

TAX535 Taxation and the Digital Economy

Level: 5

Credit Units: 5 Credit Units

Language: ENGLISH

Presentation Pattern: EVERY JAN

Synopsis:

TAX535 Taxation and the Digital Economy equips the student with the knowledge of the digital economy, and how the tax systems around the world, and the various multilateral organisations dealing with taxation are grappling with the complexities of the new economy, using old and new rules and principles. The course covers how the pre-BEPS world looked at the digital economy, and explores the post-BEPS world and how it is designed to tax the digital economy. (BEPS refers to the Base Erosion and Profit Shifting project undertaken by the OECD/G20 nations in 2012 to reform the international tax system because of perceived tax planning abuses.) The course looks at the efforts of various countries such as the USA, the UK and Australia to tax the digital economy outside of the multilateral approach of the OECD. Even while countries and multilateral bodies act, the digital economy evolves. The course explores how taxation deals with issues such as the platform or sharing economy, the internet of things, bitcoins, blockchains and artificial intelligence.

Topics:

- The Scope of Income Taxation
- The Taxation of E-commerce (the pre-BEPS debate)
- Remote Supply and the Digital Permanent Establishment
- Cloud Computing
- The Development of the Digital Economy
- BEPS and the Digital Economy: The Collective and the Individual State Responses
- Extension of the Permanent Establishment Concept
- Direct Taxation and Indirect Taxation
- “State Aid” Attacks
- The New Economies – Old Rules New Developments?
- Other Approaches to the Digital Economy
- The Singapore Position
- The Complexities of a Global Entrepreneur

Textbooks:

Pistone, P., Weber, D.: Taxing the digital economy: The EU proposals and other insights. (2019).
Amsterdam: IBFD.
ISBN-13: 9789087225582

Learning Outcome:

- Evaluate the facts in various case-study scenarios, and correctly identify the taxation issue presented
- Assemble all sources of law and practice relevant to the issue identified
- Critically appraise the various authorities that may exist in this area, be they case law, statute law etc.
- Distinguish precedent cases from fact pattern presented
- Formulate a position paper, strategy document or tax advice on matters relating to the taxation issue
- Examine and analyse legal materials which are written in technical or complex language
- Discuss through different forms of communication, such as verbal, written and formal presentations, presenting knowledge or an argument in a way which is comprehensible to others

Assessment Strategies (Evening Class):

Components	Description	Weightage Allocation (%)
Overall Continuous Assessment	TUTOR-MARKED ASSIGNMENT 1	40
Overall Examinable Components	ECA	60
Total		100