Приложение № 1

к распоряжению Финуниверситета

от «\_\_\_» \_\_\_\_\_\_\_\_2019 № \_\_\_\_\_\_\_

**Syllabus**

**1. Name of a subject International taxation (in English)**

**2. Mapping of learning outcomes (list of competences), with the relevant indicators described and subject learning outcomes indicated**

The section lists the graduates’ coded competencies that are to be developed during the learning process, indicators that show their development (generalized descriptions of specific actions performed by the graduate that clarify and reveal the competence content), learning outcomes (knowledge, skills) with indicators of competence development (in the form of a table):

Table 1

|  |  |  |  |
| --- | --- | --- | --- |
| Competence code | Competence | Competence development indicators[[1]](#footnote-1) | Learning outcomes (skills[[2]](#footnote-2), and knowledge) and indicators that show competence development |
| PCP-1 | Ability to navigate the patterns of international trade and to apply Russian and international regulation in professional activities | 1.Demonstrates knowledge of fundamentals and methods of system analysis of foreign economic information, as well as standards and foreign market requirements for products | **Knowledge** of fundamentals and methods of system analysis of foreign economic information subject to impact of taxation on foreign trade  **Skills** to conduct a comparative analysis of different viewpoints to solve contemporary economic problems and argument the choice of methods for economic regulation |
| 2. Applies laws and regulation to carry international business | **Knowledge** ofRussian and foreign legislation, international law, methodology and other regulatory legal acts, Russian and foreign case law.  **Skills** to apply case law to minimize tax risks associated with misunderstanding of tax law, methodology and practice of tax consulting for business engaged in foreign trade. |
| 3.Draft reports and proposals about prospective foreign partners, develops promotional content about goods and services of a company in English (foreign language) | **Knowledge** of domestic and international tax law for professional solution of tax issues.  **Skills** to identify tax issues during the analysis of challenges and trends in economy to address professional needs. |
| 4. Carry on business correspondence in foreign language to conclude cross-border agreements, to fulfill liability to pay taxes, levies customs duties and social security contributions. | **Knowledge** of sources of information to carry on scientific research and to solveencountered cases in taxation.  **Skills** to provide case solutions subject to tax law considerations, identify the form and content of the transaction, its tax and law consequences. |
| PCP-3 | Ability to evaluate tax consequences of business activity in accordance with tax law in order for international business to make financial decisions. | 1.Demonstrates knowledge of approaches towards domestic and international taxation of business activity. | **Knowledge** of institutional technologies to set a research challenge; types, forms, methods and technologies for development of tax fundamentals.  **Skills** to summarize and critically evaluate the results achieved by domestic and foreign experts in the field of methodology and practice of tax consulting in Russia and abroad; identify and articulate contemporary scientific challenges in tax matters (taxation, tax policy). |
| 2.Ability to perform a research in commodity markets, to develop elements of pricing strategy in foreign trade subject to transfer pricing methodology for the purpose of taxation and customs regulation of product value. | **Knowledge** of main theories of international taxation.  **Skills** to use main concepts, categories, instruments and methods of international taxation |
| 3. Demonstrates ability to develop supply chain policy, configure distribution channels and tock movement network, to choose advanced sales methods. | **Knowledge** of main sources of information about international taxation.  **Skills** to identify reliable sources of information, understand information unbiased, build clear written and oral speech with logic and arguments**,** analyze important social issues. |
| 4.Ability to prepare business proposals and to draft foreign trade agreements taking into account tax liabilities arising from cross border transactions. | **Knowledge** of Russian and foreign tax law on cross-border issues.  **Skills** to identify and analyze trends in Russian tax systems in international environment; identify modern and efficient instruments and methods applied in foreign tax systems |
| 5. Ability to make management decisions based on analysis of financial reporting prepared under IFRS; to make management decisions, evaluate its consequences and take responsibility for such decisions. | **Knowledge** of financial, accounting and other reporting prepared by different types of entities, of approaches to evaluate tax consequences of business transactions taking into account Russian and foreign tax law in order to make financial decisions on foreign trade matters  **Skills** to apply methods of tax monitoring and to analyze tax payments and revenues to manage business processes in the field of foreign trade taxation. |
| PCP-4 | Ability to assess tax liability in the field of foreign trade based on knowledge of tax law | 1.Ability to calculate tax payable as a result of domestic and foreign trade based on the knowledge of Russian and international tax laws | **Knowledge** of institutional and methodical technologies of efficient consulting for business engaged in foreign trade  **Skills** to provide consulting services to business entities of different legal forms on tax issues related to foreign trade. |
| 2.Performs consulting services for cross-border business units on fiscal matters | **Knowledge** of tax consulting aspects specific for business engaged in foreign trade, including calculation of taxes, tax planning, filing tax returns, reducing tax risks.  Skills to develop methodic for tax consulting in the area of foreign trade |

If the subject is part of various programs’ curricula, the section lists program names and includes a list of competences indicated in the relevant curricula.

**3. Place of the subject in the curriculum**

The section describes what place is occupied by the subject in the program curriculum.

The subject “International taxation (in English)” is a part of module for profile “International trade and taxation (in English)”, field of study 38.03.01 “Economy”.

To master the subject it is necessary to know the fundamentals of legal regulation of economic activities, functional patterns of foreign trade and global markets of services and commodities, fundamentals of business taxation, to have interest in acquiring professional skills in foreign trade, to be able to apply Russian and international law in profession.

The subject “International taxation (in English)” is based on knowledge and skills acquired within subjects “Legal regulation of economic activity”, “Fundamentals of business taxation (in English)”.

**4. Workload in credits and academic hours, with class work (lectures and seminars) and self-study indicated**

The data are presented in the form of a table.

Table 2

|  |  |  |
| --- | --- | --- |
| **Type of work** | **Total**  **(in credits and hours)** | **Semester (Module)7 (in hours)** |
| **Overall workload** | ***4 / 144*** | ***144*** |
| ***Class work*** | 68 | 68 |
| *Lectures* | 34 | 34 |
| *Seminars, practicals* | 34 | 34 |
| ***Self study*** | ***76*** | ***76*** |
| Formative assessment | ***Control work*** | ***Control work*** |
| Summative assessment | ***Exam*** | ***Exam*** |

**5. Subject content (with the thematic components indicated).** This subsection lists the academic subject itemized thematic contentin the form of a text. The text volume should not exceed 3 pages.

**INTRODUCTION**

The impact of international taxation of management decision in business and foreign trade.

The subject and aims of the subject “International taxation”. The role of subject as the basis for further subjects in professional cycle and fundament of professional training of specialist in foreign trade.

**Theme 1. Fundamentals of international taxation.**

The notion and elements of international taxation. Tax relationship with foreign element, domestic tax regulation of such relationship. Sources of international tax law. Limited and unlimited tax liability.

State of income recipient (country of residence). International approaches to the tax nationality of taxpayer. Concept of territoriality of tax.

State of source of income (country of source). The concept of “source of income”

Residence principle. Tax residence criteria for legal entities: place of incorporation, place of management and control. Place of central management and control. Determination of corporate tax residence based on a mixed approach. OECD approach to determination of tax residency. Criteria of tax residency in Russia. Rules to tax person having legal ties with different states.

**Theme 2. International double taxation.**

International taxation in context of double taxation and double non-taxation. The crossroad of tax jurisdictions as a source of multiple juridical taxation of income. The notion of juridical double taxation comparing to economical double taxation. Criterial and types of multiple taxation of income and capital. Taxes challenged under international double taxation.

Methods for elimination of double taxation of income and capital set forth in the domestic law. Application of tie-breaker rules to eliminate dual residence. Exemption of foreign income and capital from taxation. Method of exemption with progression. Method of foreign tax credit: full tax credit, ordinary tax credit. Foreign tax credit: per country limitation, separate baskets approach. Method of tax deduction.

Capital export neutrality. Capital import neutrality.

Unilateral and multilateral ways to eliminate international double taxation. Unilateral methods for elimination of double taxation for foreign direct investments in OECD countries.

Allocation of burden for elimination of double taxation between country of source and country of residence. Elimination of double taxation under The Tax Code of the Russian Federation. Unification and harmonisation of tax systems in EU and Russia as a way to eliminate double taxation.

**Theme 3. International tax treaties.**

International treaties on tax matters: aim, objectives, types. Relationship between domestic law and international treaties. Approaches to development and implementation of tax treaties. The legal status of model conventions, commentaries on model conventions, letters of competent tax authorities. The role of tax treaties in Russian tax law.

The aim and objectives of UN and OECD model conventions. General characteristics of OECD model tax convention on income and capital. The structure of international tax treaty on example of OECD Model tax convention. UN model convention.

Double tax treaties: the area of application. Limitation of taxing rights in the country of source: limitation of tax base, reduced tax rates, refuse from taxing rights, unlimited right to tax. Tax treaty clauses aimed at elimination of double taxation. Multilateral methods for elimination of double taxation of direct investments in OECD countries.

Application of tax treaties. Limitation of benefits provided by international tax treaties: tax treaty abuse, abuse of spirit of the law, domestic rules. The concept of non-discrimination in international taxation.

Mutual agreement procedures: the notion, mechanism of dispute resolution under double tax treaties.

**Theme 4. The concept of permanent establishment.**

Place of residency and permanent establishment / fixed base as a basis of income tax assessment. Classification of permanent establishment criteria. Factors eliminating permanent establishment: preparatory and auxiliary activity.

Criteria of permanent establishment in Russian tax law and double tax treaties: [fixed] place of business, regular activity, business nature of activity, carrying business activity through fixed place.

Types of permanent establishment: main, agent. Permanent establishment in e-commerce.

**Theme 5. Fundamentals of taxation for cross-border business.**

Key factors determining tax burden on foreign investments. Profit allocation rules for foreign company in Russia and OECD countries. Limited tax liability for taxation of trade carried on in foreign jurisdiction: tax base, tax rates, tax calculation. Allocation of taxing rights on income from direct foreign investments under double tax treaties. Elimination of double taxation of trade in foreign jurisdiction.

Taxation of business income carried on without permanent establishment in the country of source. Capital gain taxation in OECD countries. Tax accounting for foreign tax losses.

Taxation of cross border e-commerce. Digital permanent establishment

Corporate income tax assessment in Russia for Russian legal entities engaged in foreign business, including business carried through foreign permanent establishments, divisions and branches. Taxation of income and capital of Russian legal entities, engaged in foreign business. Foreign incomes and expenses disregarded for tax purposes in Russia.

**Theme 6. Taxation of permanent establishment and branches of foreign legal entities.**

Corporate income tax: object of taxation, determination of tax base for the permanent establishment. Allocation of profit and expenses (losses) between the foreign head company and its permanent establishment for tax purposes.

Elimination of double taxation for permanent establishment. Taxation of dividends, interest and royalty as income of permanent establishment (PE). Taxation of PE’s income from disposal of assets.

Tax accounting for losses received by the permanent establishments. Calculation of taxes and payments on account for foreign entities carrying its business through the permanent establishment and for tax agents.

Taxation of capital of foreign entity. Definition of movable and immovable property for the purpose of the Tax Code of the Russian Federation.

Application of special taxation regimes by foreign legal entities.

**Theme 7. Taxation of cross-border business through the subsidiary.**

Taxation of foreign direct investment carried through subsidiaries. The principle of deferred taxation. Taxation at the level of the subsidiary (unlimited tax liability). Taxation at the level of shareholders (limited tax liability in country of source). Definition of dividend in Russian tax law and double tax treaties. Withholding tax rates on distributed profits. Conditions to apply reduced tax rates in the country of source of dividend payment.

Taxation of capital gain from disposal of shares (interest) in subsidiary. Taxation of income from contracts with shareholders. Elimination of parent double taxation of different financial and investment income from Subsidiary (increase of subsidiary capital, contract with foreign shareholders). Classification of income on capital distribution on liquidation of subsidiary, allocation of income in partnership.

Financial transactions (loans and borrowings): taxation of interest income of foreign entity. Definition of interest income in Russian tax law and double tax treaties. Conditions to apply reduced tax rate in the country of source of interest payment. Taxation of partnership.

**Theme 8. International fight against tax avoidance.**

International taxation. Relationship between tax evasion, tax avoidance and tax planning. Abuse of tax treaty benefits (treaty shopping). Limitation of tax administration of foreign entities.

Fight against tax benefits abuse including tax treaty benefits. Unilateral and multilateral measures to tackle international tax evasion. General and special anti avoidance rules.

National instruments to tackle international tax avoidance (concept of bona fide taxpayer, unjustified tax benefits and etc.). Principle purpose test as a basis of international tax planning.

Concept of beneficial owner: purpose, objectives, notion, practice. Limitation on benefits under double tax treaties.

Controlled foreign corporations: criteria and consequences for controlling person. Taxation of controlled foreign corporations. Tax regulation of controlled foreign corporations in Russia.

Low tax jurisdictions: definition and criteria. Tax regimes in low tax countries. Tax regulation of transactions with residents of low tax jurisdictions.

Trends in international tax cooperation. Development in international tax cooperation. The role of Russia in international bodies on tax matters and tax administration. Action plan on base erosion and profit shifting. BEPS Action Plan as a measure to fight aggressive tax planning. Transformation of international taxation under BEPS Action Plan.

**6. List of teaching and methodological materials needed for the students self-study**

**6.1. List of questions for student self-study and types of out-of-class activities**

The section lists types of out-of-class activities that correspond to items in the subject content description.

There is a list of questions the students should answer while working independently.

Table 3

|  |  |  |
| --- | --- | --- |
| **Itemized subject content** | **Questions the students should answer within the self-study process** | **Types of out-of-class activities** |
| 1.Theme 1 | Task for self-study:  -reading and analysis of recommended literature, periodicals, answers to theoretical questions  -preparing for practical classes including reading of recommended literature, preparing for group assignment and debates  Tax relationship with foreign element, domestic tax regulation of such relationship.  Limited and unlimited tax liability.  OECD approach to determination of tax residency.  Rules to tax person having legal ties with different states. | Consultation.  Preparing individual assignment.  Preparing presentation |
| 2.Theme 2 | Task for self-study:  -reading and analysis of recommended literature, periodicals, answers to theoretical questions  -preparing for practical classes including reading of recommended literature, preparing for group assignment and debates  Criterial and types of multiple taxation of income and capital. Taxes challenged under international double taxation.  Application of tie-breaker rules to eliminate dual residence. Capital export neutrality. Capital import neutrality.  Unilateral methods for elimination of double taxation for foreign direct investments in OECD countries.  Unification and harmonisation of tax systems in EU and Russia as a way to eliminate double taxation. | Consultation.  Preparing individual assignment.  Preparing presentation |

|  |  |  |
| --- | --- | --- |
| 3.Theme 3 | Task for self-study:  -reading and analysis of recommended literature, periodicals, answers to theoretical questions  -preparing for practical classes including reading of recommended literature, preparing for group assignment and debates.  Approaches to development and implementation of tax treaties.  The legal status of model conventions, commentaries on model conventions, letters of competent tax authorities.  OECD model conventions. General characteristics of OECD model tax convention on income and capital.  Multilateral methods for elimination of double taxation of direct investments in OECD countries.  The concept of non-discrimination in international taxation. |  |
| 4. Theme 4 | Task for self-study:  -reading and analysis of recommended literature, periodicals, answers to theoretical questions  -preparing for practical classes including reading of recommended literature, preparing for group assignment and debates.  Classification of permanent establishment criteria.  Permanent establishment in e-commerce. |  |
| 5. Theme 5 | Task for self-study:  -reading and analysis of recommended literature, periodicals, answers to theoretical questions  -preparing for practical classes including reading of recommended literature, preparing for group assignment and debates.  Key factors determining tax burden on foreign investments. Allocation of taxing rights on income from direct foreign investments under double tax treaties.  Taxation of business income carried on without permanent establishment in the country of source. Capital gain taxation in OECD countries.  Corporate income tax assessment in Russia for Russian legal entities engaged in foreign business, including business carried through foreign permanent establishments, divisions and branches.  Foreign incomes and expenses disregarded for tax purposes in Russia. |  |
| 6. Theme 6 | Task for self-study:  -reading and analysis of recommended literature, periodicals, answers to theoretical questions  -preparing for practical classes including reading of recommended literature, preparing for group assignment and debates.  Allocation of profit and expenses (losses) between the foreign head company and its permanent establishment for tax purposes.  Taxation of PE’s income from disposal of assets.  Calculation of taxes and payments on account for foreign entities carrying its business through the permanent establishment and for tax agents.  Definition of movable and immovable property for the purpose of the Tax Code of the Russian Federation.  Application of special taxation regimes by foreign legal entities. |  |
| 7. Theme 7 | Task for self-study:  -reading and analysis of recommended literature, periodicals, answers to theoretical questions  -preparing for practical classes including reading of recommended literature, preparing for group assignment and debates.  The principle of deferred taxation.  Definition of dividend in Russian tax law and double tax treaties.  Definition of interest income in Russian tax law and double tax treaties.  Elimination of parent double taxation of different financial and investment income from Subsidiary (increase of subsidiary capital, contract with foreign shareholders). Classification of income on capital distribution on liquidation of subsidiary, allocation of income in partnership. |  |
| 8. Theme 8 | Task for self-study:  -reading and analysis of recommended literature, periodicals, answers to theoretical questions  -preparing for practical classes including reading of recommended literature, preparing for group assignment and debates.  Relationship between tax evasion, tax avoidance and tax planning.  Principle purpose test as a basis of international tax planning.  Limitation on benefits under double tax treaties.  Tax regulation of controlled foreign corporations in Russia. Tax regulation of transactions with residents of low tax jurisdictions.  Development in international tax cooperation.  The role of Russia in international bodies on tax matters and tax administration.  Transformation of international taxation under BEPS Action Plan. |  |

**6.2. List of questions/assignments/topics for students’ preparation to formative assessment**

Templates of questions for module test

**Theme 1. Fundamentals of international taxation.**

1. The notion and elements of international taxation.
2. Limited and unlimited tax liability.
3. International approaches to the tax nationality of taxpayer. Concept of territoriality of tax.
4. State of source of income (country of source).
5. Tax residence criteria for legal entities in Russia and OECD countries
6. Registration of foreign legal entity for tax purposes

**Theme 2. International double taxation.**

1. The crossroad of tax jurisdictions as a source of multiple juridical taxation of income.
2. The notion of juridical double taxation comparing to economical double taxation.
3. Methods for elimination of double taxation of income and capital set forth in the domestic law.
4. Unilateral and multilateral ways to eliminate international double taxation.
5. Allocation of burden for elimination of double taxation between country of source and country of residence.
6. Elimination of double taxation under The Tax Code of the Russian Federation.

**Theme 3. International tax treaties.**

1. International treaties on tax matters: aim, objectives, types.
2. The role of tax treaties in Russian tax law.
3. General characteristics of OECD model tax convention on income and capital.
4. The area of application for international tax treaties
5. Tax treaty clauses aimed at elimination of double taxation.
6. Procedure for application of tax treaties. Limitation of benefits provided by international tax treaties: tax treaty abuse, abuse of spirit of the law, domestic rules. The concept of non-discrimination in international taxation.
7. Mutual agreement procedures: the notion, mechanism of dispute resolution under double tax treaties.

**Theme 4. The concept of permanent establishment.**

1. Place of residency and permanent establishment / fixed base as a basis of income tax assessment.
2. Factors eliminating permanent establishment: preparatory and auxiliary activity.
3. Criteria of permanent establishment in Russian tax law and double ta treaties
4. Dependent agent PE.

**Theme 5. Fundamentals of taxation for cross-border business.**

1. Profit allocation rules for foreign company in Russia and OECD countries.
2. Limited tax liability for taxation of trade carried on in foreign jurisdiction: tax base, tax rates, tax calculation.
3. Elimination of double taxation of trade in foreign jurisdiction.
4. Taxation of business income carried on without permanent establishment in the country of source.
5. Tax accounting for foreign tax losses.
6. Taxation of cross border e-commerce. Digital permanent establishment
7. Corporate income tax assessment in Russia for Russian legal entities engaged in foreign business.

**Theme 6. Taxation of permanent establishment and branches of foreign legal entities.**

1. Corporate income tax: object of taxation, determination of tax base for the permanent establishment.
2. Direct and indirect methods for allocation of profits to the permanent establishment
3. Elimination of double taxation for permanent establishment.
4. Taxation of dividends, interest and royalty as income of permanent establishment (PE).
5. Tax accounting for losses received by the permanent establishments.
6. Definition of movable and immovable property of the foreign legal entity.

**Theme 7. Taxation of cross-border business through the subsidiary.**

1. Taxation of foreign direct investment carried through subsidiaries.
2. Taxation at the level of the subsidiary (unlimited tax liability). Taxation at the level of shareholders (limited tax liability in country of source).
3. Taxation of capital gain from disposal of shares (interest) in subsidiary.
4. Taxation of income from contracts with shareholders.
5. Financial transactions (loans and borrowings): taxation of interest income of foreign entity.
6. Conditions to apply reduced tax rate in the country of source of interest payment.
7. Taxation of partnership.

**Theme 8. International fight against tax avoidance.**

1. The notion of tax treaty abuse (treaty shopping).
2. Fight against tax benefits abuse including tax treaty benefits.
3. Unilateral and multilateral measures to tackle international tax evasion.
4. Domestic instruments to tackle international tax avoidance (concept of bona fide taxpayer, unjustified tax benefits and etc.).
5. Concept of beneficial owner: purpose, objectives, notion, practice.
6. Controlled foreign corporations: criteria and consequences for controlling person.
7. Low tax jurisdictions: definition and criteria. Tax regimes in low tax countries.
8. Trends in international tax cooperation.
9. BEPS Action Plan as a measure to fight aggressive tax planning.

**Templates of questions for exam**

1.The notion and elements of international taxation. Limited and unlimited tax liability.

2.International approaches to the tax nationality of taxpayer. Concept of territoriality of tax.

3.The concept of “source of income”

4.Criteria of tax residency in Russia and OECD.

5.Registration of foreign entity for tax purposes.

6.Tax relationship with foreign element, domestic tax regulation of such relationship.

7.State of source of income (country of source).

8.OECD approach to determination of tax residency.

9.Rules to tax person having legal ties with different states.

10.The crossroad of tax jurisdictions as a source of multiple juridical taxation of income.

11.The notion of juridical double taxation comparing to economical double taxation.

12.Methods for elimination of double taxation of income and capital

13.Unilateral and multilateral ways to eliminate international double taxation.

14.Allocation of burden for elimination of double taxation between country of source and country of residence.

15.Elimination of double taxation under The Tax Code of the Russian Federation.

16.Features and types of multiple taxation of income and capital

17. Taxes challenged under international double taxation.

18.Application of tie breaker rules to eliminate dual residency

19.Capital export neutrality. Capital import neutrality.

20.Unilateral methods for elimination of double taxation for foreign direct investments in OECD countries.

21.Unification and harmonisation of tax systems in EU and Russia as a way to eliminate double taxation.

22.International treaties on tax matters: aim, objectives, types.

23.OECD Model tax convention: general features and structure.

24.Areas of tax treaty application

25. Limitation of taxing rights in the country of source

26. Tax treaty clauses aimed at elimination of double taxation

27. Limitation of benefits provided by international tax treaties: tax treaty abuse, abuse of spirit of the law, domestic rules.

28. Mutual agreement procedures: the notion, mechanism of dispute resolution under double tax treaties.

29.Approaches to implementation of international tax treaties.

30. The legal status of model conventions, commentaries on model conventions, letters of competent tax authorities.

31.UN Model conventions. Main elements of model convention.

32. Multilateral methods for elimination of double taxation of direct investments in OECD countries.

33.The concept of non-discrimination in international taxation

34. Place of residency and permanent establishment / fixed base as a basis of income tax assessment. Factors eliminating permanent establishment: preparatory and auxiliary activity.

35.Criteria of permanent establishment in Russian tax law and double tax treaties

36.Dependent agent permanent establishment: rules of taxation.

37.Permanent establishment in e-commerce.

38.Profit allocation rules for foreign company in Russia and OECD countries.

39.Limited tax liability for taxation of trade carried on in foreign jurisdiction: tax base, tax rates, tax calculation.

40. Elimination of double taxation of trade in foreign jurisdiction.

41.Taxation of business income carried on without permanent establishment in the country of source.

42.Tax accounting for foreign tax losses.

43.Taxation of cross border e-commerce.

44. Taxation of income and capital of Russian legal entities, engaged in foreign business.

45.Key factors determining tax burden on foreign investments

46.Allocation of taxing rights under tax treaties: incomes from direct foreign investments.

47.Taxation of capital gains in OECD Member States.

48. Corporate income tax assessment in Russia for Russian legal entities engaged in foreign business, including business carried through foreign permanent establishments, divisions and branches.

49. Foreign incomes and expenses disregarded for tax purposes in Russia.

50.Corporate income tax: object of taxation, determination of tax base for the permanent establishment.

51.Direct and indirect methods for profit allocation to the permanent establishment.

52.Elimination of double taxation for permanent establishment.

53.Taxation of dividends, interest and royalty as income of permanent establishment (PE).

54.Tax accounting for losses received by the permanent establishments.

55.Taxation of movable and immovable property owned by foreign entity.

56. Allocation of profit and expenses (losses) between the foreign head company and its permanent establishment for tax purposes.

57.Taxation of PE’s income from disposal of assets

58.Calculation of taxes and payments on account for foreign entities carrying its business through the permanent establishment and for tax agents.

59.Definition of movable and immovable property for the purpose of the Tax Code of the Russian Federation

60.Application of special taxation regimes by foreign legal entities.

61.Taxation of foreign direct investment carried through subsidiaries.

62.Taxation at the level of the subsidiary (unlimited tax liability). Taxation at the level of shareholders (limited tax liability in country of source).

63. Taxation of capital gain from disposal of shares (interest) in subsidiary.

64. Taxation of income from contracts with shareholders.

65. Financial transactions (loans and borrowings): taxation of interest income of foreign entity.

66.Taxation of partnership

67.Conditions to apply reduced tax rates in the country of source of dividend payment.

68.Principle of deferred taxation

69.Definition of dividend and interest in Russian tax law and double tax treaties.

70. Elimination of parent double taxation of different financial and investment income from Subsidiary (increase of subsidiary capital, contract with foreign shareholders).

71.Classification of income on capital distribution on liquidation of subsidiary, allocation of income in partnership.

72.Abuse of tax treaty benefits (treaty shopping)

73.Fight against tax benefits abuse including tax treaty benefits.

74.Unilateral and multilateral measures to tackle international tax evasion.

75.Domestic instruments to tackle international tax avoidance (concept of bona fide taxpayer, unjustified tax benefits and etc.).

76.Concept of beneficial owner: purpose, objectives, notion, practice.

77.Controlled foreign corporations (CFC): criteria and consequences for controlling person. Taxation of CFC.

78.Low tax jurisdictions: definition and criteria. Tax regimes in low tax countries.

79.Trends in international tax cooperation.

80.BEPS Action Plan as a measure to fight aggressive tax planning.

81.The relationship between tax evasion, tax avoidance, tax planning.

82.Principle purpose test as a basis of international tax planning.

83.Limitation on benefits under double tax treaties.

84.Practical application of CFC concept in Russian law.

85.Tax regulation of controlled foreign corporations in Russia.

86.Development in international tax cooperation.

87.Participation of Russian Federation in international bodies on tax matters and ta administration.

88.Transformation of international taxation under BEPS Action Plan.

**Template of exam question**

Question 1 (25 points)

Analyze economic and tax notion of tax residence concept in international taxation. Disclose the criteria of tax residency for legal entities in Russia and abroad.

Question 2 (15 points)

Choose correct answer(s):

1.Assume a foreign company sold to a Russian company an office building located in Moscow, Russia for RR 500 mln. Originally the building was purchased for RR 400 mln, expenses are documented by the contract and payment orders. Paying sales price to the foreign company, Seller, the Russian company, Buyer, acting as a tax agent must calculate and withhold corporate income tax in the following amount:

a) RR 500 mln

b) RR 100 mln

c) RR 500 mln less residual value of the building based on tax accounting data provided by the Seller

d) RR 100 mln less residual value of the building based on tax accounting data provided by the Seller

e) RR 500 mln adjusted for inflation using Deflator Index.

2. Profit of the permanent establishment (PE) is estimated as profit:

a) from service performed for counterparties registered for tax purposes in the same tax authority where PE is registered

b) and any other incomes received by foreign company from Russian sources

c) equivalent to the profit that would be received by a separate and independent entity engaged in the same or similar business activity in the same or similar circumstances

d) equivalent to the profit that would be received by a separate and independent entity engaged in the same or similar business activity in the same or similar circumstances received from sources in Russia and abroad

e) from business activity of the permanent establishment including dividends received by PE on shares, owned by the foreign head company and not accounted for as PE assets.

3.The main mission of OECD Forum on Tax Administration is:

a)arrangement for discussion of practical challenges for tax administration, promoting tax cooperation between tax administrations and governments in Europe, supporting its development in accordance with individual needs

b)arrangement for industrial cooperation of CIS countries, coordination of cooperation between tax authorities of CIS Member States

c) development of international standards to fight money laundering and financing of terrorism

d) development of dialog and exchange of practice between tax authorities of world’s major economies as well as influencing global trends in international taxation and development of new approaches for tax administration

e)promoting reasonable economic viewpoints and methods in developing countries.

4.Tax assessment (information) about amounts paid to foreign entities and taxes withheld by tax agents reflects:

a)any incomes paid in favor of foreign entity

b) any incomes paid to foreign entity recognized as income from sources in Russia

c) only incomes from Russian sources subject to taxation in Russia under the tax treaty regulation

d) only incomes from which tax agent withheld corporate income tax and paid this tax to the budget

e) only incomes paid to foreign entity without taxation in Russia

5.Foreign company provided one-time services in Russia which did NOT create a permanent establishment in Russia. The liability to pay corporate income tax in Russia …

a)must be fulfilled in any case

b)does not arise

c)must be fulfilled if such services are provide at least several times a year during multiple year period

d)does not arise when foreign company is a tax resident in OECD Member State

e)does not arise only when it is stipulated under the double tax treaty

Question 3. (20 points)

Solve the task.

Assume a foreign company acting through its permanent establishment in Russia received sales revenue RR 500 mln , rentals for the property owned by the permanent establishment RR 100 mln. Expenses of the permanent establishment for the period were RR 400 mln.

When rentals were paid corporate income tax was withheld by the tax agent applying art 310 of the Tax Code of the Russian Federation.

Calculate amount of corporate income tax, payable to the budget by the permanent establishment of foreign company.

**7. Mandatory and optional reading list**

**Legal regulations.**

1. The constitution of the Russian Federation, 1993 (with amendments)
2. The Tax code of the Russian Federation. Part 1.
3. The Tax code of the Russian Federation. Part 2.

**Mandatory reading list.**

1. Налогообложение организаций: учебник / коллектив авторов; под науч. ред. Л.И. Гончаренко. — 2-е изд., перераб. - Москва: КНОРУС, 2019. — 529 с. — [Для студентов бакалавриата, магистрантов экономических вузов и факультетов, а также аспирантов, преподавателей]. - ЭБС BOOK.ru. — URL: https://book.ru/book/932585 (дата обращения: 20.05.2020). — Текст: электронный.
2. Налогообложение организаций. Задачи и тесты: учебник / Финуниверситет; коллектив авторов; под науч. ред. Л.И. Гончаренко. – Москва: Кнорус, 2018. – 192 с. – (Бакалавриат). - ЭБС BOOK.ru. - URL: https://book.ru/book/927739 (дата обращения: 21.05.2020). — Текст: электронный.
3. Налоги и налогообложение: учебник и практикум для академического бакалавриата / Г.Б. Поляк [и др.]; под ред. Г.Б. Поляка и Е.Е. Смирновой. – 3-е изд., перераб. и доп. – Москва: Издательство Юрайт, 2019. — 385 с. – (Бакалавр. Академический курс). - ЭБС Юрайт. - URL: http://www.biblio-online.ru/bcode/431888 (дата обращения: 20.05.2020). - Текст: электронный.

**Optional reading list.**

1. Аронов, А.В. Налоговая политика и налоговое администрирование: учебное пособие / А.В. Аронов, В.А. Кашин. – 2-е изд. - Москва: Магистр, ИНФРА-М, 2019. - 544 с. – (Магистратура). – ЭБС Znanium. - URL: https://new.znanium.com/catalog/product/1002046 (дата обращения: 20.05.2020). – Текст: электронный.

**8. List of IT resources, incl. the list of software, information and reference systems (as appropriate).**

**8. 1. Software:**

1. Windows, Microsoft Office software;

2. ESET Endpoint Security antivirus software; etc.

**8.2. Databases and information and reference systems**

E.g.

1. www.accountingreform.ru — Сайт о реформе бухгалтерского учета в России
2. www.bankclub.ru — Сайт банковских аналитиков
3. www.bankir.ru — Сайт о банковской деятельности
4. www.buhgalteria.ru — Информационно-аналитическое электронное издание «Бухгалтерия.ru»
5. www.cbonds.ru — Рынок облигаций
6. www.fedsfm.ru – Федеральная служба по финансовому мониторингу
7. www.cbr.ru — Центральный банк России
8. www.cfin.ru — Корпоративный менеджмент
9. www.ecsocman.edu.ru — Федеральный образовательный портал «Экономика, социология, менеджмент»
10. www.fas.gov.ru — Федеральная антимонопольная служба
11. www.finam.ru — Финансовая информация
12. www.finanaliz.ru — Финансовый анализ
13. www.finansy.ru — Публикации по экономике и финансам
14. www.finmarket.ru — Информационное агентство ФинМаркет
15. www.finrisk.ru — Финансовые риски
16. www.fira.ru — база данных по российским компаниям
17. www.investo.ru — Клуб инвесторов
18. www.k2kapital.com — Аналитическая информация о финансовых рынках
19. www.klerk.ru — Сайт о бухгалтерском учете, менеджменте, налоговом праве, банках
20. www.m3m.ru — Агентство финансовой информации
21. www.mfd.ru — Финансовая информация
22. www.mirfin.ru — Мир финансов
23. www.minfin.ru — Министерство финансов РФ
24. www.mosnalog.ru — Федеральная налоговая служба по г. Москве
25. www.nalog.ru — Федеральная налоговая служба РФ
26. www.prime-tass.ru — Агентство экономической информации
27. www.quote.ru — финансовые показатели российских предприятий
28. www.raexpert.ru — Рейтинговое агентство ЭКСПЕРТ РА
29. www.rbc.ru — РИА РБК
30. www.riskland.ru — Экспертиза рисков
31. www.rts.ru — Российская торговая система
32. www.rusbonds.ru — Рынок облигаций
33. www.sandp.ru —Компания Standard & Poor's
34. www.uasos.net — Финансовая Аналитика России
35. www.vip-money.com — Советы финансового консультанта
36. http://www.consultant.ru/ - СПС Консультант Плюс.
37. <http://www/garant.ru/> - СПС Гарант.
38. Электронная библиотека Финансового университета (ЭБ) http://elib.fa.ru/ (http://library.fa.ru/files/elibfa.pdf)
39. Электронно-библиотечная система BOOK.RU http://www.book.ru
40. Электронно-библиотечная система «Университетская библиотека ОНЛАЙН» <http://biblioclub.ru/>
41. Электронно-библиотечная система Znaniumhttp://www.znanium.com
42. «Деловая онлайн библиотека» издательства «Альпина Паблишер» http://lib.alpinadigital.ru/en/library
43. Электронно-библиотечная система издательства «Лань» https://e.lanbook.com/
44. Электронно-библиотечная система издательства «ЮРАЙТ» <https://www.biblio-online.ru/>
45. Научная электронная библиотека eLibrary.ru http://elibrary.ru

**8.3. Certified software/hardware used for information protection**

1. General Software Windows, MicrosoftOffice

2. Antivirus ESETEndpointSecurity

3. MS Teams for online consultations

**Title page template**

Financial University under the Government of the Russian Federation

Department of taxes and tax administration of Faculty of taxes, audit and business analysis

Oleg Igorevitch Borisov

International taxation (in English)

**SYLLABUS**

***Level of Study:*** *Bachelor’s Degree*

***Field of Study:*** *38.03.01 Economy*

***Study Program:*** *“International trade and taxation (in English)”*

1. To be filled in when the updated Financial University educational standards and federal state educational standards of higher education “3++” are implemented. [↑](#footnote-ref-1)
2. Skills are described when the Financial University educational standards of the 1st generation and federal state educational standards of higher education “3+” are implemented. [↑](#footnote-ref-2)