



www.international-tax-law.at

Vienna LL.M. News

LET'S WATCH OUT FOR THIS BOY!

Contents

*Let's watch out
for this boy*

Tax Policies in the EU

Visiting Brussels

Skiing for the first time

*In the Cabinet of
Commissioner
Laszlo Kovacs*

Miscellaneous

Die Presse

ERSTE
BANK

LINDE
VERLAG

nwbb



TOMAS BALCO (Czech Republic, Full-Time 02/03) is a graduate of the Masaryk University in Brno, CZ, where he earned Magister and Doctor in Law degrees. He also attended study programmes in Denmark and, with the support of Paul Robitschek, in the USA as well, where he also gained his first practical experience as an intern at the Czech Embassy in Washington DC and at the Czech Permanent Mission to the UN in New York. Having seen that pace of life, he realized that diplomacy is a good idea for old age and plunged head first into the work in the A&A department of one of the Big Four, where he also completed the exams and requirements to become a member of the UK Chartered Accountants professional body (ACCA).

World of International Tax Law Discovered in Vienna

Accounts and compliance work were surely exciting but not enough to keep him on a steady path toward becoming a pensioner in that job. Using his savings and the support of Vaclav Havel, the former president of Czech Rep. and other friends, he started the Vienna LL.M. program and discovered a field that allows him to combine and utilize all the knowledge from his previous studies and experience. It also allows

him to stay dynamic and to grow as a professional and as a person. In addition, he also found a community of inspiring and interesting individuals.

Brussels, Chile, Prague, Amsterdam

During his studies, Tomas already started a job with the European Commission, working on project that involved harmonization of direct taxation in Europe. Liselott Kana, the Chilean tax treaty negotiator who is also member of the faculty of the Vienna LL.M. program, spontaneously offered him a job at the Ministry in Chile soon after her lecture. She introduced him to the area of tax treaty negotiation and was overheard saying that as a friendly gesture she had lent him to her Czech counterpart - Vaclav Zika. In the new job, Tomas could further grow professionally and also explore the environment of the OECD in Paris. In Prague, Tomas also started his academic career with the support of Prof. Lang and Prof. Schuch. After his boss in Prague eventually agreed to lend him to the International Bureau of Fiscal Documentation (IBFD) in the Netherlands, under the condition that Tomas would be well taken care of, Tomas was last seen walking towards Amsterdam. ★



September 2005

Tax Policies in the EU



Fotini Avarkioti

Visiting Brussels



Albert Rädler

IN CLASS



Trip to Brussels

One of the highlights of this LL.M program was our three-day trip to Brussels, right in the heart of Europe. At the European Commission and the Austrian Permanent Representation we had the unique opportunity to meet with leading Commission officials, mainly from DG "Taxation and Customs Union" and to profit from their experience. The

In my view, the greatest impact on my future life was in spring 1958 when I received a research fellowship grant from the Council of Europe. Thus, it became possible to write one of the first books on the harmonization of corporation taxes in the EEC, which had just started to operate in that year.

First Firm

Before receiving the scholarship, Ottmar Bühler was my professor and mentor at the University of Munich. In his international tax seminar I met Arndt Raupach, with whom I worked together for over 35 years. Together, we wrote the first treatise on German taxation of international business transactions (1966). Five years later we founded the first German tax law firm which combined traditional legal

lectures covered issues relating to VAT, transfer pricing, exit taxation, savings tax and the EC Company tax directives. Hot topics such as cross-border loss relief and the adoption of a common consolidated corporate tax base were presented and discussed in detail. Moreover, the Commission's role in initiating infringement procedures and in apply-

ing state aid rules to direct business taxation measures were thoroughly analysed. Overall, this course not only enhanced our knowledge of future developments in European tax policy, but also offered us a useful insight into the work of the European institutions and the EU decision-making process. ★

Relief System

Another highlight was my appointment in 1990 as the member from Germany to the European Committee of Independent Tax Experts, generally referred to as the Ruding Committee, after its chairman. Together with Jens Blumenberg, a former student of mine from the University of Hamburg, we came to the conclusion that the imputation tax system, which was most popular in Europe at that time, could not work within a free European capital market. We proposed to have it replaced by a shareholders' relief system which was introduced in Germany about 10 years later.

First Case

In January 1994, together

with Martin Lausterer, we presented our first case (C-38/93 Glawe) before the European Court of Justice. We convinced the Court that the full amounts paid into coin machine were not subject to VAT but rather that the VAT has to be reduced by the amounts paid back to the players. Other cases followed, for example Saint-Gobain (C-307/97), which was a landmark case defining the relationship between European law and bilateral tax treaties with third countries. Finally, I would like to say how much I enjoy visiting Brussels every year with Josef Schuch and the students of the Vienna LL.M. program. ★

Fotini Avarkioti

(Greece, Full-Time 04/05)

Albert Rädler, Germany, member of the faculty



ALUMNI



Skiing in Austria

It was only a short while ago I was looking for a course on international taxation. I short listed three universities: Melbourne, Leiden and Vienna. I consulted my boss, who was chief treaty negotiator on behalf of Government of India. He recommended the course entitled as “LLM in International Taxation” at Vienna University of Economics and Business Administration. Thus, I came to Vienna

in Sept, 2004. My boss was right - as always. It was a focused course in the field of international taxation. I was enlightened by knowledge of tax laws and treaty policies of different countries. It provided a unique opportunity to interact with stalwarts of international taxation such as Prof Klaus Vogel, Dr John Avery Jones, Prof Arvid Skaar, Mr. Jacques Sasseville. The visit to Brus-



Balázs Békés

I had the ambition to become a lawyer ever since I was a child. However, I did not know then that I would become a tax lawyer, specializing in international taxation. It happened by chance, and Vienna played a significant role in this.

First Part-Time

First of all, having finished my legal studies in Hungary, an Austrian tax consulting firm offered me a job

as a tax consultant. Secondly, 10 years later, when I was a tax partner at one of the Big Four companies, I learned about the LL.M program and I attended the first part-time course. Although it was a significant investment of my time, I nevertheless thoroughly enjoyed it. I enjoyed it all the more since it gave me a very good comprehensive overview of the different national tax systems and of European tax laws.

In the Cabinet

In February 2005 I accepted a position as Member of Cabinet with the European Commission in the Cabinet of Commissioner Laszlo Kovacs, responsible for taxes and customs. Currently, I face the “diverse mindset” of a different legislator each day. It is extremely demand-

sels and exposure to European Community law was very interesting since something extraordinary is happening in Europe. Besides academic input for my job as Additional Director of Income Tax (International Taxation), I enjoyed the company of my fellow students in the course, who come from 20 different countries. It was a really international group with people of different origins, languages and cultures. We all enjoyed our stay in the most beautiful city of Europe. I had the opportunity of skiing for first time in my life. If nothing else, it will be the skiing which will bring me again to Vienna in future. With best wishes to all new students in the Vienna LL.M. program. ★

Sunil Gupta (India, Full-Time 05/06)

Skiing for the first time



Sunil Gupta

In the Cabinet of Commissioner Laszlo Kovacs

ing but at the same time also very exciting to find a common denominator for all the Member States. In this context one of the major current challenges is to agree on the rules of a common consolidated corporate tax base, which would enable companies to use the same method of tax base calculation in different Member States. However, even if the CCCTB is introduced, the majority of the companies will calculate their tax base according to their own domestic tax laws. Therefore, it is worth learning more about the different national tax systems. ★

Balázs Békés (Hungary, Part-Time 99/01)



Alumni Meeting

To all alumni

We cordially invite you to our Annual Meeting 05/06, which will be held on 13 and 14 January 2006 in Vienna. The WU ball will be again the highlight of the schedule of events. The detailed and personal invitation is coming soon.

Scholarship

Admissions

Imprint

Copyright
Postgraduate Program in International
Tax Law of the Vienna
University of Economics and Business
Administration
c/o Akademie der Wirtschaftstreuhänder GmbH
A-1120 Vienna · Schönbrunner Straße 222-228
Phone +43/1/815 08 50-15
b.ender@wt-akademie.at
www.international-tax-law.at

Editorial staff
Prof. Michael Lang, Prof. Josef Schuch,
Barbara Ender-Rochowansky

MISCELLANEOUS



At the Hofburg Palace

“Bringing alumni together” is the idea behind our Alumni Association, which was founded in 2000. An official annual event will encourage community, networks and connection to the Vienna LLM program and between

alumni. It is an inspiring mixture of scientific and social events, including lectures, discussions, the general assembly and the opportunity to take part in a Viennese ball. This year’s Vienna University of Economics and Business Administration ball took place in the halls of the Hofburg Palace. Alumni and current students spent a night in an atmosphere of Viennese charm and danced to the strains of the Viennese waltz. ★



Franz Koppensteiner, Josef Schuch, Elisabeth Bleyleben-Koren

ERSTE Bank and the daily newspaper “Die Presse” are financing one full-time student per academic year. All economics, social sciences or law graduates aged 30 or under at the time of application are eligible for this scholarship. In accordance with the conditions and curriculum of the Vienna LL.M. program, the scholarship will be awarded to the applicant with the best record of achievement,

whereby additional qualifications will also be taken into consideration. The 05/06 scholarship has been awarded to Mr. Franz Koppensteiner, born in Vienna, 22 years old, who graduated from Vienna University of Economics and Business Administration and who is all but graduated from Vienna University. Deputy chairwoman of the ERSTE Bank managing board, Elisabeth Bleyleben-Koren presented the cheque to the lucky Franz Koppensteiner. Deputy head of the study program, Prof. Josef Schuch, congratulates him. ★



Barbara Ender-Rochowansky, Josef Schuch, Michael Lang, Gerhard Stangl

Both a full-time course and a part-time course started in September 2005. We were proud to get a very high number of applications from 23 different countries, viz. Brazil, Bulgaria, Canada, China, Czech Republic, Estonia, France, Germany, Hungary, India, Kazakhstan, Macedonia, Malaysia, Malta, Mexico, Norway, Slova-

kia, Slovenia, South Korea, Spain, Switzerland, Taiwan and Austria. For the full-time course 55% of the applicants come from Europe, 33% from Asia and 14% from America. The high quality of most of the applicants was quite impressive. Part-time students usually shuttle between their home country (where they have jobs) and Vienna whereas full-time students stay in Vienna for their study time. Only 29% of part-time applications came from Austria. ★

