Overview and Learning Objectives
This course is designed to provide participants with the basic concepts and principles of international tax law from a truly international perspective. It examines the sources of international tax law, how those sources of law fit together and what the main current issues of international tax law are. The concepts and principles of international tax law are further applied to the practice of business structures and planning. The course includes many case study sessions to ensure that the concepts discussed during the course are well understood from a practical perspective.

The aim of the course is to make the participants aware of the wide range of tax issues that have to be addressed in practice, and also to provide the participants with an overview of a large number of selected areas of taxation such as value added tax, EU tax law and transfer pricing.

Participants will acquire a structured understanding of the concepts and principles of international tax law, and of selected issues relevant to the business practice. They will learn to identify issues that occur when dealing with international tax situations, what questions to ask, the different approaches of national tax systems to the most important issues and how to apply double taxation treaties in practice. Perhaps most importantly, participants will see the whole framework of international tax law, so that they have the background knowledge and confidence to pursue specific enquiries independently.

Who Should Attend?
The course is suitable for professionals with experience of national taxation, who now have to deal with international taxation. This includes practitioners in tax advisory firms, tax specialists in commerce and industry and government officials.

Course Level and Prerequisites
This is an introductory-level course. Participants will be expected to have a basic knowledge of the tax system of at least one country. The course is addressed to professionals with limited experience in dealing with issues relating to international taxation.
Day 1

08.30 - 09.00  Registration

09.00 - 09.30  Welcome and IBFD Overview

09.30 - 10.40  Introduction

National tax systems
- Characteristics of various taxes, typical national tax structures, considerations in the design of a national tax system, connecting factors for the levy of taxes (residence, domicile, nationality, source)
- Source-based taxation, territorial systems

Sources of international tax law
- Treaties, model treaties and commentaries, OECD reports
- European Union and European Court of Justice
- Literature: principal textbooks and periodicals

Role of treaties
- Structure and effect of comprehensive income tax treaties
- Application of tax treaties
- Issues in treaty interpretation

10.40 - 11.00 Break – Refreshments

11.00 - 12.45 Introduction (continued)

12.45 - 14.00 Lunch

14.00 - 15.30 Introduction (continued)

15.30 - 15.50 Break – Refreshments

15.50 - 17.00 Case Studies

17.00 - 18.00 Welcome Drinks
Day 2

09.00 - 10.30 **Residence and Emigration/Immigration**

- National residence definitions for individuals and companies
- Dual residence, tiebreaker clauses, residence for treaty purposes
- Exit taxes, extended residence after emigration
- US savings clause

10.30 - 10.50 Break – Refreshments

10.50 - 12.00 **Residence and Emigration/Immigration (continued)**

12.00 – 12.45 **Case Study**

12.45 – 14.00 Lunch

14.00 - 15.40 **EU Tax Law Aspects**

- EU tax law and its effect on domestic tax law
- Non-discrimination and the Treaty on the functioning of the EU
- EU Directives
- Tax law harmonization
- Drive against harmful tax competition

15.40 - 16.00 Break – Refreshments

16.00 - 17.00 **EU Tax Law Aspects (continued)**
Day 3

09.00 - 10.40 The Permanent Establishment Concept
- Basic OECD rule on permanent establishment (PE) concept
- Building site and agency PEs
- Service PEs
- Auxiliary activities
- E-commerce and PEs
- UN Model
- Case studies

10.40 - 11.00 Break – Refreshments

11.00 - 12.45 The Permanent Establishment Concept (continued)

12.45 - 14.00 Lunch

14.00 - 15.30 The Permanent Establishment Concept (continued)

15.30 - 15.50 Break – Refreshments

15.50 - 17.00 Case Studies
Day 4

09.00 - 10.40  **Profit Allocation to Permanent Establishments**

- Allocation of assets and profits
- Financing a PE
- Head office-PE transactions
- Foreign exchange results

10.40 - 11.00  Break – Refreshments (*ITA Online presentation*)

11.00 - 12.45  **Profit Allocation to Permanent Establishments (continued)**

12.45 - 14.00  Lunch

14.00 - 15.30  **Case Studies**

15.30 - 15.50  Break – Refreshments

15.50 - 17.00  **Case Studies (continued)**
Day 5

09.00 - 10.40  Employment Income

- Issues with taxation of employment income (PAYE, type of income)
- Article 15 of the OECD Model – basic rule
- 183-day rule, anti-avoidance
- Secondments, corporate trainees
- Definition of employment income
- Stock options – domestic treatment vs treaty relief
- Directors’ fees – from UN to OECD to US Model
- Artistes and sportsmen
- Students, employment income while a student
- Pensions

10.40 - 11.00  Break – Refreshments

11.00 - 12.00  Employment Income (continued)

12.00 - 13.00  Case Studies

13.30 - 14.30  Canal Boat Trip
Day 6

09.00 - 10.30  Transfer Pricing – The Legal Framework

- The importance of transfer pricing
- Domestic transfer pricing rules
- Article 9 of the OECD and UN Models
  - associated enterprises
  - the arm’s length principle
- The OECD Transfer Pricing Guidelines for Multinational Enterprises

10.30 - 10.50  Break – Refreshments

10.50 - 12.45  Transfer Pricing Methodologies

- Identification and classification of associated party dealings
- Comparability analysis
- Undertaking a functional analysis
- OECD transfer pricing methods
- Selection and application of transfer pricing methodologies
- Practical examples/case studies

12.45 - 14.00  Lunch

14.00 - 15.00  Transfer Pricing Methodologies (continued)

15.00 - 15.20  Break – Refreshments

15.20 - 17.00  Case Studies
Day 7

09.00 - 10.30  Passive Income

- Income from immovable property
- Dividends, interest, royalties
- Imputation and classical systems
- Intercorporate dividends, participation exemption
- Beneficial ownership
- Capital gains
- Article 21 of the OECD Model

10.30 - 10.50  Break – Refreshments

10.50 - 12.45  Passive Income

12.45 - 14.00  Lunch

14.00 - 15.40  Non-Discrimination and Triangular Cases

- Article 24 of the OECD Model
- Triangular cases involving PE

15.40 - 16.00  Break – Refreshments

16.00 - 17.00  Case Studies
Day 8

09.00 - 10.40 European VAT

- General introduction to the VAT system
- Who must pay VAT?
- When and where is VAT due?
- Exemptions
- VAT aspects of international trade

10.40 - 11.00 Break – Refreshments

11.00 - 12.45 European VAT (continued)

12.45 - 14.00 Lunch

14.00 – 15.30 Double Tax Relief

- Double tax relief mechanisms (deduction, exemption, credit)
- Losses and double tax relief
- Limitations on relief
- Conditions for relief
- Tax sparing, matching credit provisions

15.30 - 15.50 Break – Refreshments

15.50 - 17.00 Case Studies
Day 9

09.00 - 10.40 Business Structures and Planning
- Introduction to entity selection
  - entity selection
  - business entities
  - US check-the-box election
- Hybrids
- Group taxation systems
- Losses
- Holding companies

10.40 - 11.00 Break – Refreshments

11.00 - 12.45 Business Structures and Planning (continued)

12.45 - 14.00 Lunch

14.00 - 15.30 Anti-Avoidance Rules
- GAAR
- Controlled foreign companies
- Anti-tax haven provisions
- LOB

15.30 - 15.50 Break – Refreshments

15.50 - 17.00 Case Studies

17.00 - 18.00 Farewell Drinks
Day 10

09.00 - 10.30  Treaty Review
   - Wrap-up of the course

10.30 - 10.50  Break – Refreshments

10.50 - 11.50  Treaty Review (continued)

11.50 - 13.00  Case Study