UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

International and Comparative Corporate Taxation

2627-5-A5810273

Learning objectives

1. Knowledge
   The student will acquire an in-depth understanding of the role of tax in the business environment, particularly in the context of globalization and cross-border investments. The course will focus on the following key areas:

- the basics of international taxation, with an emphasis on the common international tax problems faced by corporate income tax systems around the world;
- the core features of corporate tax systems in industrialized countries, specifically addressing both domestic and international tax issues;
- the various corporate tax models adopted by different countries, their circulation, and the impact of these models on global taxation;
- a comparative analysis of tax systems, particularly focusing on the US and Italian corporate tax mechanisms, and how they address the issues discussed in the course;
- the theory and methods of comparative taxation, including tax models, formants, and the common core of corporate tax law.
- the economic principles of taxation, such as efficiency, vertical and horizontal equity, and simplicity, to critically analyze tax policy and compare different corporate tax designs.

2. Skills
   By the end of the course, the student will be able to:

- analyze and interpret the fundamental tax rules governing international and corporate taxation, applying this knowledge to real-world case studies;
- identify and compare different corporate tax models in various countries, recognizing the strengths and weaknesses of each approach;
- assess the tax mechanisms used by industrialized countries, with particular attention to domestic and international tax issues and their policy considerations;
- evaluate the economic principles of taxation (efficiency, equity, simplicity) and apply them to critically

assess different corporate tax systems;
- apply theoretical concepts of comparative taxation to solve practical legal and fiscal issues arising from cross-border investments and corporate reorganization.

3. Judgment Autonomy
   The student will be able to:

- critically evaluate tax policy solutions adopted by different countries in response to common international tax challenges, particularly considering their effectiveness and alignment with fundamental economic principles;
- formulate informed judgments on the application of corporate tax mechanisms in addressing global tax issues, with a focus on balancing the needs of both the domestic and international business environments;
- assess the impact of globalization on tax systems, recognizing the potential challenges and opportunities that arise from cross-border tax interactions.

4. Communication Skills
   The student will be able to:

- communicate complex tax issues clearly and effectively, using appropriate technical language, in both academic and professional settings;
- engage in meaningful discussions with experts and peers on tax policy and corporate tax systems, presenting well-reasoned arguments supported by legal and economic analysis;
- present findings and recommendations on tax issues, ensuring clarity and precision in communicating complex fiscal matters to diverse audiences.

5. Learning Skills
   The student will be able to:

- independently research developments in international tax law and comparative taxation, staying informed on the evolving nature of corporate tax systems and global fiscal challenges;
- adapt their understanding of taxation to new contexts and challenges, particularly in light of ongoing globalization and cross-border investment trends;
- critically analyze tax systems and propose improvements based on an understanding of international tax principles and the economic underpinnings of tax law.

Contents

The course provides a comparative analysis of international tax systems, focusing on solutions to common issues in corporate income taxation. It covers the fundamentals of international taxation, challenges in cross-border corporate reorganizations, and tax models from major industrialized economies. Special attention will be given to the tax mechanisms of the United States and Italy to understand the practical implications of fiscal policies. Additionally, the course explores the economic principles of taxation to critically assess different tax systems.

Detailed program

- Methods and theories of comparative tax law;

- Definition, history and reasons of corporate tax law;

- Role of business in tax law: the reasons behind the taxation of corporate entities; the incidence of corporate taxes; the relationship between corporate and individual level of income taxes; determination of corporate tax base and tax rates;
- The international tax regime: international tax as international law (the benefit principle and the single tax principle);
- The concept of tax residency;
- The concept of source (with a focus on the concept of permanent establishment);
- Taxation of inbound business transactions;
- Taxation of outbound business transactions;
- Taxation of multinationals and cross border investments;
- International corporate tax planning;
- Taxation of reorganizations and cross border reorganizations;
- Prevention of tax avoidance and evasion; enforcement tools: the BEPS project and the EU measures.

Prerequisites

No

Teaching methods

Frontal lessons (didattica erogativa): lectures and practical training on selected topics and issues. Students will also have the possibility do present tax cases. Additional material (cases, new tax law rules, articles) can be recommended to those students who want to study the subject in detail.

Assessment methods

Oral exam about the facts, principles, and issues of internatinal and comparative corporate taxation discussed in the course and also based on the textbook.

Possibility to take a written exam only in the first session at the end of the course.

Textbooks and Reading Materials

R. AVI-YONAH - N. SARTORI - O. MARIAN, Globlal perspective on income taxation law, Oxford University Press, 2011 (excluded chapters 3II and 4).

Sustainable Development Goals

REDUCED INEQUALITIES