JOURNAL of Applied Economic Sciences

JAES

Journal of Applied Economic Sciences

Volume VI
Issue 4(18)

Winter 2011

I.S.S.N. 1843-6110

JOURNAL of Applied Economic Sciences

Quarterly Journal

Publisher:

Spiru Haret University
Faculty of Financial Management Accounting Craiova
Brazda lui Novac Street, no 4 Craiova, Dolj, Romania
Phone: +40 251 598265 Fax : + 40 251 598265

European Research Center of Managerial Studies in Business Administration
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Journal of Applied Economic Sciences

ISSN 1843-6110

Table of Contents

DOUBLE TAXATION CONVENTIONS AND THEIR IMPLEMENTATION IN ROMANIA

Mihail ANTONESCU
Spiru Haret University, **Romania**
Faculty of Management Financial Accounting Craiova
Mihail.Antonescu.DJ@mfinante.ro
Ligia ANTONESCU
Ghe. Chitu National Economic College Craiova, **Romania**
ligiaantonescu@rdslink.ro

Abstract:

The need to conclude bilateral agreements on avoidance of double taxation is determined by the fact that national tax regulations differ from state to state. In the same time unilateral tax measures adopted by national law to avoid double taxation don't correspond to tax legislation of all countries with which Romania has economic relations. To avoid double taxation, our country uses both the national rules and conventions for the avoidance of double taxation concluded with partner countries. Although not a member of the Organization for Economic Cooperation and Development, Romania implemented the law provisions of the OECD Model Convention. Thus, national legislation on taxation of income obtained from Romania by non-residents and those obtained by Romanian residents abroad is constantly improved, showing the permanent concern of the authorities to harmonize and update national legislation in line with international economic realities.

Romania has concluded so far double taxation conventions with more than 80 countries, using the general rules, solutions and methods of avoiding double taxation from the OECD Model Convention, because its attention is focused on the conclusion of agreements especially with OECD members and their close states.

Keywords: resident, convention, avoidance, double taxation, tax, Romania

JEL Classification: F53, H20, K34

1. Introduction:

Given the new global economic circumstances, namely the development of international economic relations and hence the labor mobility in recent years, there was question of which tax authority is able to tax income generated by it. In this context, situations may arise where the States use their fiscal sovereignty, by assuming the exclusive power to tax income earned on its territory, on the one hand, or income of its residents, on the other. Peculiarities of each state fiscal policies and use of taxes as tools to stimulate or limit the economic activity led to international double taxation, whose effects can only be negative. Thus, international double taxation becomes an obstacle to the development of foreign trade and economic cooperation, as long as the necessary tools by which States ensure equitable taxation of such income are not created.

At the same time taxpayers are tempted to abuse the tax laws of a State by exploiting the differences between laws of different countries. Such attempts may be thwarted by provisions or rules of law part of the national law of that country. However, national tax regulations differ from state to state, and most often unilateral fiscal measures adopted by a state to avoid double taxation have no counterpart in the tax laws of other countries with which it has economic relations, prompting the conclusion of double taxation conventions. It results that the elimination of international double taxation is a necessity in order to ensure the development of international economic activities.

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THE MANAGEMENT APROACH IN ECONOMIC CRISIS

Petru BARDAŞ
bardastehnorob@yahoo.com
Simona ROTARU
simona_rotaru_ro@yahoo.com
Mirela Claudia GHITA
mire_ghita@yahoo.com
Mihaela COCOSILA
cocosila_mihaela@yahoo.com
Spiru Haret University, **Romania**
Faculty of Management Financial Accounting Craiova

Abstract:

The answer to the question:"What we must change first in an organization?" is the one that differentiates the theories about change, and it can be determined by technological structure or by the individuals.

Organizational change stimulates multiple changes: transformation of constitutive nature (type of activity, status, type of ownership), reconfigurations of tasks and activities (products, services, retail markets, suppliers, customers), transformations of the structures and managerial processes, technological implants (organization, procedures of traffic decision–making information, of exercising the control), cultural and behavioral changes, related to the organizational performance (the relationship of the organization with the environment and the ability to achieve the mission, financial–economic and social performances);

Keywords: change within the organization, design of change; change through crisis and adaptation, Japanese management type "amae"

JEL Classification: M12

1. Introduction

The change is one of the most important elements of a manager's activity, for the organization to survive and adjust to the evolution of the society events. One can find it in the main interest themes of the social sciences: economy, sociology, political, psychology, management. The answer to the question: "What do we have to change first in an organization"is the one which differentiates the theories about the change, and it can be determined by the technological structure or by individuals?

The groups develop and mature under the influence of inside and outside changes. The organizations must spread their activity over two periods: the today one and the tomorrow one. At times of change, the managers must organize both present with its fundamental problems and the future as a sequel of the present (Drucker 1980).

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PLACE AND ROLE OF MANAGEMENT ACCOUNTING AND COST CALCULATION IN FOOD INDUSTRY OF MANUFACTURING DAIRY PRODUCTS

Cristiana BOGDĂNOIU
Spiru Haret University, **Romania**
Faculty of Management Financial Accounting Craiova
cristina82b@gmail.com

Abstract:

Any company, regardless of its size should prove permanent operating power, adaptability, and to face competition, even if the economic and social transformation is in full. Or, this requires recognition at all levels of the role of accounting in its complexity, that financial accounting and management accounting.If the general ledger provides information processed unit, making contact with the enterprise environment, decision-making at managerial level is only possible after receipt of the information they need, or these information are provided by the management accounting, that receives, records and analyse the internal accounting dates.

Management accounting organization is not subject to uniform rules, but its organization is required, because management accounting must have an unitary character to facilitate the control of management and effective use of heritage unit.

In food industry of manufacturing dairy products analytical record of production costs is very important for cost calculation. Determining these costs on carriers and areas of expenditure, based on documentary evidence, strengthens the position of current analytical record of production costs, and calculating and determining their volume, allows the elaboration of concrete measures on factories, departments and workplaces, by training teams of research and planning, forecasting, organization and tracking of production, labor productivity, supply-dissolution in financial accounting, as well as in other business departments.

Keywords: *cost calculation, management accounting, forecasting, financial accounting.*

1. Introduction

Costs play a major role in grounding decisions on choosing the optimal regime of production and adjusting the volume in any competitive economic environment, which is a great tool that makes management of the enterprise as a whole and to each internal subdivision. To compare the cost of production of a product cost of the same product or similar products manufactured by the same group or trust company, organization of cost calculation is necessary for the entire production, especially for individual products. The information provided by management accounting and cost accounting allows managers to assess the viability of alternative business strategies, to choose between alternative decisions and evaluate the results of business segments.

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A PERFORMANCE MODEL FOR THE ANALYSIS OF CREDITING BUSINESSES IN THE FIELD OF PRODUCTION

Dragoş ILIE
Spiru Haret University, **Romania**
Faculty of Management Financial Accounting Craiova
dragosilie2002@yahoo.com

Abstract:

Considering the global crisis, lending businesses in the sphere of production becomes a priority. The analysis of businesses in the field of production must be based on diagnostic performance models so that after processing and analyzing the financial and accounting statements of businesses to take the correct decision regarding crediting. This paper presents a performance analysis model for crediting businesses in the area of production. After applying the model for three consecutive years, proposals for loans are presented, the period of granting, the guarantees related, costs, etc.

Key words: dynamic analysis, credit report, sole debtor, credit risk, financial risk, performance indicators

JEL Classification: G32

1. Introduction

The decision of accepting a risk involves awareness of how it can be reduced to a maximum point (Brown, Zehnder 2006). For this it is necessary to investigate three main components of credit risk, namely: the risk of funded commercial contract, the debtor risk and collateral risk. The link between these risk categories is imperative to their knowledge in order to assess the overall risk (Basno, Dardac 2002). The debtor risk has two fundamental components: financial and non-financial risk. The financial risk refers to the current financial situation resulting from the balance sheet forecasts, profit and loss, cash flow, financial performance. The non-financial risk refers to the debtor management, the strategy adopted, personnel policy, organization, branch, markets, etc. Amongst quantifiable criteria we enumerate: the trend of turnover determined in real terms, liquidity, solvency, return on capital, leverage, export share of turnover and the source of repayment (Gaeta *et al.* 2003).

In 2006, the World Bank conducted a study on 100 countries published at Oxford University Press - *Doing Business in 2007: How to Reform* on credit impact on national economies. From this study, Martin Brown, and Christian Zehnder in the article *Credit Reporting, Relationship Banking and Loan Repayment* (Swiss National Bank Working Paper No 2006-3) and later adopted by the Journal of Money Credit and Banking have questioned the effects of credit on the performance of financial markets and borrowers, fighting for a relationship between borrowers and banks in order to help boost performance.

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COSTS MANAGEMENT – IMPACT IN DECISION MAKING

Mădălina MIHĂILĂ
University of Craiova, **Romania**
Faculty of Economics and Business Administration
madalina.mihaila@yahoo.com

Abstract:

In the context of globalization of the economy and also of the competitive environment development, process management becomes more complex, with openness to client needs and changes and taking account of the internal and external environment. Therefore, a proactive approach to seek the most appropriate methods to ensure corporate activity in terms of competitiveness and profitability is a priority for all companies. Such an approach can be achieved, but only on a basis of adequate information support in decision making and requires a lot of information to be produced, supplied, interpreted and rigorously controlled.

Cost management is a tool that can provide control within companies, to increase productivity and achieve profitability and expected rentability. There is an increasing demand for higher quality information and higher productivity for the calculation and analysis of information costs.

Business organizations need realistic and timely information on the costs to integrate the activities of designing and developing new products, their manufacturing, marketing and after-sales services in an overview.

Keywords: costs, efficiency, optimization, informational system, decision making system

JEL Classification: M21, M41

1. Introduction

Information system of a business organization is composed of two basic components: financial and accounting information system and management information system. The concept of financial accounting information system is synonymous with the financial accounting, while management information systems is comprising also, in two other information subsystems: management accounting and control and decision making information system.

Management information system consists of internal information system (costing) and control and decision making information system. The organization of the two components of management information system is left by legislation entirely up to each trader individually.

Costing information system is a subsystem of Management Information System whose reason is to estimate costs, evaluate costs, disposal of costs, ongoing monitoring costs. The results followed by costs management are: to get efficient in administration of financial resources, to estimate cost-effectiveness, to reduce costs through planning and budgeting, to monitore and evaluate costs on predetermined time periods (weekly, monthly, quarterly, annually, for periods longer than one year - plan 3, 5, 10 years). Cost management is a tool that can provide control within companies, to increase productivity and achieve profitability and expected rentability.

There is an increasing demand for higher quality information and higher productivity for the calculation and analysis of information costs

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ANALYSIS RESULTS REPRESENTATION DERIVED FROM THE APPLICATION METHOD OF ASSESSMENT TASKS BY POSTS

Dorin Leonard NISTOR
Alexandru Ioan Cuza University **Romania**
Faculty of Economy and Business Administration, Iasi
nistor_dorin_leonard@yahoo.com

Abstract:
Results obtained by applying new job evaluation methods are reviewed in this paper. The research aims to highlight the extent to which job evaluation methodology through the tasks ensures appropriate data. Study is applied in three fields - human resources, financial accounting and production ointments. I used two samples of professionals (occupants of positions evaluated) and lay persons from different companies. Analyses show that the methodology for assessing the tasks get good results in the valuation.

Keywords: method, evaluation, jobs, jobs, tasks, analysis, results

JEL Classification: J33, M52

1. Introduction

Definition of "job evaluation" was widely debated in the literature. (Doverspike *et al.* 1983) define job evaluation as a series of procedures by which the organization seeks to measure the value of a job in order to scientifically determine wage levels. (Armstrong 2003) considers the valuation process in setting out the relative values of jobs within an organization. Analyzing the definitions, we can identify the essential element of the process, namely, determining the relative value of jobs.

Orient research in this area as a result of the objectives to be met by carrying out such a process, we can consider them to be true virtues of organizational ethics. (Davis 1993), lists some of these objectives: minimizing the grievances of employees, increase job satisfaction, wage-setting tool for new employees. Even if the targets are more than respectable, a number of critics including (Gilbert 2005) point out that no job evaluation system, even the analytical failed to fulfil task for which it was designed in an objective manner. Following the increase objectivity of the process, we identified a new methodology called job evaluation "of the remote tasks." A comprehensive analysis of the results obtained by the new method of evaluation is discussed in this article.

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OPTIMIZATION OF FISCAL COSTS – THE SUBTLE LINE BETWEEN LEGAL AND ILLEGAL

Mihaela POPA
University of Craiova, **Romania**
mipo_ro@yahoo.com

Abstract:

In the current economic context where companies are facing a critical lack of liquidities, finding financial resources is one of the great challenges of a company's management. The legal reduction of payments in the form of taxes and fees is an effective tool to raise additional liquidities which can be capitalized or distributed as dividends to shareholders. Using the facilities provided by fiscal legislation in favour of a company is very natural, and seeking and implementing legal solutions to decrease outstanding taxes and fees are a legitimate concern which should be admitted as such by any fiscal authority. Fiscal optimization techniques and methods mean making the right decisions and applying them with the purpose to decrease fiscal costs. Decisions envisage numerous aspects of which the most important are: restating certain actual operations in order to change their fiscal ranking, making up provisions, changing the due dates, diminishing the taxable base, reorganizing various activities. Yet, the fiscal options of economic agents have limits, too. Fiscal optimization methods are more often than not found at the fragile borderline between legal and illegal. The more effective fiscal cost optimization is the closer to lawfulness it gets.

Keywords: fiscal optimization, fiscal risk, tax evasion, fiscal management, fiscal cost, fiscal efficiency

JEL Classification: M21, M41

1. Introduction

Effectively managing the economic and financial resources of any company means that taking account of business fiscal level. Companies' concern is shifting from effective economic management to optimum fiscal management also known as fiscal optimization.

It should be specified that managing taxes and fees in order to optimize them does not mean infringing the law. Correct and justified fiscal management can help prevent the inconveniences caused by tax evasion or fiscal frauds. After the fiscal administration has checked the correctness of an enterprise when fulfilling its duties to the state, there are sometimes actions which might be regarded as abnormal. In this respect, specialized literature defines the "abnormal act of management" as a decision against an enterprise concerns, namely it does not include any counterparty for the latter.

Thus, an act is regarded as being normal if it takes the form of counterparty to an enterprise. Yet, assessing the normality of a management act can be subjective enough and is done rather economically than juridical. The juridical appearance of an act can be flawless whereas its economic contents can turn it into abnormal. Therefore, the optimization of fiscal costs is frequently mistaken for tax evasion and that is why one should remember that fiscal cost optimization implies any activity performed within the limits of the legislation in force.

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