



# LAWS5053

## Taxation

Session 1, Online-scheduled-weekday 2024

*Macquarie Law School*

## Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	3
<u>General Assessment Information</u>	3
<u>Assessment Tasks</u>	3
<u>Delivery and Resources</u>	5
<u>Policies and Procedures</u>	6

### Disclaimer

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## General Information

Unit convenor and teaching staff

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Credit points

10

Prerequisites

130cp in LAW or LAWS units

Corequisites

Co-badged status

Unit description

This unit examines the fundamentals of the Australian taxation system. A critical approach is emphasised throughout. Students will be encouraged to think beyond the black letter law to appreciate the complexity and challenges of taxation law issues in their wider societal context. Topics covered include:

- A broad overview of Australian taxation law and its international context
- The rationale for taxation, taxation's role in society, taxation policy and taxation reform
- Global taxation and its impact on Australia
- Residence and source
- The concept of income and assessable income
- Capital gains and their inclusion in assessable income through Capital Gains Tax (CGT)
- Allowable deductions including the general and specific deductions
- Taxation of partnerships, trusts and corporations
- Indirect and state based taxes such as: Goods and Services Tax (GST), Fringe Benefits Tax (FBT), Transfer duty, Land tax and Payroll Tax, and
- Anti-avoidance.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

**ULO1:** Explain and analyse the fundamental values and principles that relate to taxation in Australia in their societal context.

**ULO2:** Identify tax law issues and be able to apply Income Tax, GST, FBT, CGT and State tax laws including provisions regulating tax avoidance for the purposes of giving legal advice.

**ULO3:** Analyse taxation statutes and their interpretation by courts and the Australian Taxation Office (ATO) and comprehend how the development of taxation law affects tax management and planning strategies for individuals and other legal entities.

**ULO4:** Analyse the way that taxation laws impact Australian individuals and businesses from the perspective of revenue raising and distribution, taxation accountability and tax administration to assess current taxation challenges in Australia and globally.

## General Assessment Information

### Late Assessment Submission Penalty

*Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of, 0 (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue.*

*This late penalty will apply to non-time sensitive assessment (your assignment). Late submission of time sensitive tasks (your oncall class participation and examination) will only be addressed by the unit convenor following a Special consideration application. Special Consideration, if granted, will result in a supplementary examination or a rescheduled class participation task.*

## Assessment Tasks

Name	Weighting	Hurdle	Due
Participation tasks	20%	No	Weekly particularly your oncall week
Problem set	40%	No	11:55pm, Sunday 21 April 2024
Take-home test	40%	No	9am-12pm, Wednesday 12 June 2024

### Participation tasks

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 0 hours

Due: **Weekly particularly your oncall week**

Weighting: **20%**

Activities such as discussions, debates, and problem-solving exercises including student led presentations.

On successful completion you will be able to:

- Explain and analyse the fundamental values and principles that relate to taxation in Australia in their societal context.
- Identify tax law issues and be able to apply Income Tax, GST, FBT, CGT and State tax laws including provisions regulating tax avoidance for the purposes of giving legal advice.
- Analyse taxation statutes and their interpretation by courts and the Australian Taxation Office (ATO) and comprehend how the development of taxation law affects tax management and planning strategies for individuals and other legal entities.
- Analyse the way that taxation laws impact Australian individuals and businesses from the perspective of revenue raising and distribution, taxation accountability and tax administration to assess current taxation challenges in Australia and globally.

## Problem set

Assessment Type <sup>1</sup>: Problem set

Indicative Time on Task <sup>2</sup>: 10 hours

Due: **11:55pm, Sunday 21 April 2024**

Weighting: **40%**

The mid-term assessment will be a research and problem-solving assessment.

On successful completion you will be able to:

- Identify tax law issues and be able to apply Income Tax, GST, FBT, CGT and State tax laws including provisions regulating tax avoidance for the purposes of giving legal advice.
- Analyse taxation statutes and their interpretation by courts and the Australian Taxation Office (ATO) and comprehend how the development of taxation law affects tax management and planning strategies for individuals and other legal entities.

- Analyse the way that taxation laws impact Australian individuals and businesses from the perspective of revenue raising and distribution, taxation accountability and tax administration to assess current taxation challenges in Australia and globally.

## Take-home test

Assessment Type <sup>1</sup>: Quiz/Test

Indicative Time on Task <sup>2</sup>: 20 hours

Due: **9am-12pm, Wednesday 12 June 2024**

Weighting: **40%**

The final assessment will be a time-based test with question/s relating to taxation law.

On successful completion you will be able to:

- Identify tax law issues and be able to apply Income Tax, GST, FBT, CGT and State tax laws including provisions regulating tax avoidance for the purposes of giving legal advice.
- Analyse taxation statutes and their interpretation by courts and the Australian Taxation Office (ATO) and comprehend how the development of taxation law affects tax management and planning strategies for individuals and other legal entities.
- Analyse the way that taxation laws impact Australian individuals and businesses from the perspective of revenue raising and distribution, taxation accountability and tax administration to assess current taxation challenges in Australia and globally.

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<sup>1</sup> If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

<sup>2</sup> Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

## Delivery and Resources

### Delivery

Weekly pre-recorded lectures available on ECHO 360 and live weekly tutorials (face to face or Zoom). Tutorials begin in Week 1. Tutorial questions will be based on an earlier week's lecture except the first tutorial for which no pre-reading is required. All student queries should be

directed to the Unit Convenor.

## Resources

Text: Sadiq et al, *Principles of Taxation Law 2024* (Thomson Reuters, 2024).

Additional resources will be provided through Leganto.

[Refer to iLearn site for more detailed information on delivery and resources]

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies](https://students.mq.edu.au/support/study/policies) (<https://students.mq.edu.au/support/study/policies>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>) and use the [search tool](#).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

## Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [connect.mq.edu.au](https://connect.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a

range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

### The Writing Centre

[The Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

## Student Services and Support

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support](#) including information about finances, tenancy and legal issues
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

## Student Enquiries

Got a question? Ask us via the [Service Connect Portal](#), or contact [Service Connect](#).

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#).

The policy applies to all who connect to the MQ network including students.

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Unit information based on version 2024.04 of the [Handbook](#)