

# **FINS3639**

## **Estate Planning & Asset Protection**

### **Course Outline**

### **Semester 1, 2017**

**Part A: Course-Specific Information**  
**Part B: Key Policies, Student Responsibilities**  
**and Support**

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## **PART A: COURSE-SPECIFIC INFORMATION**

### **1 STAFF CONTACT DETAILS**

Lecturer-in-charge: Nidal Danoun  
Room BUS356  
Phone No: 9385 6287  
Email: [n.danoun@unsw.edu.au](mailto:n.danoun@unsw.edu.au)  
Consultation Times: by appointment

### **2 COURSE DETAILS**

#### **2.1 Teaching Times and Locations**

Lectures start in Week 1(to Week 12): The Time and Location are:  
Thu 18-21 at the Law Theatre G02

#### **2.2 Units of Credit**

The course is worth 6 units of credit.  
This course is taught in parallel to both undergraduate and postgraduate students. The lecture materials (notes, text, etc) will be the same but all assessments, assignments and examinations will be different.

#### **2.3 Summary of Course**

This course provides students with the key Estate planning knowledge and skills. From a financial planning practice perspective, we address the important of estate planning issues when providing financial planning advice, this include fundamental issues related to asset protection and succession planning. The course is practical in nature and is designed to cover the key estate planning elements impacting clients from a financial planning angle.

The course will consist of a theoretical element and a practical case study element addressing issues facing clients and practitioners in the advice space.

#### **2.4 Course Aims and Relationship to Other Courses**

This course is required to ensure we have a well-rounded and holistic estate planning program that would meet the professional association standards. Students are required to take FINS2643 or FINS3637 Wealth Management as a prerequisite. The course aims to achieve the following:

- ✓ To reinforce the practical knowledge of estate planning gained in FINS2643 within a compliance framework,
- ✓ To equip students with specific knowledge of requisite qualifications and career paths in financial planning, and assist in assessing their clients estate planning needs
- ✓ To facilitate exposure of students to a practitioner's perspective of the conduct of financial planning services.

#### **2.5 Student Learning Outcomes**

The Course Learning Outcomes are what you should be able to DO by the end of this course if you participate fully in learning activities and successfully complete the

assessment items. Upon completion of this course you will have a working knowledge of compliance issues and regarding the practice of financial planning in Australia. Specifically, you will:

1. Be able to understand and analyse client overall estate planning needs.
2. Ability to define and determine key asset protection and succession planning issues related to certain clients
3. Ability to define and determine requirement for asset protection and succession planning issues related to certain clients
4. Ability to address key issues related to wills and appointment of power of attorneys  
Dealing with complexity related to marriage breakdown, administering and estate, and asset transfer
5. Demonstrate a working and practical knowledge of estate planning relevant to the financial planning industry.
6. Ability to identify possible estate planning strategy options

The Course Learning Outcomes are what you should be able to DO by the end of this course if you participate fully in learning activities and successfully complete the assessment items. The Learning Outcomes in this course also help you to achieve some of the overall Program Learning Goals and Outcomes for all undergraduate Coursework students in the Business School. Program Learning Goals are what we want you to BE or HAVE by the time you successfully complete your degree (e.g. 'be an effective team player'). You demonstrate this by achieving specific Program Learning Outcomes - what you are able to DO by the end of your degree (e.g. 'participate collaboratively and responsibly in teams').

For more information on the Undergraduate Program Learning Goals and Outcomes, see Part B of the course outline.

#### **Business Undergraduate Program Learning Goals and Outcomes**

**1. Knowledge: Our graduates will have in-depth disciplinary knowledge applicable in local and global contexts.**

You should be able to select and apply disciplinary knowledge to business situations in a local and global environment.

**2. Critical thinking and problem solving: Our graduates will be critical thinkers and effective problem solvers.**

You should be able to identify and research issues in business situations, analyse the issues, and propose appropriate and well-justified solutions.

**3. Communication: Our graduates will be effective professional communicators.**

You should be able to:

- a. Prepare written documents that are clear and concise, using appropriate style and presentation for the intended audience, purpose and context, and
- b. Prepare and deliver oral presentations that are clear, focused, well-structured, and delivered in a professional manner.

**4. Teamwork: Our graduates will be effective team participants.**

You should be able to participate collaboratively and responsibly in teams, and reflect on your own teamwork, and on the team's processes and ability to achieve outcomes.

**5. Ethical, social and environmental responsibility: Our graduates will have a sound awareness of the ethical, social, cultural and environmental implications of business practice.**

You should be able to:

- a. Identify and assess ethical, environmental and/or sustainability considerations in business decision-making and practice, and
- b. Identify social and cultural implications of business situations.

The following table shows how your Course Learning Outcomes relate to the overall Program Learning Goals and Outcomes, and indicates where these are assessed (they may also be developed in tutorials and other activities):

Program Learning Goals and Outcomes		Course Learning Outcomes	Course Assessment Item
<i>This course helps you to achieve the following learning goals for all Business undergraduate students:</i>		<i>On successful completion of the course, you should be able to:</i>	<i>This learning outcome will be assessed in the following items:</i>
1	Knowledge	<ul style="list-style-type: none"> <li>○ Describe the main pieces of legislation governing the financial planning industry.</li> <li>○ Explain the financial planning process and how to create a fully compliant financial plan.</li> <li>○ Demonstrate a working knowledge of the operations of the financial planning industry.</li> <li>○ Be able to discuss and write about the links between financial planning techniques and compliance and ethical issues.</li> </ul>	<ul style="list-style-type: none"> <li>○ Examination(s)</li> <li>○ Assignment</li> </ul>
2	Critical thinking and problem solving	<ul style="list-style-type: none"> <li>○ Critique practitioner's perspectives on how to offer financial services.</li> </ul>	<ul style="list-style-type: none"> <li>○ Examination/s</li> <li>○ Assignment</li> </ul>
3a	Written communication	<ul style="list-style-type: none"> <li>○ Construct written work which is logically and professionally presented.</li> </ul>	<ul style="list-style-type: none"> <li>○ Assignment</li> </ul>
3b	Oral communication	<ul style="list-style-type: none"> <li>○ Communicate ideas in a succinct and clear manner.</li> </ul>	<ul style="list-style-type: none"> <li>○ Assignment</li> </ul>
4	Teamwork	<ul style="list-style-type: none"> <li>○ This task is not specifically addressed in this course.</li> </ul>	<ul style="list-style-type: none"> <li>○ N/A</li> </ul>
5a.	Compliance and ethical implications	<ul style="list-style-type: none"> <li>○ Apply ethical principles to a financial planning situation.</li> </ul>	<ul style="list-style-type: none"> <li>○ Examination/s</li> <li>○ Assignment</li> </ul>
5b.	Social and cultural awareness	<ul style="list-style-type: none"> <li>○ This task is not specifically addressed in this course.</li> </ul>	<ul style="list-style-type: none"> <li>○ N/A</li> </ul>

### 3 LEARNING AND TEACHING ACTIVITIES

#### 3.1 Approach to Learning and Teaching in the Course

In this course we take an active, adult-learning approach that stresses interactive teaching and learning. We foster this approach through a range of strategies including our application of the text, which includes targeted readings for each topic. Our lectures are interactive; we look for active student contributions through discussion and is questioning that reflects your reading and experience. Workshops (if any) are also interactive and heavily weighted to experiential learning that encourages you to explore theoretical concepts, communication skills development and your moral imagination and ethical reasoning. Our design of assessment tasks reinforces crucial knowledge and skills areas.

All this provides for a mix of learning experiences and hands-on engagement. Our design of the course and its learning materials encourages you to actively reflect on your workplace experiences and learning. We expect that fellow students and teachers alike will learn from discussion of these experiences and the sorts of questions and debates, in relation to research-based theory, that they generate.

### 3.2 Learning Activities and Teaching Strategies

The face to face and self-paced online lectures made available each week will complement the compulsory text and other readings for the course by (1) outlining the main issues relevant to the topic, (2) reinforcing the analytical material in the required readings, (3) introducing relevant material not adequately covered in the text, and (4) drawing on recent developments in financial system markets both in Australia and globally.

After each lecture, students may be given a list of discussion questions from the lecture and are required to attempt to answer the prescribed discussion questions and to join discussions moderated by the lecturer to discuss any problems.

Lectures will be delivered face to face and lecture notes will be posted Online. Students are encouraged to make use of the lecture material and required to attend all forms of assessment (exams, class presentations, etc).

## 4 ASSESSMENT

### 4.1 Formal Requirements

In order to pass this course, you must demonstrate **ALL** the following:

- Achieve a composite mark of at least 50;
- Pass the final exam; and
- Pass the individual assignment

### 4.2 Assessment Details

Assessment Task	Weighting	Length	Due Date
Individual Assignment	40%	N/A	Refer to the course Moodle Site
Final Exam	60%	2 hours	University Exam Period
Total	100%		

#### Individual Assignment (40%)

Students will be given a case study to prepare an estate & succession plan addressing key issues covered in this course. This assignment is designed to give students an opportunity to examine in detail the key elements of this course and apply their learning to a practical case study task emulating real life clients' situation.

### Final Examination (60%)

This is a 2-hour exam will be held on campus during the UNSW centrally managed examination period. The scope of coverage will be announced towards the end of the course. The final examination will based upon materials from all lectures of the course. Students must pass the final exam to pass this course.

### 4.3 Assignment Submission Procedure

Turnitin. No assignment will be accepted via email. Please refer to the submission criteria posted with the assignment on the course moodle website.

### 4.4 Late Submission

No late submission is accepted without prior approval from the lecturer in charge

#### Quality Assurance

The Business School is actively monitoring student learning and quality of the student experience in all its programs. A random selection of completed assessment tasks may be used for quality assurance, such as to determine the extent to which program learning goals are being achieved. The information is required for accreditation purposes, and aggregated findings will be used to inform changes aimed at improving the quality of Business School programs. All material used for such processes will be treated as confidential.

## 5 COURSE RESOURCES

The prescribed textbook for this course are (the latest edition of):

- **LexisNexis , Financial Planning in Australia – Advice and Wealth Management 7th edition, Taylor & Juchau,**
- **AND**
- **Thomson Australian Financial Planning Handbook 2016-2017 OR**
- **CCH Master Financial Planning Guide 2016-2017**

Additional resources and website links are available online:

- **Lecture notes and additional reference articles**
- **Important notices, a message board and other forms of communication**

## 6 COURSE EVALUATION AND DEVELOPMENT

Each year feedback is sought from students and other stakeholders about the courses offered in the School and continual improvements are made based on this feedback. UNSW's myExperience survey is one of the ways in which student evaluative feedback is gathered. In this course, we will seek your feedback through end of semester myExperience responses

## 7 COURSE SCHEDULE

LECTURE SCHEDULE		
Week	Topic	Reference
Week 1 27 February	Introduction to Estate planning	FPIA Ch 19
Week 2 6 March	Estate planning Part 1	FPIA Ch 19, AFPH Ch15
Week 3 13 March	Estate planning Part 2	FPIA Ch 19, AFPH Ch15
Week 4 20 March	Estate Planning in Practice	
Week 5 27 March	Superannuation & Estate Planning	FPIA Ch 12, AFPH Ch9
Week 6 03 April	SMSF & Estate Planning	AFPH Ch10
Week 7 10 April	Retirement Planning	FPIA Ch 17, AFPH Ch14
Mid-semester break: Friday 14 – Saturday 22 April inclusive		
Week 8 24 April	Taxation Issues & Estate Planning	FPIA Ch 13 (Revision) Ch 14
Week 9 1 May	Succession Planning & Small Business	AFPH Ch16
Week 10 8 May	Self –Study / Assignment	
Week 11 15 May	Guest lecture	Attendance is required
Week 12 22 May	Guest lecture	Attendance is required
Week 13 29 May	NO LECTURES	



## PART B: KEY POLICIES, STUDENT RESPONSIBILITIES AND SUPPORT

### 8 PROGRAM LEARNING GOALS AND OUTCOMES

The Business School Program Learning Goals reflect what we want all students to BE or HAVE by the time they successfully complete their degree, regardless of their individual majors or specialisations. For example, we want all our graduates to HAVE a high level of business knowledge, and a sound awareness of ethical, social, cultural and environmental implications of business. As well, we want all our graduates to BE effective problem-solvers, communicators and team participants. These are our overall learning goals for you and are sought by employers.

You can demonstrate your achievement of these goals by the specific outcomes you achieve by the end of your degree (e.g. be able to analyse and research business problems and propose well-justified solutions). Each course contributes to your development of two or more program learning goals/outcomes by providing opportunities for you to practise these skills and to be assessed and receive feedback.

Program Learning Goals for undergraduate and postgraduate students cover the same key areas (application of business knowledge, critical thinking, communication and teamwork, ethical, social and environmental responsibility), which are key goals for all Business students and essential for success in a globalised world. However, the specific outcomes reflect different expectations for these levels of study.

We strongly advise you to choose a range of courses which assist your development of these skills, e.g., courses assessing written and oral communication skills, and to keep a record of your achievements against the Program Learning Goals as part of your portfolio.

#### Business Undergraduate Program Learning Goals and Outcomes

**1. Knowledge: Our graduates will have in-depth disciplinary knowledge applicable in local and global contexts.**

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**2. Critical thinking and problem solving: Our graduates will be critical thinkers and effective problem solvers.**

You should be able to identify and research issues in business situations, analyse the issues, and propose appropriate and well-justified solutions.

**3. Communication: Our graduates will be effective professional communicators.**

You should be able to:

- a. Prepare written documents that are clear and concise, using appropriate style and presentation for the intended audience, purpose and context, and
- b. Prepare and deliver oral presentations that are clear, focused, well-structured, and delivered in a professional manner.

**4. Teamwork: Our graduates will be effective team participants.**

You should be able to participate collaboratively and responsibly in teams, and reflect on your own teamwork, and on the team's processes and ability to achieve outcomes.

**5. Ethical, social and environmental responsibility: Our graduates will have a sound awareness of the ethical, social, cultural and environmental implications of business practice.**

You will be able to:

- a. Identify and assess ethical, environmental and/or sustainability considerations in business decision-making and practice, and
- b. Identify social and cultural implications of business situations.

### Business Postgraduate Coursework Program Learning Goals and Outcomes

**1. Knowledge: Our graduates will have current disciplinary or interdisciplinary knowledge applicable in local and global contexts.**

You should be able to identify and apply current knowledge of disciplinary or interdisciplinary theory and professional practice to business in local and global environments.

**2. Critical thinking and problem solving: Our graduates will have critical thinking and problem solving skills applicable to business and management practice or issues.**

You should be able to identify, research and analyse complex issues and problems in business and/or management, and propose appropriate and well-justified solutions.

**3. Communication: Our graduates will be effective communicators in professional contexts.**

You should be able to:

- a. Produce written documents that communicate complex disciplinary ideas and information effectively for the intended audience and purpose, and
- b. Produce oral presentations that communicate complex disciplinary ideas and information effectively for the intended audience and purpose.

**4. Teamwork: Our graduates will be effective team participants.**

You should be able to participate collaboratively and responsibly in teams, and reflect on your own teamwork, and on the team's processes and ability to achieve outcomes.

**5. Ethical, social and environmental responsibility: Our graduates will have a sound awareness of ethical, social, cultural and environmental implications of business issues and practice.**

You should be able to:

- a. Identify and assess ethical, environmental and/or sustainability considerations in business decision-making and practice, and
- b. Consider social and cultural implications of business and /or management practice.

## 9 ACADEMIC HONESTY AND PLAGIARISM

The University regards plagiarism as a form of academic misconduct, and has very strict rules regarding plagiarism. For UNSW policies, penalties, and information to help you avoid plagiarism see: <https://student.unsw.edu.au/plagiarism> as well as the guidelines in the online ELISE tutorials for all new UNSW students: <http://subjectguides.library.unsw.edu.au/elise>.

To see if you understand plagiarism, do this short quiz:

<https://student.unsw.edu.au/plagiarism-quiz>

For information on how to acknowledge your sources and reference correctly, see: <https://student.unsw.edu.au/referencing>

For the *Business School Harvard Referencing Guide*, see the [Business Referencing and Plagiarism](#) webpage (Students>Learning support>Resources>Referencing and plagiarism).

## 10 STUDENT RESPONSIBILITIES AND CONDUCT

Students are expected to be familiar with and adhere to university policies in relation to class attendance and general conduct and behaviour, including maintaining a safe, respectful environment; and to understand their obligations in relation to workload, assessment and keeping informed.

Information and policies on these topics can be found in UNSW Current Students 'Managing your Program' webpages: <https://student.unsw.edu.au/program>.

## 10.1 Workload

It is expected that you will spend at least **nine to ten hours** per week studying this course. This time should be made up of reading, research, working on exercises and problems, online activities and attending classes. In periods where you need to complete assignments or prepare for examinations, the workload may be greater. Over-commitment has been a cause of failure for many students. You should take the required workload into account when planning how to balance study with employment and other activities.

We strongly encourage you to connect with your **Moodle course websites** in the **first week of semester**. Local and international research indicates that students who engage early and often with their course website are more likely to pass their course.

Information on expected workload: <https://student.unsw.edu.au/uoc>

## 10.2 Attendance

Your regular and punctual attendance at lectures and seminars or in online learning activities is expected in this course. University regulations indicate that if students attend less than 80% of scheduled classes they may be refused final assessment. For more information, see: <https://student.unsw.edu.au/attendance>

## 10.3 General Conduct and Behaviour

You are expected to conduct yourself with consideration and respect for the needs of your fellow students and teaching staff. Conduct which unduly disrupts or interferes with a class, such as ringing or talking on mobile phones, is not acceptable and students may be asked to leave the class. More information on student conduct is available at: <https://student.unsw.edu.au/conduct>

## 10.4 Health and Safety

UNSW Policy requires each person to work safely and responsibly, in order to avoid personal injury and to protect the safety of others. For more information, see <http://safety.unsw.edu.au/>.

## 10.5 Keeping Informed

You should take note of all announcements made in lectures, tutorials or on the course web site. From time to time, the University will send important announcements to your university e-mail address without providing you with a paper copy. You will be deemed to have received this information. It is also your responsibility to keep the University informed of all changes to your contact details.

# 11 SPECIAL CONSIDERATION

You must submit all assignments and attend all examinations scheduled for your course. You should seek assistance early if you suffer illness or misadventure which affects your course progress.

**General Information on Special Consideration for undergraduate and postgraduate courses:**

1. All applications for special consideration must be **lodged online through myUNSW within 3 working days of the assessment** (Log into myUNSW and go to My Student Profile tab > My Student Services > Online Services > Special Consideration). You will then need to submit the originals or certified copies of your completed Professional Authority form (pdf - download here) and other supporting documentation to Student Central. **For more information, please study carefully in advance the instructions and conditions at:**  
**<https://student.unsw.edu.au/special-consideration>**
2. Please note that documentation may be checked for authenticity and the submission of false documentation will be treated as academic misconduct. The School may ask to see the original or certified copy.
3. Applications will **not** be accepted by teaching staff. The lecturer-in-charge will be automatically notified when you lodge an online application for special consideration.
4. Decisions are made by lecturers-in-charge for all other assessment items aside from the final exam, **not** by tutors.
5. Applying for special consideration **does not** automatically mean that you will be granted a supplementary exam or other concession.
6. Special consideration requests **do not allow** lecturers-in-charge to award students additional marks.

#### **Business School Protocol on requests for Special Consideration for Final Exams:**

The Business School Faculty panel will need to be satisfied on each of the following before supporting a request for special consideration:

1. Does the medical certificate contain all relevant information? For a medical certificate to be accepted, the degree of illness, and impact on the student, must be stated by the medical practitioner (severe, moderate, mild). A certificate without this will not be valid.
2. Has the student performed satisfactorily in the other assessment items? Satisfactory performance and attempted all other assessment items and meeting the obligation to have **attended 80% of tutorials**.
3. Does the student have a history of previous applications for special consideration? A history of previous applications may preclude a student from being granted special consideration.

#### **Special Consideration and the Final Exam in undergraduate and postgraduate courses:**

Applications for special consideration in relation to the final exam are considered by a Business School Faculty panel to which lecturers-in-charge provide their recommendations for each request. If the Faculty panel grants a special consideration request, this will entitle the student to sit a supplementary examination. No other form of consideration will be granted. The following procedures will apply:

1. Supplementary exams will be scheduled centrally and will be held approximately two weeks after the formal examination period. The dates for Business School supplementary exams for Semester 1, 2017 are:

**Wednesday 12 July 2017** School of Banking and Finance, Management, Risk and Actuarial Studies

If a student lodges a special consideration for the final exam, they are stating they will be available on the above dates. **Supplementary exams will not be held at any other time.**

2. Where a student is granted a supplementary examination as a result of a request for special consideration, the student's original exam (if completed) will be ignored and only the mark achieved in the supplementary examination will count towards the final grade. Absence from a supplementary exam without prior notification does not entitle the student to have the original exam paper marked, and may result in a zero mark for the final exam.

The Supplementary Exam Protocol for Business School students is available at:  
<http://www.business.unsw.edu.au/suppexamprotocol>

**Special Consideration and assessments other than the Final Exam in undergraduate and postgraduate courses:**

Special considerations in assessments other than for final exams, e.g. mid-semester exams, projects, **lodged online through myUNSW within 3 working days of the assessment** (Log into myUNSW and go to My Student Profile tab > My Student Services > Online Services > Special Consideration) The LIC will review and decide the outcome deciding how to grant extensions and special consideration and update your application with the arrangements of the Supplementary assessment. For mid-session exams and quiz's they will be scheduled approximately 7 working days after the original assessment, which will be required to make yourself available.

## **12 STUDENT RESOURCES AND SUPPORT**

The University and the Business School provide a wide range of support services for students, including:

- **Business School Education Development Unit (EDU)**  
<https://www.business.unsw.edu.au/students/resources/learning-support>  
The EDU offers academic writing, study skills and maths support specifically for Business students. Services include workshops, online resources, and individual consultations. EDU Office: Level 1, Room 1033, Quadrangle Building. Phone: 9385 7577 or 9385 4508; Email: [edu@unsw.edu.au](mailto:edu@unsw.edu.au).
- **Business Student Centre**  
<https://www.business.unsw.edu.au/students/resources/student-centre>  
Provides advice and direction on all aspects of admission, enrolment and graduation. Office: Level 1, Room 1028 in the Quadrangle Building; Phone: 9385 3189.
- **Moodle eLearning Support**  
For online help using Moodle, go to: <https://student.unsw.edu.au/moodle-support>. For technical support, email: [itservicecentre@unsw.edu.au](mailto:itservicecentre@unsw.edu.au); Phone: 9385 1333.
- **UNSW Learning Centre**  
[www.lc.unsw.edu.au](http://www.lc.unsw.edu.au)

Provides academic skills support services, including workshops and resources, for all UNSW students. See website for details.

- **Library services and facilities for students**

<https://www.library.unsw.edu.au/study/services-for-students>

- **IT Service Centre:**

<https://www.it.unsw.edu.au/students/index.html>

Provides technical support to troubleshoot problems with logging into websites, downloading documents, etc. Office: UNSW Library Annexe (Ground floor). Phone: 9385 1333.

- **UNSW Counselling and Psychological Services**

<https://student.unsw.edu.au/wellbeing>

Provides support and services if you need help with your personal life, getting your academic life back on track or just want to know how to stay safe, including free, confidential counselling. Office: Level 2, East Wing, Quadrangle Building; Phone: 9385 5418; Email: [counselling@unsw.edu.au](mailto:counselling@unsw.edu.au)

- **Disability Support Services**

<https://student.unsw.edu.au/disability>

Provides assistance to students who are trying to manage the demands of university as well as a health condition, learning disability or have personal circumstances that are having an impact on their studies. Office: Ground Floor, John Goodsell Building; Phone: 9385 4734; Email: [disabilities@unsw.edu.au](mailto:disabilities@unsw.edu.au)