TAXATION

Degree in Legal Studies (Solicitors)

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Code: 12120

Main Scientific Area: Taxation

Lecturer: Vicente Ferreira Ribeiro

Language of Instruction: Portuguese

Regime: S2

Contact Hours: 45h Total Workload: 95h

ECTS: 5,0

Objectives

Taxation is of fundamental importance both in terms of company operations and in the day to day activities of various functional areas. In itself, taxation is bound up with various operations and legal dealings, influencing their costs, and is an essential factor to be taken into account in the options available in business decisions. A solicitor, in it activity should also be equipped with the appropriate taxation knowledge in order to best advise decision makers whenever dealing with issues that involve the "fiscal cost" aspect. The course aims the study of the major tax considerations that the Solicitor should know for an adequate performance of his job.

Learning Outcomes

- Features the taxation of real estate, quantifying the corresponding tax base and systematic means of reaction associated with the notification of taxable value;

- Know the taxable transactions within the Real Estate Transfer Tax, determining its taxable amount, tax rates and exemptions;

- Meet the new realities subject to Stamp Duty which also became a tax on property;

- In IRS: grasp the concept of unitary taxation through the analytical decomposition of income. Identify the sources of income and consequent determination of net income and your total income, more specifically with regard to categories B and G. Knowing the statements and deadlines for fulfilment of reporting obligations;

- In VAT: to understand the clearance mechanism of VAT in its various aspects and arrangements, without neglecting the ancillary obligations which they are associate.

Course Contents

1. Comprehensive introduction to taxation

2. Property taxes

2.1. The Municipal Real Estate Tax (IMI)

– Taxable operations

– Taxable persons

– Territoriality

– Chargeable event

– Exemptions

– Property fiscal value

– Rates

– Liquidation and payment of the tax amount

– Additional to IMI

2.2. The Municipal Real Estate Transfer Tax (IMT)

– Taxable transactions

– Taxable persons

– Territoriality

– Chargeable event

– Exemptions and fiscal benefits

– Taxable amount

– Rates

– Liquidation and payment of the tax amount

2.3. Stamp Tax (IS)

– Taxable operations

– Taxable persons and the persons that have de tax charge

– Territoriality

– Chargeable event

– Exemptions

– Taxable amount

– Rates

– Liquidation and payment of the tax amount

3. Personal Income Tax (IRS)

3.1. IRS structure

3.2. Taxable persons and Taxable gains

3.3. Category B – Business and professional income

3.4. Category G - Increases in wealth

4. Value Added Tax (VAT): general aspects related with Taxable transactions, Taxable persons and special schemes

Recommended Bibliography

Códigos Fiscais

Manual de Apoio fornecido pelos docentes

Carlos, Américo Brás; Abreu, Irene; Durão, João Ribeiro; Pimenta, Maria Emília (2019). Guia dos Impostos em Portugal 2019, Edição Quid Juris.

PIRES, José Maria Fernandes (2018). Lições de impostos sobre o património e do selo. Almedina.

MATEUS, J. Silvério; FREITAS, L. Corvelo (2005): Os Impostos sobre o Património Imobiliário. O Imposto do Selo, 2005, Engifisco.

CELORICO PALMA, C. (2017): Introdução ao Imposto Sobre o Valor Acrescentado, Almedina.

MORAIS, Rui Duarte (2016), “Sobre o IRS”, Almedina, Coimbra.

XAVIER DE BASTO, José G. (2007), “IRS: Incidência Real e Determinação dos Rendimentos Líquidos”, Coimbra Editora.

Learning and Teaching Methods

The objectives defined for the Curricular unit are consistent with the syllabus, as you can see through the comparative analysis of these two parameters.

The goal is that at the end of the course students, future Solicitors, know the key issues related to the taxation of real state, as they are often called upon to intervene in cases related to the transmission, onerous or free of real estate. Thus, the program includes the study of the major property taxes.

In addition, it is intended that students know the implications in IRS, the real estate-related operations, so the program includes categories B and G of IRS. Furthermore, the category B is intended that students become

prepared to come to choose the best tax framework for their future activity as self-employed. It is intended the same goal on VAT.

Assessment Methods

Within the scope of the Curricular Unit the following evaluation methodologies will be used:

- Assessment of attendance, participation and behavior of students during classes, with particular emphasis on attendance in class, discussion and resolution of practical cases and discussion of topics addressed in the classes and behavior that does not disturb the normal functioning of classes;

- Formative evaluation adequate to the acquisition of knowledge, skills and competences through tests, resolution of exercises and work, individual and / or group;

Calculation of the final classification:

2 tests - 40% + 60%, with a minimum grade of 8,00 points. Dates to be confirmed by the Course Direction;

Note: the student will obtain approval if, in the set of evaluation elements and considering the respective weighting, he / she obtains a final mark of at least 9,5 values.

The remaining evaluation rules comply with the provisions of the RIAPA.

At the time of exams and especially the evaluation will be done through global examination.