

LA9FC-20 Corporate Tax Law

24/25

Department

School of Law

Level

Taught Postgraduate Level

Module leader

John Snape

Credit value

20

Module duration

9 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

The first principle aim is to provide students with an understanding of the theory of corporate tax law- placing emphasis on its conceptual links with the policies underlying corporate law. The second principle aim is to promote an understanding of how corporate tax lawyers perform a valuable societal role in promoting the operation of corporate taxation law in practice, with emphasis placed on reviewing the drafting of certain common types of transactional documentation.

[Module web page](#)

Module aims

One principle aim of the module is to provide students with an understanding of the theory of corporate tax law. To this end, emphasis will be placed on its conceptual links with the policies underlying corporate law, especially those of relating to groups of companies and common types of corporate transactions.

The second principal aim is to promote an understanding of how, through the use of planning and drafting techniques, corporate tax lawyers perform a valuable societal role in promoting the operation of corporate taxation law in practice. To this end, emphasis will be placed on reviewing the drafting of certain common types of transactional documentation, especially those relating to

company disposals and acquisitions.

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.

The topics to be covered on the module will be the following:

1. Contexts of Corporate Taxation.
2. History and Theories of Corporate Taxation.
3. Company Law and Accounting Practice; Reserves and Distributable Profits.
4. Corporation Tax (1): Liability to Tax and the Role of Accounting Practice.
5. Corporation Tax (2): Taxable Receipts and Deductible Expenses.
6. Groups of Companies: Company Law and Tax.
7. Dividends in Kind and maintenance of Capital.
8. Company Acquisitions and Disposals.
9. 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 judgement, 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 within 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.
- 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.
- 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.

Indicative reading list

French, D, Mayson SW, Ryan, CL, Mayson, French and Ryan on Company Law 2014-2015 Edition, 31st edn (Oxford, OUP, 2014).

Holgate, P, Accounting Principles for Lawyers (Cambridge, Cambridge University Press, 2006).

Horspool, M, European Union Law, 8th edn (Oxford, OUP, 2014).

Lee, N (ed), Revenue Law — Principles and Practice, 33rd edn (Haywards Heath, Bloomsbury Professional, 2015).

Miller, A, and Oats, L, Principles of International Taxation, 4th edn (Haywards Heath, Bloomsbury Professional, 2014).

Morse, G, and Williams, D, Davies: Principles of Tax Law, 7th edn (London, Sweet and Maxwell, Oats, L, and Tuck, P, Accounting Principles for Tax Purposes, 4th edn (Haywards Heath, Bloomsbury Professional, 2010).

Picciotto, S, Regulating Global Corporate Capitalism (Cambridge, CUP, 2011).

Snape, J, The Political Economy of Corporation Tax: Theory, Values and Law Reform (Oxford, Hart Publishing, 2011).

Tiley, J, and Loutzenhiser, G, Revenue Law: Introduction to UK Tax Law; Income Tax; Capital Gains Tax; Inheritance Tax, 7th edn (Oxford, Hart Publishing, 2012).

Tiley, J, and Loutzenhiser, G, Advanced Topics in Revenue Law: Corporation Tax; International and European Tax; Savings; Charities (Oxford, Hart Publishing, 2013).

Wainman, D, Company Structures, 2nd edn (London, Sweet and Maxwell, 1999).

Subject specific skills

No subject specific skills defined for this module.

Transferable skills

No transferable skills defined for this module.

Study

Study time

Type	Required
Lectures	16 sessions of 1 hour (8%)
Seminars	8 sessions of 1 hour (4%)
Private study	176 hours (88%)
Total	200 hours

Private study description

No private study requirements defined for this module.

Costs

No further costs have been identified for this module.

Assessment

You must pass all assessment components to pass the module.

Assessment group A1

	Weighting	Study time	Eligible for self-certification
4000 word essay	100%		Yes (extension)
A 4,000 word essay.			

Feedback on assessment

Face-to-face discussion with student and detailed feedback sheet via Tabula

Availability

Courses

This module is Optional for:

- Year 1 of TIMA-L981 Postgraduate Social Science Research
- Year 1 of TLAA-M3PJ Postgraduate Taught Advanced Legal Studies
- Year 1 of TLAS-M3P7 Postgraduate Taught International Economic Law
- Year 1 of TLAS-M221 Postgraduate Taught LLM in International Corporate Governance and Financial Regulation

This module is Core option list B for:

- Year 1 of TLAA-M223 Postgraduate Taught International Commercial Law

This module is Option list A for:

- TLAA-M3PJ Postgraduate Taught Advanced Legal Studies
 - Year 1 of M3PJ Advanced Legal Studies

- Year 3 of M3PJ Advanced Legal Studies
- Year 1 of TLAS-M3P7 Postgraduate Taught International Economic Law
- Year 1 of TLAS-M221 Postgraduate Taught LLM in International Corporate Governance and Financial Regulation

This module is Option list B for:

- TLAA-M223 Postgraduate Taught International Commercial Law
 - Year 1 of M223 International Commercial Law
 - Year 3 of M223 International Commercial Law