

School of Taxation and Business Law

TABL2751 BUSINESS TAXATION

Course Outline Semester 2, 2017

Course-Specific Information

The Business School expects that you are familiar with the contents of this course outline. You must also be familiar with the Course Outlines Policies webpage which contains key information on:

- Program Learning Goals and Outcomes
- Academic Integrity and Plagiarism
- Student Responsibilities and Conduct
- Special Consideration
- Student Support and Resources

This webpage can be found on the Business School website:

<https://www.business.unsw.edu.au/degrees-courses/course-outlines/policies>

Table of Contents

<u>COURSE-SPECIFIC INFORMATION</u>	<u>2</u>
<u>1 STAFF CONTACT DETAILS</u>	<u>2</u>
<u>2 COURSE DETAILS</u>	<u>2</u>
2.1 Teaching Times and Locations	2
2.2 Units of Credit	2
2.3 Summary of Course	3
2.4 Course Aims and Relationship to Other Courses	3
2.5 Student Learning Outcomes	3
<u>3 LEARNING AND TEACHING ACTIVITIES</u>	<u>4</u>
3.1 Approach to Learning and Teaching in the Course	4
3.2 Learning Activities and Teaching Strategies	5
<u>4 ASSESSMENT</u>	<u>5</u>
4.1 Formal Requirements	5
4.2 Assessment Details	5
4.3 Assessment Format	6
4.4 Assignment Submission Procedure	8
4.5 Late Submission and Penalties	9
<u>5 COURSE RESOURCES</u>	<u>9</u>
<u>6 COURSE EVALUATION AND DEVELOPMENT</u>	<u>10</u>
<u>7 COURSE SCHEDULE</u>	<u>10</u>

COURSE-SPECIFIC INFORMATION

1 STAFF CONTACT DETAILS

Lecturer-in-charge (LIC): Geoffrey Dunn

Room: 2054C, Quad

Phone No: 9385 9534

Email: TBA

Consultation with the LIC is available by e-mail, and personal consultation with the LIC on Tuesday of each week during the Semester may be available in appropriate cases. Students who require a personal consultation must email the LIC first.

Tutor names:

Geoffrey Dunn: TBA

Shirley Carlon: s.carlon@unsw.edu.au

Supriya Eliezer: s.eliezer@unsw.edu.au

Elizabeth Calabro: e.calabro@unsw.edu.au

Communication with Staff

- Students are invited to consult with the LIC by e-mail on any aspect of the course, but complex technical questions should, ideally be raised in the weekly tutorial. In the case where the LIC is asked a complex technical question, the LIC will use discretion in determining whether to directly respond to the question, request the Tutors to cover the issue at the next Tutorial, or invite the student who raised the question to meet with the LIC during the Tuesday following receipt of the question.
- Students may contact staff by e-mails regarding course administration matters, **using only their official university email address as per *University Email Policy***. Do not expect staff to reply to e-mails which request extensive or substantive answers. Teaching staff will use their discretion when consulted via e-mail and may instead invite students to meet in person during consultation hours to discuss complex questions, solutions to tutorial questions, past exam questions, etc.

2 COURSE DETAILS

2.1 Teaching Times and Locations

Lectures start in Week 1(to Week 12). The time and location is:

Tuesday, 10:00am – 12:30pm, Ainsworth Building G03.

Tutorials start in Week 2 (to Week 13). Please ensure you attend your enrolled tutorial only unless prior arrangements have been made with the LIC.

2.2 Units of Credit

The course is worth 6 units of credit.

2.3 Summary of Course

The complexity and comprehensiveness of the Australian taxation system demands that tax considerations must be taken into account in nearly every business decision.

This course concentrates on income tax law in Australia, and also provides an introduction to fringe benefits tax (FBT) and goods and services tax (GST). The technical legal rules relating to the taxes discussed are examined against a background of the policy reasons underpinning the rules.

A list of individual topics covered in the course is set out in the Course Schedule. More detailed topic outlines (including required reading) are provided on the Course Website.

2.4 Course Aims and Relationship to Other Courses

This course aims to:

1. provide an overview of the Australian taxation system and the basic principles of Australian taxation law
2. examine in detail selected topics in Australian income tax law
3. develop skills in recognising tax issues in factual situations
4. enhance your ability to solve tax problems through the development of skills in interpreting legislation and cases and in finding the applicable law, as well as developing a systematic approach to responding to such problems
5. develop your written presentation and oral skills

TABL2751 is offered as part of the Bachelor of Commerce. It is a core course in the undergraduate taxation major. It is an elective course for other Bachelor of Commerce majors, and is also a requirement for the professional accounting bodies (e.g. CPA Australia, Chartered Accountants Australia & New Zealand (CAANZ), Institute of Public Accountants).

TABL1710 Business and the Law (or equivalent LAWS subject) is a pre-requisite for this course.

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.

The Learning Outcomes in this course also help you to achieve some of the overall Program Learning Goals and Outcomes for all undergraduate 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:

<https://www.business.unsw.edu.au/degrees-courses/course-outlines/policies>

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	Explain the structure and key rules of Australian taxation law (including income taxation, fringe benefits taxation and GST)	<ul style="list-style-type: none"> • Tutorial Problems • Assignment • Mid-semester exam • Final exam
2	Critical thinking and problem solving	Identify key income taxation, fringe benefits tax, and GST issues in a given fact situation and correctly apply the relevant taxation law to the issues that you identify	<ul style="list-style-type: none"> • Tutorial Problems • Assignment • Mid-semester exam • Final exam
3a	Written communication	Construct written work which is logically and professionally presented.	<ul style="list-style-type: none"> • Assignment
3b	Oral communication	Communicate your response to identified taxation issues in a succinct and clear manner.	<ul style="list-style-type: none"> • Tutorial problems • Part of tutorial participation mark but not separately assessed.
4	Teamwork	Work collaboratively to complete a task.	<ul style="list-style-type: none"> • Part of tutorial participation mark but not separately assessed.
5a.	Ethical, social and environmental responsibility	Understand the need for anti-avoidance rules in the taxation legislation, and current concerns regarding those rules.	<ul style="list-style-type: none"> • General discussion questions in tutorials (part of tutorial participation mark but not separately assessed).
5b.	Social and cultural awareness	Not specifically addressed in this course.	

3 LEARNING AND TEACHING ACTIVITIES

3.1 Approach to Learning and Teaching in the Course

Australian taxation law is complex, and for many of you, this subject may appear daunting. However, in your future careers, you will need to have at least a basic understanding of the operation of the Australian tax system.

Our approach to learning and teaching in this course is one of problem based learning. Students will be encouraged to apply tax law principles in the context of hypothetical situations raised in lectures, tutorial problems and a problem based assignment.

We will also encourage students to examine the reasons why the tax law principles exist rather than merely examining the content of rules. This will assist in your understanding of how the rules operate as well as giving you a broader perspective of taxation law.

Students will be encouraged to read widely and think critically about whether Australia's taxation laws are consistent with tax policy objectives expressed by successive Federal governments.

3.2 Learning Activities and Teaching Strategies

The course will be conducted using a weekly 2.5 hour lecture and a weekly 1.5 hour tutorial format.

Lectures will:

- Provide an overview of the key principles of Australian taxation law;
- Highlight the reasons why particular rules in taxation law were developed;
- Critically discuss key cases and legislative provisions against a background of recognised tax policy criteria;
- Use examples to illustrate the operation of tax rules.

Tutorials will:

- Discuss the application of tax law rules to specific fact situations through the use of problems;
- Provide an opportunity for you to present your understanding of the application of tax law rules in specific fact situations through the use of in-class student discussions;
- Provide an opportunity for you to discuss the reasons behind tax law rules and their consistency or otherwise with recognised tax policy criteria;
- Provide an opportunity for you to clarify your understanding of topics.

4 ASSESSMENT

4.1 Formal Requirements

In order to pass this course, you must:

- achieve a composite mark of at least 50 out of 100 possible; and
- complete all assessment tasks; and
- achieve a mark of at least 40% (i.e. 20/50) in the final exam; and
- attend at least 80% of tutorials.

4.2 Assessment Details

Assessment Task	Weighting	Length	Due Date
Tutorials participation	5%	N/A (see below)	Ongoing
Response to tutorial problem	5%	N/A (see below)	Ongoing (allocated during 1 st tutorial)
Mid-semester exam	20%	40 minutes	Week 5 Friday, 25 August, 5:00pm

Assignment	20%	2,000 words	Week 10 Tues, 3 October, 5:00pm
Final exam	50%	2 hours	University exam period

4.3 Assessment Format

Tutorial Participation – 5%

You are expected to actively participate in tutorials. This assessment is based on *participation* – not mere attendance. This will be demonstrated by responding to the general discussion questions included in the tutorial program (to be provided on Moodle prior to the first tutorial), responding to questions raised by your tutor, and actively listening to other students' comments and views.

There is usually time remaining in each tutorial after the assigned questions have been completed – this should be used to clarify your understanding of issues.

Up to 5 marks will be awarded for general tutorial participation.

Due Date

This assessment item is ongoing throughout the semester.

Absence from tutorials

Attendance will be taken at tutorials, and as per UNSW policy, students who fail to attend at least 80% of tutorials may be refused final assessment. Failure to attend at least 80% of tutorials (this equates to 10 out of 12 tutorials) will result in you not satisfactorily completing this component of assessment; and therefore not satisfactorily completing the course.

You **MUST** attend the tutorial in which you are enrolled or your attendance will not be counted (unless prior arrangements have been made with the LIC).

If you are absent from a tutorial due to medical reasons, you should provide your tutor with a medical certificate at your next tutorial.

Response to Tutorial Problem – 5%

A tutorial program will be placed on Moodle prior to the first tutorial. During the first tutorial, each student will be assigned a tutorial problem. (Multiple students will be assigned each problem, but this is a piece of individual assessment). Students will be expected to thoroughly prepare an answer for their allocated tutorial problem, and be able to answer questions in class as the tutor works through the solution to the problem. It is not an oral presentation per se (i.e. students are not expected to stand in front of the class presenting their answer). The tutor will continue to lead the tutorial, but will expect the students who are allocated the tutorial problem to have prepared an answer they can discuss, and answer questions that the tutor raises about the problem.

Up to 5 marks will be awarded for your response to your assigned tutorial problem.

Due date

In your allocated tutorial class, in the week you have been allocated a tutorial problem.

Absence from tutorials

If you are absent from the tutorial in which you are allocated the tutorial problem due to exceptional circumstances (such as illness), you will be required to provide documentary evidence (such as a medical certificate) to your tutor in the next tutorial class. If your absence is due to legitimate circumstances outside your control, you will be re-allocated a tutorial question.

Mid-Semester Exam – 20%

The mid-semester exam is a 20 question multiple choice exam, and will cover topics covered in lectures in Weeks 1 to 4 and Tutorials from Weeks 2 to 5.

IE: The Mid-Semester exam will cover topics up to and including capital gains tax.

Each question in the mid-semester exam will be worth 1 mark.

Due date

The Mid-Semester Exam will be held in Week 5 of semester, on Friday 25 August at 5:00pm. The location will be advised on the course website and in lectures.

Absence from Mid-Semester exam

If there are exceptional circumstances that cause you to be absent from the mid-semester exam, the LIC may grant you a supplementary exam.

Aside from religious commitments or illness, it is hard to envisage students having exceptional circumstances for missing the mid-semester exam. The main reason for this is that ample notice has now been given (by this Course Outline and in the first lecture) to you of the mid-semester exam date and approximate time.

Note, no staff member of The University of New South Wales (aside from the LIC) has a discretion or authority to grant any student another mid-semester exam, or an alternate piece of assessment in this course.

Assignment – 20%

The assignment is a 2,000 word response to a problem type question, and will cover topics covered in Lectures in Weeks 1 to 7 (i.e. up to and including all aspects of deductions). Although this is not a research assignment per se, the assignment may raise issues that may have not necessarily been discussed in depth in lectures.

The assignment is worth a total of 20 marks.

Due date

The due date for the assignment is 5:00pm, Tuesday 3 October.

Note that this is the first day back after mid-semester break (as Monday 2 October is a public holiday).

Student responses to the assignment are required to be submitted electronically via Moodle. You are also required to submit a hard copy of the assignment in the assignment boxes located in the School of Taxation and Business Law, Level 2, Quad Building (South Wing). The assignment boxes are located next to room Quad 2055.

Late submission

For the sake of fairness to all students, **late assignments will not** be accepted. That is, if you attempt to hand in an assignment late, **without first contacting the LIC**, you will receive **zero marks**.

In exceptional circumstances, the LIC may grant an extension of time for submitting the assignment, and an assignment submitted in these circumstances will not be treated as late where it is submitted before the extended deadline advised by the LIC in an e-mail to you in response to the extension of time request. In this case, you are required to send a detailed explanation to the LIC by e-mail (see page 2 for details). You will be advised by e-mail of whether an extension has been granted or whether another form of assessment has been set depending on the circumstances. All medically based requests must be supported by a medical certificate.

Note, no staff member of The University of New South Wales (aside from the LIC) has a discretion or authority to grant any student an extension for the assignment or an alternative form of assessment.

Final Exam – 50%

The final exam is an open-book, written exam. There will be no restrictions on the written materials that students are permitted to take into the examination room in the final exam. All questions in the final exam will be of a problem type. That is, you will be given a series of facts and will be required to appropriately identify from these facts the relevant tax issue, and provide an explanation/analysis of these issues.

The final exam can cover all aspects of the course.

The final exam is worth a total of 50 marks i.e. 50% of the possible 100 marks available in the Course.

Students cannot pass the Course where they do not receive a minimum of 40% on the final exam (i.e. 20 marks out of 50), even if their total mark for all items in the Assessment Format is 50 or more.

Due date

The final exam will be held on a date and at locations to be advised in the UNSW Examination Timetable. The duration of the final exam will be two hours plus 10 minutes reading time.

4.4 Assignment Submission Procedure

The due date for the assignment is **5:00pm, Tuesday 3 October**.

Note that this is the first day back after mid-semester break (as Monday 2 October is a public holiday).

Student responses to the assignment are required to be submitted electronically via Moodle. You are also required to submit a hard copy of the assignment in the assignment boxes located in the School of Taxation and Business Law, Level 2, Quad Building (South Wing). The assignment boxes are located next to room Quad 2055.

4.5 Late Submission and Penalties

For the sake of fairness to all students, **late assignments will not** be accepted. That is, if you attempt to hand in an assignment late, **without first contacting the LIC** you will receive **zero marks**.

In exceptional circumstances, the LIC may grant an extension of time for submitting the assignment, and an assignment submitted in these circumstances will not be treated as late where it is submitted before the extended deadline advised by the LIC in an e-mail to you in response to the extension of time request. In this case, you are required send a detailed explanation to the LIC by e-mail (see page 2 for details). You will be advised by e-mail of whether an extension has been granted or whether another form of assessment has been set depending on the circumstances. All medically based requests must be supported by a medical certificate.

Note, no staff member of The University of New South Wales (aside from the LIC) has a discretion or authority to grant any student an extension for the assignment or an alternative form of assessment.

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

Prescribed text:

1. Taylor, Walpole, Burton, Ciro and Murray *Understanding Taxation Law 2017*, Lexis Nexis Butterworths, (hereafter referred to as UTL); AND
2. *Concise Tax Legislation 2017*, Lexis Nexis Butterworths.

(Understanding Taxation Law and the Concise Tax Legislation are usually available in a Study Pack in the University Bookshop).

Subject to one overriding comment, **do not** purchase or use an old edition of any of the prescribed materials. The overriding comment is that you should only use old editions if you are prepared to do the detailed (and time consuming) work of incorporating amendments, etc, since the date of the old editions.

Recommended Text:

It is also highly recommended that you purchase:

Barkoczy, *Australian Tax Casebook* (CCH) (EITHER: 13th Edition, 2016 OR 12th Edition 2014).

During the semester, we will be looking at a large number of cases. This book provides a summary of a number of the major cases in Australian tax law. If you do not have access to this book it will be necessary for you to use other resources (such as the CCH Database via the Library website) to access cases.

(Please note that the 13th Edition was released in January 2016. The 12th Edition, released in 2014, would still be a useful resource).

Internet Sites

The following sites will be useful resources:

- Austlii: www.austlii.edu.au
- Australian Taxation Office: www.ato.gov.au (Use the Legal Database – good for Rulings)
- CCH Database (via UNSW Library) - <https://www.library.unsw.edu.au/study/information-resources/databases>
- Treasury: www.treasury.gov.au
- Treasurer: www.treasurer.gov.au (good for Press Releases)
- Board of Taxation: www.taxboard.gov.au (major reports on particular topics)
- Parliament House: www.aph.gov.au (good for bills, EMs, and 2nd reading speeches)

Online Resources: Moodle

The website for this course is on Moodle at:
<http://moodle.telt.unsw.edu.au>

Electronic Databases:

The UNSW library subscribes to several electronic databases. The UNSW library database can be accessed at: <https://www.library.unsw.edu.au/study/information-resources/databases>

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. As a result of previous feedback:

- Lectures are recorded and released on a weekly basis.
- To further test students' problem solving skills a greater number of problem type and calculation questions have been included in the mid-semester exam.
- More examples and problems are used in lectures.
- We discuss FBT and GST as topics in the lectures (rather than solely in tutorials).
- We have allocated more time in lectures to focus on 'core' topics such as income and deductions, and less time on more specialised topics such as international tax.

7 COURSE SCHEDULE

The lecture and tutorial schedule are available on the following pages.

Please note the tutorial schedule also lists some assessment items (your mid-semester exam and assignment). It does not list: tutorial participation which is ongoing throughout the semester, the allocated tutorial problem (as this will vary for each student), or the final exam (which will be held in the university exam period).

Further information regarding topics including reading lists; as well as the tutorial program, will be made available on Moodle prior to Week 1.

LECTURE SCHEDULE		
Week / (date beginning)	Lecture topic	Tutorial topic / Assessment item
Week 1 24 July	Introduction to Australian taxation system; jurisdictional issues and the tax 'formula'	NO TUTORIALS
Week 2 31 July	Income	Analysing and answering a tax problem
Week 3 7 August	Income (cont) Tax accounting	Tax calculations Income
Week 4 14 August	Capital gains tax	Income (cont) Tax accounting
Week 5 21 August	Deductions – general	Capital gains tax Mid-semester exam (25 August, 5:00pm)
Week 6 28 August	Deductions – specific Trading stock	Deductions – general
Week 7 4 September	Deductions – capital allowances / capital works	Deductions – specific Trading stock
Week 8 11 September	Taxation of partnerships Taxation of trusts	Deductions – capital allowances / capital works
Week 9 18 September	Taxation of trusts (cont) Taxation of companies	Taxation of partnerships Taxation of trusts
Mid-semester break: Saturday 23 September – Monday 2 October – Labour Day Public Holiday		
Week 10 2 October	Taxation of companies and shareholders (imputation system)	Taxation of trusts (cont) Taxation of companies Assignment due (3 October, 5:00pm)
Week 11 9 October	Fringe Benefits Tax Anti-avoidance	Taxation of companies and shareholders (imputation system)
Week 12 16 October	Goods and services tax	Fringe benefits tax Anti-avoidance
Week 13 23 October	NO LECTURES	Goods and services tax