

# LA371-15 Corporate Tax Law

**21/22**

**Department**

School of Law

**Level**

Undergraduate Level 3

**Module leader**

John Snape

**Credit value**

15

**Module duration**

10 weeks

**Assessment**

40% coursework, 60% exam

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

This module analyses the legal and policy issues behind the media headlines and, in doing so, illuminates the questions relevant to practitioner and commentator alike. It is therefore of considerable interest to students wishing to pursue a career in corporate and commercial legal practice no less than those interested in the regulation of companies more generally.

[Module web page](#)

### Module aims

Whether corporations are paying their 'fair share of tax' is a topic rarely out of the news these days. Corporate tax law is therefore a major matter of public concern. However, it is also a significant technical component in the regulatory framework applicable to corporations. This module analyses the legal and policy issues behind the media headlines and, in doing so, illuminates the questions relevant to practitioner and commentator alike. It will therefore be of considerable interest to students wishing to pursue a career in corporate and commercial legal practice no less than those interested in the regulation of corporations more generally. Indeed, the module will provide what may well be a unique opportunity for undergraduate law students to study corporate taxation law and policy. The emphasis will be on the UK but reference will be made as appropriate to the impact of the EU, the OECD and GATT1994/WTO.

The aim of the module is to provide students with a critical analysis of corporate taxation law, in such a way as to illuminate its conceptual links with the policies underlying corporate law, especially as they relate to groups of companies and common types of corporate transactions.

## **Outline syllabus**

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Company taxation: contexts, history and theories;

Company law: reserves and distributable profits;

Corporation tax;

Groups of companies – company law and tax;

Dividends in kind and maintenance of capital;

Company disposals and acquisitions; and Demergers.

## **Learning outcomes**

By the end of the module, students should be able to:

- Understand how global economic factors, political and economic theory and national, European and global legal orders contribute to the shaping of UK corporate tax law. Gain thereby an in-depth knowledge of specific areas of UK corporate tax law.
- Appreciate how politics and political judgment, working in conjunction with economic theory, shape both the corporate tax code as a whole and its constituent parts. Understand the pressures on, and skills required of, a practitioner working with the UK corporate tax system. Reflect on the interaction between contractual documentation and statutory provisions in the application of corporate tax law to hypothetical factual situations.
- Identify and use, not only primary and secondary legal source materials, but also source materials from adjacent relevant disciplines. Assess current corporate tax debates in the light of national, European and global legal and ideological factors. Identify and use a range of legal scholarly skills, especially detailed statutory and case-law analysis and critical theoretical discussion.
- Evaluate the significance of neoliberal values in shaping corporate tax policy and the senses in which those values are embodied in the corporate tax code as a whole.
- Work independently on directed reading and seminar preparation so as to gain some of the knowledge, skills and analytical ability of a specialist in corporate tax law.
- Use internet and library sources with discrimination, discretion and circumspection, allowing for the effect of the passage of time on the law and on the relevance and currency of policy issues.

## **Indicative reading list**

DRYSDALE, Corporation Tax 2012/2013 (Haywards Heath: Bloomsbury Publishing, 2014)

TILEY AND LOUTZENHISER, Advanced Topics in Revenue Law (Oxford: Hart Publishing, 2013)

### **Subject specific skills**

No subject specific skills defined for this module.

### **Transferable skills**

No transferable skills defined for this module.

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## **Study**

### **Study time**

<b>Type</b>	<b>Required</b>
Lectures	18 sessions of 1 hour (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	125 hours (83%)
Total	150 hours

### **Private study description**

No private study requirements defined for this module.

### **Costs**

No further costs have been identified for this module.

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## **Assessment**

You do not need to pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

### **Assessment group D1**

	<b>Weighting</b>	<b>Study time</b>
Written assignment (2500 words)	40%	
Students are required to write an essay on one of a selection of questions.		
Online Examination	60%	
This is a 2hr exam to be completed within the given 24hr period.		

~Platforms - AEP

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- LA038: Corporate Tax Law Statutes

## Feedback on assessment

Essay feedback via Tabula. Generic exam feedback provided on Moodle, with option for one to one feedback by student request in October.

[Past exam papers for LA371](#)

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## Availability

### Courses

This module is Optional for:

- Year 3 of ULAA-M300 Undergraduate Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
  - Year 3 of M105 Law (3 year) (Qualifying Degree)
  - Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
  - Year 3 of M106 Law (4 year) (Qualifying Degree)
  - Year 4 of M106 Law (4 year) (Qualifying Degree)
- Year 4 of ULAA-M104 Undergraduate Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
  - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 4 of UIBA-MN32 Undergraduate Law and Business Studies
- UIBA-MN37 Undergraduate Law and Business Studies (Qualifying Degree) with Intercalated Year
  - Year 4 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
  - Year 5 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
- UIBA-MN36 Undergraduate Law and Business Studies with Intercalated Year (4+1)
  - Year 4 of MN36 Law and Business Studies with Intercalated Year (4+1)
  - Year 5 of MN36 Law and Business Studies with Intercalated Year (4+1)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- Year 3 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)

This module is Option list A for:

- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
  - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
  - Year 3 of M115 Law with Social Sciences (3 year) (Qualifying Degree)

This module is Option list B for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
  - Year 3 of ML34 Law and Sociology (Qualifying Degree)
  - Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 5 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology