

School of Accounting and Commercial Law

**MMPA 516 SPECIAL TOPIC:
INTERNATIONAL TAXATION**

Trimester One 2012

COURSE OUTLINE

Names and Contact Details	Office	Telephone
<i>Course Coordinator & Lecturer</i> Andrew Smith Andrew.Smith@vuw.ac.nz Office Hours: TBA	RH 620	463 6707
<i>Lecturer</i> Kevin Holmes Kevin.Holmes@vuw.ac.nz Office Hours: TBA	RH 618	463 5968
<i>Course Administrator</i> Pinky Shah Pinky.Shah@vuw.ac.nz Office hours: Monday-Friday, 8.30am-5pm	RH 728	463 6921

Trimester Dates

From Monday 5 March to 8 June 2012.

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 16 March 2012.
2. The standard last date for withdrawal from this course is Friday 18 May 2012. After this date, students forced to withdraw by circumstances beyond their control must apply for permission on an 'Application for Associate Dean's Permission to Withdraw Late' including supporting documentation.

The application form is available from either of the Faculty's Student Customer Service Desks.

Class Times and Room Number

Combined Lecture/Seminar Tuesdays 5.40pm to 8.30pm in RWW 315

There are 12 classes scheduled for the whole course. It is essential that students attend all classes.

Course Content

This course is designed to provide an in-depth examination of key aspects of New Zealand's international tax regime comprising the policy, legal framework and practice.

Details of the lecture programme are provided in a table at the end of this Course Outline.

Course Learning Objectives

Students who are successful in the course will be able to:

- (a) explain how New Zealand residents will be taxed in New Zealand on income earned outside New Zealand;
- (b) explain how non-residents will be taxed in New Zealand on income derived from New Zealand sources;
- (c) explain the policies behind New Zealand's international tax regime;
- (d) identify international tax ramifications of general commercial events;
- (e) analyse and compare alternative international tax models in force in other countries.

Course Delivery

Each 3 hour class will involve a mixture of lectures, class discussions and problem based assignments. One or two breaks will be scheduled during each class.

From time to time lecturers may specify required reading prior to a lecture. It is essential that students do this preparatory reading as the lectures will be run at a level that assumes some prior knowledge.

Expected Workload

Students will be expected to spend 15 hours each week on this course including a three hour class each week.

Group Work

While some of the classes will involve group work, none of the assessed pieces of work in this course are based on group work. The assignment/project must be the sole work of each student.

Readings

The following textbook and materials are required for this course:

1. Alley et. al., *New Zealand Taxation 2011: Principles, Cases and Questions*, Thomson Reuters, Wellington, 2011. (The 2010 edition of this text would suffice for this year's course.)
2. *New Zealand Taxation 2011 Legislation Handbook*, Thomson Reuters, Wellington, 2011. Alternatively you can use the *CCH New Zealand Income Tax Legislation 2011*. (The 2010 edition of this text would suffice for this year's course.)
3. Double Taxation Publication -to be issued in class.
4. Handouts distributed in lectures and/or posted on *Blackboard*.

The Thomson Reuters publications listed in (1) and (2) above may be purchased as a set at a discount.

Students are permitted to take the income tax legislation into the Mid-Trimester Test and Final Test and are strongly recommended to do so. If you want to use your legislation in the Mid-Trimester Test and Final Test, you **must not** write in it other than emphasis marks by underlining and/or highlighting parts of the text.

With respect to using this legislation in the Mid-Trimester Test and Final Test, please note:

1. The tax legislation will be checked at the beginning of each test.
2. Legislation containing notes of any kind will **not** be allowed to be used. Only emphasis marks by a highlighter pen or by underlining are permitted.
3. The indexing of the legislation by tabs whether by use of "Post-it" notes or any other means is prohibited.
4. Any student who does not have tax legislation to use in the test(s) because his/her text did not meet the above conditions or the student forgot to bring their legislation will **not** be able to borrow a replacement copy from the examiners or to share a copy with another student.

The following books provide background reading for this course:

1. Arnold, B.J. and M.J. McIntyre, *International Tax Primer*, 2002, Kluwer Law International, 2nd edition. This book is held on closed reserve in the Law Library and available for 3-day issue in the Commerce Library in RWW. (Call mark is K4562 A752 I61)
2. Homes, Kevin, *International Tax Policy and Double Tax Treaties: An Introduction to Principles and Application*, IBFD Publications, Amsterdam, 2007. This book is held on closed reserve in the Law Library. (Call mark is K4475.4 H751 I 2007)
3. Lang, Michael, *Introduction to the Law of Double Taxation Conventions*, IBFD Publications Amsterdam and Linde-Werlag Vienna, 2010. This book is held on closed reserve in the Law Library and available for 3-day issue in the Commerce Library in RWW. (Call mark is K4475 L271 2010)
4. Barry Larking (editor), *International Tax Glossary*, Revised 4th edition, IBFD Publications, Amsterdam, 2001. This book is held in the Commerce Library in RWW as a Reference book. (Call mark is K4459.3 I61 4ed)

Materials and Equipment

Apart from the course texts, other handouts will be provided in lecture classes. If you are missing any of these, please contact the Course Administrator Pinky Shah.

Electronic calculators and non-electronic foreign language dictionaries may be used in both tests. Calculators must be battery powered and silent in operation. Calculators with alphanumeric keyboards and programming functions will not be permitted. If you are in doubt, check with the Course Coordinator.

Assessment Requirements

Mid-Trimester Test (75 minutes)	20%	Tuesday, 24 April at 5.40pm
Assignment/Project	15%	Due Tuesday, 29 May at 5.40pm
Final Test (2 hours)	65%	Tuesday, 12 June at 5.40pm in RWW 315.

The topics to be covered in the Mid-Trimester Test and Final Test will be advised in class prior to each assessment.

Quality Assurance Note

Your assessed work may also be used for quality assurance purposes, such as to assess the level of achievement of learning objectives as required for accreditation and audit purposes. The findings may be used to inform changes aimed at improving the quality of FCA programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

Penalties

A penalty will apply to Assignments submitted late without a special dispensation. The penalty will be 10% of the mark awarded for each day it is late. Any work submitted for grading which contains evidence of plagiarism will receive no credit and the student concerned may be subject to further disciplinary action by the University.

Mandatory Course Requirements

In order to pass this course, students must complete and submit for grading the course Assignment *and* sit *both* the Mid-Trimester Test and Final Test.

Class Representative

A class representative will be elected in the first class, and that person's name and contact details made available to VUWSA, the Course Coordinator and the class. The class representative provides a communication channel to liaise with the Course Coordinator on behalf of students.

Communication of Additional Information

Any additional information or information on changes will be advised to students through Blackboard and at lecture classes. Students should ensure that they regularly check their Blackboard account for any new announcements.

Use of Turnitin

Student work provided for assessment in this course may be checked for academic integrity by the electronic search engine <http://www.turnitin.com>. Turnitin is an on-line plagiarism prevention tool which compares submitted work with a very large database of existing material. At the discretion of the Head of School, handwritten work may be copy-typed by the School and subject to checking by Turnitin. Turnitin will retain a copy of submitted materials on behalf of the University for detection of future plagiarism, but access to the full text of submissions will not be made available to any other party.

For the following important information follow the links provided:

Academic Integrity and Plagiarism

<http://www.victoria.ac.nz/home/study/plagiarism.aspx>

General University Policies and Statutes

Find key dates, explanations of grades and other useful information at

www.victoria.ac.nz/home/study

Find out about academic progress and restricted enrolment at

<http://www.victoria.ac.nz/home/study/academic-progress.aspx>

The University's statutes and policies are available at www.victoria.ac.nz/home/about/policy,

except qualification statutes, which are available via the Calendar webpage at

<http://www.victoria.ac.nz/home/study/calendar.aspx> (See Section C).

Further information about the University's academic processes can be found on the website of the Assistant Vice-Chancellor (Academic) at

www.victoria.ac.nz/home/about_victoria/avcacademic/default.aspx

AVC (Academic) Website: information including: Conduct, Academic Grievances, Students with Impairments, Student Support

http://www.victoria.ac.nz/home/about_victoria/avcacademic/Publications.aspx

Faculty of Commerce and Administration Offices

<http://www.victoria.ac.nz/fca/studenthelp/>

Te Putahi Atawhai

Maori and Pacific Mentoring Programme

<http://www.victoria.ac.nz/tpa/>

MMPA 516 COURSE PROGRAMME

Week	Tuesday	Staff	Topics
1	6 March	AS	Introduction Principles of Residency/Source
2	13 March	AS	Relief of Double Taxation
3	20 March	AS	Taxation of Non-Residents -Types of Taxpayer -Interest/Royalties -Dividends -Other Income
4	27 March	AS	Double Tax Agreements (DTAs)
5	3 April	AS	
Mid-Trimester Break (6 to 22 April 2012)			
6	24 April	Revision Class & Mid-Trimester Test (75 mins)	
7	1 May	KH	Anti-Avoidance Provisions for Non-Residents -Transfer Pricing Rules -Thin Capitalisation Rules
8	8 May	KH	
9	15 May	KH	
10	22 May	KH	Taxation of Resident's Offshore Investments -Controlled Foreign Company (CFC) Rules -Foreign Investment Fund (FIF) Rules -Offshore Trust Taxation
11	29 May	KH	
12	5 June	KH	Conclusion and Summary
	12 June	FINAL TEST (2 hours) 5.40pm	

Staff: AS = Associate Professor Andrew Smith; KH = Professor Kevin Holmes