



ACCG924

Taxation Law

MQC S1 Evening 2014

Dept of Accounting & Corporate Governance

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General Information

Unit convenor and teaching staff

Unit Convenor

Peter Koit

peter.koit@mqc.edu.au

Contact via peter.koit@mqc.edu.au

Credit points

4

Prerequisites

(ACCG614 or ACCG854) and (admission to MAcc(Prof) or MAcc(CPA) or MAcc(Prof)MCom)

Corequisites

Co-badged status

Unit description

This unit details and analyses the laws relating to income tax, fringe benefits tax and the goods and services tax in Australia. Students completing this unit will review legislative provisions, case law and rulings and apply their knowledge of the taxation laws to a variety of fact situations and case studies as well as participate in group discussion.

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:

Identify and apply the law relating to income taxation.

Identify and apply the law relating to GST.

Identify and apply the law relating to FBT.

Explain the relevant tax laws and related legal precedents and apply them to a problem or fact situation.

Determine a particular taxpayer's final income tax, GST and FBT liability.

Present verbally and in writing conclusions as to the tax implications arising from a particular set of facts.

Assessment Tasks

Name	Weighting	Due
<u>1. Class Participation</u>	10%	In Class
<u>2. Quiz</u>	15%	28 March 2014 5pm
<u>3. Case Study</u>	25%	9 May 2014 5pm
<u>4. Final Examination</u>	50%	Examination Period

1. Class Participation

Due: **In Class**

Weighting: **10%**

Requires students to make an oral and written presentation.

Submission: Must be submitted in your designated seminars.

Extension: No extensions will be granted.

Penalties: Students who have not submitted the task prior to the deadline will be awarded a mark of 0 for the task, except for cases in which an application for special consideration is made and approved.

On successful completion you will be able to:

- Identify and apply the law relating to income taxation.
- Identify and apply the law relating to GST.
- Identify and apply the law relating to FBT.
- Explain the relevant tax laws and related legal precedents and apply them to a problem or fact situation.
- Determine a particular taxpayer's final income tax, GST and FBT liability.
- Present verbally and in writing conclusions as to the tax implications arising from a particular set of facts.

2. Quiz

Due: **28 March 2014 5pm**

Weighting: **15%**

Submission: Due online 28 March 5pm. Completed via ilearn.

Extension: No extensions will be granted.

Penalties: Students who have not submitted the task prior to the deadline will be awarded a mark of 0 for the task, except for cases in which an application for special consideration is made and approved.

On successful completion you will be able to:

- Identify and apply the law relating to income taxation.
- Explain the relevant tax laws and related legal precedents and apply them to a problem or fact situation.

3. Case Study

Due: **9 May 2014 5pm**

Weighting: **25%**

Submission: Due on 9 May 2014 at 5pm. Lodged via ilearn and Turnitin.

Extension: No extensions will be granted

Penalties: Students who have not submitted the task prior to the deadline will be awarded a mark of 0 for the task, except for cases in which an application for special consideration is made and approved.

On successful completion you will be able to:

- Identify and apply the law relating to income taxation.
- Explain the relevant tax laws and related legal precedents and apply them to a problem or fact situation.
- Determine a particular taxpayer's final income tax, GST and FBT liability.
- Present verbally and in writing conclusions as to the tax implications arising from a particular set of facts.

4. Final Examination

Due: **Examination Period**

Weighting: **50%**

The final exam is 3 hours plus 10 minutes reading time and held during the formal examination period 16 June 2014 to 4 July 2014. The final exam will cover lecture topics 6 to 12 and related tutorial questions

To pass the unit students must PASS the final exam and achieve an overall passing mark.

University final exam conditions apply.

If a Supplementary Examination is granted as a result of the Special Consideration process the examination will be scheduled as per the Supplementary Examination timetable of the Faculty of Business and Economics. Please note that the supplementary examination will be of a similar format as the final examination.

Materials that may be taken into the exam

You are permitted to take the following materials into the final examination

- Your own handwritten notes.
- A calculator.
- Barkoczy, S. *Core Tax Legislation and Study Guide 2014* CCH. This may be written on, marked up by hand or tagged as you see fit.

You are NOT permitted to take into the tests or the exam any other items – you are not, for example, allowed to take your textbook *Australian Taxation Law* into the exam. Similarly, no photocopies are permitted nor any computer downloads or printed output of any type.

On successful completion you will be able to:

- Identify and apply the law relating to income taxation.
- Identify and apply the law relating to GST.
- Identify and apply the law relating to FBT.
- Explain the relevant tax laws and related legal precedents and apply them to a problem or fact situation.
- Determine a particular taxpayer's final income tax, GST and FBT liability.

Delivery and Resources

Classes

- The thirteen three-hour seminars will consist of a 2 hour lecture and 1 hour tutorial component each week as detailed later in this unit guide.
- The timetable for classes can be found on the University web site at: <http://www.timetable.s.mq.edu.au/>
- Class attendance for this unit is compulsory.

Staff teaching in the unit will be available for individual consultation with students. A timetable of when staff will be available will be posted on the unit's iLearn site.

Students experiencing significant difficulties with any topic in the unit must seek assistance immediately. You are encouraged to seek help at a time that is convenient to you from a staff member teaching on this unit during their regular consultation hours. In special circumstances, an appointment may be made outside regular consultation hours. Staff will not conduct consultations by email. You may, however, phone staff during their consultation hours.

Required and Recommended Texts and/or Materials

Prescribed textbooks:

- Woellner, Barkoczy, Murphy, Evans and Pinto *Australian Taxation Law 2014* CCH 24rd Edition
- Thomsons Tax Examples 2013
- Barkoczy, S. *Core Tax Legislation and Study Guide 2014* CCH.

All students must purchase the prescribed texts.

Recommended textbooks:

The following is not specifically required but must be used for additional reading.

- *Australian Master Tax Guide 2014* 52nd Edition CCH
- Nethercott LJ and others *Australian Tax Study Manual: Questions and Suggested Solutions* 23rd Edition CCH (2013)
- Barkoczy S *Australian Tax Casebook 2014* 12th Edition CCH

The prescribed and recommended texts can be purchased from the Macquarie University Co-op Bookshop and are available in the Macquarie Library.

Additional Resources:

The University library has numerous resources relating to taxation law however you may find particularly useful the on-line resources 'Tax' resources available through the library databases, specifically CCH-Online.

Additional resources will be made available on the ilearn unit website for you to download and read.

Unit Web Page

Course material is available on the learning management system (ilearn)

Learning and Teaching Activities

Each week, lecture notes will be placed on i-learn before the class. These notes are only the core notes and they are NOT intended to stand alone nor in place of lecture attendance. They are provided for your convenience. You must also properly construct your own notes based on your own readings and any additional comments, supplements and corrections to these notes which may occur during lectures – and which you MUST attend.

*You are **not** entitled to rely on lecturer provided notes for full study purposes nor as the final indicator of exam content. You are required to and expected to read all text and legislative references and also to take into account comments, additional materials and illustrations and*

examples which may also be given in lectures.

The three-hour seminars will consist of a 2 hour lecture component and 1 hour tutorial component. It is expected that ALL students have prepared answers to each week's tutorial questions PRIOR to the seminar.

Changes since Last offering

The assessment tasks have changed since session 2 2013. Specifically the two class tests have been replaced with an Online Quiz and Case Study.

The technical content covered is substantially the same although the learning outcomes have been reworded.

Unit Schedule

Week	Lecture	Presentation	Seminar date
01	<p>Lecture 1</p> <p>Introduction to taxation law</p> <p>Tax formula, tax rates and tax offsets</p> <p>Administrative aspects of taxation</p>	No presentations	Week commencing 3 March
02	<p>Lecture 2</p> <p>General principles of income</p> <p>Income from personal exertion</p>	Q 1, 2, 3, 4 and 5 relating to Lecture 1	Week commencing 10 March
03	<p>Lecture 3</p> <p>Income from property</p> <p>Income from business</p> <p>International aspects of taxation</p>	Q 1, 2, 3 and 4 relating to Lecture Two	Week commencing 17 March

04	<p>Lecture 4</p> <p>Tax Accounting</p> <p>General deductions</p>	Q 1, 2, 3 and 4 relating to Lecture Three	Week commencing 24 March
05	<p>Lecture 5</p> <p>Specific deductions</p> <p>Trading stock</p>	Q 1, 2, 3 and 4 relating to Lecture Four	Week commencing 31 March
06	<p>Lecture 6</p> <p>Capital allowances and capital works</p> <p>Blackhole expenses</p> <p>Small business concessions</p> <p>Introduction to Capital Gains Tax</p>	Q 1, 2, 3 and 4 relating to Lecture Five	Week commencing 7 April
	Mid-Semester Break		14 April to 25 April
07	<p>Lecture 7</p> <p>Capital Gains Tax</p>	Q 1, 2, 3, 4, 5 and 6 relating to Lecture Six	Week commencing 28 April
08	<p>Lecture 8</p> <p>Goods and Services Tax</p>	Q 1, 2, 3 and 4 relating to Lecture Seven	Week commencing 5 May
09	<p>Lecture 9</p> <p>Trusts</p> <p>Taxation of minors</p>	Q 1, 2, 3, 4 and 5 relating to Lecture Eight	Week commencing 12 May
10	<p>Lecture 10</p> <p>Partnerships</p>	Q 1, 2, 3 and 4 relating to Lecture Nine	Week commencing 19 May
11	<p>Lecture 11</p> <p>Companies</p>	Q 1, 2, 3, 4 and 5 relating to Lecture Ten	Week commencing 26 May

12	Lecture 12 Fringe benefits tax	Q 1, 2, 3, 4 and 5 relating to Lecture Eleven	Week commencing 2 June
13	Lecture 13 Revision	Q 1, 2, 3, 4 and 5 relating to Lecture Twelve <i>*As Monday 9 June 2014 is a public holiday students in the Monday class should attend an alternative seminar that week</i>	Week commencing 9 June *
14	EXAMINATION PERIOD STARTS		16 June 2014

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy http://mq.edu.au/policy/docs/academic_honesty/policy.html

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy http://mq.edu.au/policy/docs/grievance_management/policy.html

Disruption to Studies Policy http://www.mq.edu.au/policy/docs/disruption_studies/policy.html *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/support/student_conduct/

Grades

Macquarie University uses the following grades in coursework units of study:

- HD - High Distinction

- D - Distinction
- CR - Credit
- P - Pass
- F – Fail

Grade descriptors and other information concerning grading are contained in the Macquarie University Grading Policy which is available at:

<http://www.mq.edu.au/policy/docs/grading/policy.html>

For further information, please refer to page 71 of the 2013 Calendar of Governance, Legislation and Rules- Postgraduate Rules at

http://universitycouncil.mq.edu.au/pdfs/2013-Postgraduate_rules.pdf

Grade Appeals and Final Examination Script Viewing

If, at the conclusion of the unit, you have performed below expectations, and are considering lodging an appeal of grade and/or viewing your final exam script please refer to the following website which provides information about these processes and the cut off dates in the first instance. Please read the instructions provided concerning what constitutes a valid grounds for appeal before appealing your grade.

<http://www.city.mq.edu.au/reviews-appeals.html>

Special Consideration Policy

The University is committed to equity and fairness in all aspects of its learning and teaching. In stating this commitment, the University recognises that there may be circumstances where a student is prevented by unavoidable disruption from performing in accordance with their ability. A special consideration policy exists to support students who experience serious and unavoidable disruption such that they do not reach their usual demonstrated performance level. The policy is available at: http://www.mq.edu.au/policy/docs/special_consideration/policy.html

The University defines serious and unavoidable disruption to studies as resulting from an event or set of circumstances that:

- could not have reasonably been anticipated, avoided or guarded against by the student; **and**
- was beyond the student's control; **and**
- caused substantial disruption to the student's capacity for effective study and/or the completion of required work; **and**
- substantially interfered with the otherwise satisfactory fulfilment of unit or course requirements; **and**
- was of at least three (3) consecutive days duration within a study period and/or prevented completion of the final examination.

A Special Consideration application is deemed to be valid if all the following criteria have been satisfied:

- The Special Consideration application is completed by the student and submitted online through www.ask.mq.edu.au within five (5) working days after the due date of the associated assessment task / final examination.
- The application contains supporting evidence to demonstrate the severity of the circumstance(s) and that substantial disruption has been caused to the student's capacity for effective study. (The University will not follow up on outstanding evidence, nor contact any person or body on behalf of the student. The application will be considered as submitted.)
- The original supporting documentation has been sighted by MQC reception staff within five (5) working days after the due date of the associated assessment task.
- Where the particular circumstances are medical in nature, a *Professional Authority Form* including the health professional's Medicare Provider Number is included. (If a *Professional Authority Form* cannot be obtained, an original medical certificate indicating the severity (serious / not serious) and impact of the circumstances must be included with the application.)
- Where the particular circumstances are non-medical in nature, appropriate supporting evidence indicating the severity (serious / not serious) and impact of the circumstances is included with the application.
- The student was performing satisfactorily in the unit up to the date of the unavoidable disruption. (If a student's work in the unit was previously unsatisfactory, subsequent unavoidable disruption will not overcome the fact that the earlier work was unsatisfactory).

Unacceptable grounds for Special Consideration

The University has determined that some circumstances are not acceptable grounds for claiming Special Consideration. These grounds include, but are not limited, to:

- routine demands of employment
- routine family problems such as tension with or between parents, spouses, and other people closely involved with the student
- difficulties adjusting to university life, to the self-discipline needed to study effectively, and the demands of academic work
- stress or anxiety associated with examinations, required assignments or any aspect of academic work
- routine need for financial support
- routine demands of sport, clubs and social or extra-curricular activities.

Acute Problems

The University defines acute problems as those involving fewer than three (3) consecutive days within a study period. In these cases, students should not apply for special consideration via ask.mq.edu.au, but contact their Unit Convenor within 5 working days of the assessment due date so that a local solution may be discussed, except where the disruption affects completion of a final examination. (If a final examination is affected, the student should submit a special consideration application via ask.mq.edu.au.)

Prior Conditions Conditions existing prior to commencing a unit of study are not grounds for Special Consideration, except in the event of unavoidable deterioration of the condition. The student is responsible for managing their workload in light of any known or anticipated problems. Students with a pre-existing disability/ chronic health condition may contact the [Disability Service](#) for information on available support.

In submitting a request for Special Consideration, the student is acknowledging that they may be required to undertake additional work and agreeing to hold themselves available so that they can complete any extra work as required. The time and date, deadline or format of any required extra assessable work as a result of an application for Special Consideration is not negotiable.

Attendance

All Students are required to attend at least 80% of the scheduled course contact hours each Session. Additionally MQC monitors the course progress of international students to ensure that the student complies with the conditions of their visa relating to attendance.

This minimum level of attendance includes all lectures and tutorials. Tutorial attendance will be recorded weekly. If any scheduled class falls on a public holiday this will be rescheduled as advised by your Lecturer. Attendance at any mid-Session or in-class test is compulsory unless otherwise stated.

Unavoidable non-attendance due to illness or circumstances beyond your control must be

supported by appropriate documentation to be considered for a supplementary test. Other non-attendance will obtain zero for the test. You should refer to the section below on Special Consideration for more details about this.

Student Support

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

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

Student Support

Students who require assistance are encouraged to contact the Student Services Manager at Macquarie City Campus. Please see reception to book an appointment.

Macquarie University provides a range of Academic Student Support Services. Details of these services can be accessed at <http://students.mq.edu.au/support/>

At any time students (or groups of students) can book our Student Advising rooms on Level 6 by emailing info@city.mq.edu.au with a day and time and nominated contact person. There are additional student study spaces available on Level 1.

Macquarie University Campus Wellbeing also has a presence on the City Campus each week. If you would like to make an appointment, please email info@city.mq.edu.au or visit their website at: <http://www.campuslife.mq.edu.au/campuswellbeing>

UNIWISE provides:

- Online learning resources and academic skills workshops http://www.mq.edu.au/learning_skills
- Personal assistance with your learning & study related questions

IT Help

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy applies to all who connect to the MQ network including students.

IT Help

If you wish to receive IT help, we would be glad to assist you at <http://informatics.mq.edu.au/help/> or call 02 9850-4357.

When using the university's IT, you must adhere to the Acceptable Use Policy. The policy applies to all who connect to the MQ network including students and it outlines what can be done.

Students must use their Macquarie University email addresses to communicate with staff as it is University policy that the University issued email account is used for official University communication.

Students are expected to act responsibly when utilising Macquarie City Campus IT facilities. The following regulations apply to the use of computing facilities and online services:

- Accessing inappropriate web sites or downloading inappropriate material is not permitted.
- Material that is not related to coursework for approved unit is deemed inappropriate.
- Downloading copyright material without permission from the copyright owner is illegal, and strictly prohibited. Students detected undertaking such activities will face disciplinary action, which may result in criminal proceedings.

Non-compliance with these conditions may result in disciplinary action without further notice.

If you would like to borrow headphones for use in the Macquarie City Campus computer labs (210, 307, 311, 608) at any point, please ask at Level 2 Reception. You will be required to provide your MQC Student ID card. This will be held as a deposit while using the equipment.

For assistance in the computer labs, please see a Lab Demonstrator (usually they can be found in Lab 311, otherwise ask at Level 2 Reception).

Graduate Capabilities

PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

Learning outcomes

- Identify and apply the law relating to income taxation.
- Identify and apply the law relating to GST.
- Identify and apply the law relating to FBT.
- Explain the relevant tax laws and related legal precedents and apply them to a problem or fact situation.
- Determine a particular taxpayer's final income tax, GST and FBT liability.

Assessment tasks

- 1. Class Participation
- 2. Quiz
- 3. Case Study
- 4. Final Examination

PG - Critical, Analytical and Integrative Thinking

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

Learning outcomes

- Explain the relevant tax laws and related legal precedents and apply them to a problem or fact situation.
- Determine a particular taxpayer's final income tax, GST and FBT liability.
- Present verbally and in writing conclusions as to the tax implications arising from a particular set of facts.

Assessment tasks

- 1. Class Participation
- 2. Quiz
- 3. Case Study
- 4. Final Examination

PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

Learning outcomes

- Identify and apply the law relating to income taxation.
- Identify and apply the law relating to GST.
- Identify and apply the law relating to FBT.
- Explain the relevant tax laws and related legal precedents and apply them to a problem or fact situation.
- Determine a particular taxpayer's final income tax, GST and FBT liability.
- Present verbally and in writing conclusions as to the tax implications arising from a particular set of facts.

Assessment tasks

- 1. Class Participation
- 2. Quiz
- 3. Case Study
- 4. Final Examination

Research and Practice

This unit gives you opportunities to conduct your own research and gives you practice in applying research findings in your assessment tasks. Students will be required to use library resources to research beyond the required reading each week. The lecture notes will refer to additional readings. These provide some guidance to references that could be used to research particular issues.