COURSE DESCRIPTION

This course introduces the law and policy of income taxation in Canada. The emphasis is on understanding the statutory language of the Income Tax Act (“ITA”) as construed by the courts, as well as analyzing the fundamental policies and principles that underlie the legislation. This course is useful not only as a foundation for future practice or research in tax law, but also for understanding the pervasive effects of taxation on other areas of law, commerce, and personal life.

The main topics that will be covered include: the purpose and structure of the Canadian tax system; the tax policy goals of equity, progressivity, neutrality, and simplicity; tax jurisdiction and exemptions; the “source of income” concept; income from office or employment; income from business or property; capital gains and losses; other income and deductions; tax rates and credits; and tax avoidance and evasion.

COURSE OBJECTIVES

In this course students should be able to:
1. Basic Knowledge: Demonstrate a basic knowledge of topics covered in the course through readings, discussion, and short problem sets.
2. Application: Identify issues in income tax law raised in a given fact situation and analyze the issues by setting out the applicable law, applying the law to the facts, and discussing any relevant policy concerns.
3. Principles: Demonstrate an understanding of the underlying principles of income tax law by:
   • responding to short answer questions;
   • explaining particular tax principles identified in one or more questions;
   • using the principles of tax law to analyze tax issues raised in fact patterns;
   • explaining the principle behind an income tax provision not previously considered in class.
4. Policy: Demonstrate an appreciation of broader tax policy issues when answering a problem set or exam question.

TEACHING METHODOLOGY

This is principally a lecture course, although class participation is very much encouraged. There will also be class discussions to give students the opportunity to critically reflect on the issues surveyed and to apply what they have learned to hypothetical tax problems. Achievement of the “basic knowledge” objective noted above will be based primarily on the readings for the course. Students will be expected to read all of the assigned materials (including statutory materials) for the course. Lectures and problems will focus primarily on the “application”, “principles” and “policy” objectives noted above.

EXPECTED EVALUATION METHODOLOGY

- 20% mid-term assignment (take home, problem-based)
- 80% final exam (2.5 hours, modified-open book)

August 2019

1 The information in this document is provided for course registration purposes only and is subject to change. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Associate Dean.