International tax optimization

MASTER'S DEGREE MBA IN INTERNATIONAL MANAGEMENT

UNIVERSIDAD INTERNACIONAL MENÉNDEZ PELAYO

Másteres Universitarios

This document can be used as reference documentation of this subject for the application for recognition of credits in other study programmes. For its full effect, it should be stamped by UIMP Student's Office.

GENERAL DATA

Brief description

This course deals with the main practical tax issues related to Spanish investments abroad and foreign investments in Spain.

Name

International tax optimization

Code

102823

Academic year

2024-25

Degree

MASTER'S DEGREE MBA IN INTERNATIONAL MANAGEMENT

ECTS Credits

1

Type

ELECTIVE

Duration

Cuatrimestral

Language

Spanish/English

CONTENTS

Contents

Brief overview of the basic tax rules on internationalisation (Sessions 1 and 2)

• Brief review of the basic regulations.

Spanish investments abroad. (Sessions 2/3 and 4)

• The most problematic aspects of the international double taxation deduction.
• Identification of the fiscal areas with the greatest influence on investment decisions
• Commonly used investment structures: The use of holding and financial companies by multinational groups and temporary joint ventures and similar formulas.

Foreign investment in Spain and taxation of the main trade agreements. (Sessions 5 and 6)

• Identification of the fiscal areas with the greatest influence on investment decisions
• Structures commonly used by foreign groups investing in Spain: Direct investments or investments through third jurisdictions; asset purchases versus share acquisitions and the main special corporate tax regimes with tax benefits.
• Essential tax aspects for establishment and non-establishment structures. Special attention to distribution, agency and franchising contracts
• Work with audiovisual material and self-assessment test (not gradable).

COMPETENCES

Conocimientos

CO1 - To learn about business management analytics in dynamic and complex environments, such as the international environment.

CO3 - To master the basic tools of information and communication technologies for exercising of their profession and for learning.

CO4 - To understand the concepts, theories and instruments for analysing and developing business internationalisation plans.

CO5 - To understand the nature of problems in the organisation and therefore the application of suitable tools by developing analytical skills.

CO6 - To acquire the skills for professional document drafting and reporting in the field of international business.

CO7 - To know the structure and functioning of the organisations and institutions that support companies’ internationalisation.

CO8 - To know the main legal and fiscal aspects that directly or indirectly affect business internationalisation processes.

CO13 - To learn to incorporate the concept of sustainability in business and institutional projects, identifying its specific areas of practical application.

CO14 - To learn to incorporate other SDG concepts, which are also relevant for international companies, in their projects, identifying their specific areas of practical application.

Habilidades

S1 - To apply the theoretical and practical knowledge acquired, with a high degree of independence, in both national and international companies, be they small or medium-sized or companies of a more multinational dimension, and even in non-business organisations whose management requires an international vision.

S3 - To be able to collect, record and interpret macroeconomic data, country information, industry and business information, financial and accounting data, statistical data, and relevant research results to systematise business decision-making processes in international environments.

S5 - To assess the relationship between enterprises and the institutional framework in which activities are carried out.

S6 - To manage digital platforms, technological, audiovisual and computer media to search for information and for effective communication of business projects.

S7 - To manage software and statistical programmes for data recording and analysis.

S8 - To analyse the results of market and competition research to propose strategic orientations and operational actions.

Competencias

C1 - To work in multidisciplinary and multicultural teams, in highly demanding situations in terms of time (deadlines for designing and executing projects and cases) and results.

C2 - To develop business and personal activities within the strictest ethical and socially responsible behaviours, as well as to develop sensitivity towards social and environmental issues.

C3 - To express themselves correctly, both orally and in writing, in Spanish and English, maintaining an appropriate image in their professional activity.

C4 - To lead the process of designing the international strategy.

C5 - To work in a team, prioritising the precision of the results and the soundness and originality of the proposals. .

C6 - To lead and develop international business negotiation processes.

LEARNING PLAN

Training activities

Type of activity	Hours	% On site
TA1.- Master classes	8	100
TA2.- Practical classes	5	100
TA3.- Individual and group work	15	0
TA4.- Tutorials	2	100
TA5.- Individual student work	20	0

Teaching methods

The module will be based on analysing and presenting the different theoretical sections with face-to-face classes, supported by the analysis of cases, audiovisual material and personal discussion with the lecturer.

Sessions for the subject:

There will be 6 sessions or classes of 2 hours each, i.e. the course will have a total of 12 teaching hours.

Learning outcomes

To understand the tax impact of business internationalisation in Spain and abroad.

To be able to work as a team with the rest of the company's professionals responsible for the different aspects of the foreign investment process, in order to avoid risks and unnecessary tax costs.

EVALUATION

Evaluation system

Students’ final grades in the ordinary exam session will be determined on the basis of two concepts: the final exam and class participation.

The final exam will account for 100% of the final grade.

The assessment will take the form of an examination in English, consisting of 10 multiple-choice questions (with four possible answers and only one valid answer) and two essay questions. The multiple-choice and essay questions are weighted equally (50% of the mark for each part).

The estimated duration will be a maximum of 45 minutes. The exam is scored out of 10. Each correct answer to the multiple-choice questions will be awarded 1 point, blank answers will be awarded zero points, and incorrect answers will lead to a deduction of 0.20 points.

Elaboration questions will be awarded 5 points each. The answer to each of the elaboration questions should not exceed one page in length, as the aim is to summarise and explain the essential aspects of the topic raised.

Most of the answers will be derived directly from the documentation provided during the course and/or from the explanations given in class by the lecturer. However, some may require a personal effort of reflection on the part of students and the application of their own judgement.

The lecturer may increase or decrease the final grade achieved by up to +/- 10% according to the participation of each student, both quantitatively (number of interventions) and, mainly, qualitatively (timeliness and quality of interventions), as well as the attitude and attention given during the teaching sessions.

In the 2nd and subsequent exam sessions, 100% of the grade will depend exclusively on the exam. The type of examination may be a multiple-choice or essay type, oral, mixed or assignment. The student will be informed of the type(s) of test(s) in good time.

FACULTY

Coordinator/s

de la Cueva González-Cotera, Álvaro

Doctor en Derecho.

Socio J&A Garrigues SLP

Lecturers

Porfessor responsible for the subject

BIBLIOGRAPHY AND LINKS

Bibliography

• Calderón Carrero, J. M. and Ruiz García, J. R. (editors) Comentarios a los CDIs concluidos por España, Fundación Barrié de la Masa, La Coruña, 2004.
• Falcón y Tella, R and Pulido Guerra, E: Derecho Fiscal Internacional, Marcial Pons, 3rd ed. 2018.
• VVAA..: Manual de Fiscalidad Internacional, 4th ed, Instituto de Estudios Fiscales, 2016, Chapter 32.
• VVAA..: Fiscalidad Internacional, Dir. Serrano Antón, F. Centro de Estudios Financieros, 8th ed., 2022 Chapters 31, 32 and 33.
• http://www.oecd.org
• http://www.ibfd.org
• https://www.hacienda.gob.es/es-ES/Paginas/Home.aspx
• https://sede.agenciatributaria.gob.es/