica/agencia-tributaria-de-sevilla>

PROJECTS-2017/18

All Projects are related to Taxation in an international context. You should look for information in the links which are provided (including the bibliography in the papers). That does not mean that you cannot use additional sources. On the contrary, they are welcome.

Deadline for all written projects: 1st December (the Projects must be sent to pcubiles@us.es as well as printed and handed in in class).

1. Taxation and environment. What has been done? How could the system be improved?
<http://www.oecd.org/tax/tax-policy/environmental-fiscal-reform-progress-prospects-and-pitfalls.htm>
2. Taxation and finance in decentralized countries. Which is the best system?
<http://www.oecd.org/tax/federalism/>
3. Taxation and R&D. How can the government help? Is Spain (or your country of origin) doing enough?
http://www.oecd-ilibrary.org/taxation/fiscal-incentives-for-r-d-and-innovation-in-a-diverse-world_5jlr9stckfs0-en
4. Trends in Taxation. What can we expect in the future?
http://www.keepeek.com/Digital-Asset-Management/oecd/taxation/tax-policy-reform-in-the-oecd-2016_9789264260399-en#.WadPPNJbIU#page7
5. Taxes and equality. How can taxation help to achieve a more equal society?
http://www.oecd-ilibrary.org/taxation/tax-design-for-inclusive-economic-growth_5jlv74ggk0g7-en
6. Preferential treatments in VAT (Rates; exemptions; restriction to input tax credit; registration and collection thresholds): Advantages, disadvantages and effects.
http://www.keepeek.com/Digital-Asset-Management/oecd/taxation/consumption-tax-trends-2016_ctt-2016-en#page69

The Projects consist of a written paper between 6 and 10 pages in Times New Roman 12p (single-spaced). In addition, each student/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: 13th, 15th, 20th, December. Who goes when will be decided in class.

The Project should:

1. Provide the main aspects of every topic.
2. Develop the different views regarding the problem discussed.
3. Contain (and this is essential) your own conclusions and the reasons which justify your opinión.
4. Have the following structure: index; development of content; conclusions; bibliography and sources.