



UNSW Course Outline

TABL5501 Taxation of Commercial Transactions - 2024

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General Course Information

Course Code : TABL5501

Year : 2024

Term : Term 1

Teaching Period : T1

Is a multi-term course? : No

Faculty : UNSW Business School

Academic Unit : School of Accounting, Auditing and Taxation

Delivery Mode : Online

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

This course identifies and builds upon a conceptual framework (CF) for the analysis of the income tax (including capital gains tax (CGT)) implications of commercial transactions, largely in the small and medium enterprise (SME) market.

'Commercial' transactions are those transactions carried on by businesses, or in a business-like way.

This course examines in detail a select range of important commercial transactions, but the CF should aid the 'tax' examination of any commercial transaction.

The CF recognises the importance of ascertaining the correct (or best) view of the current tax law treatment of a particular transaction, but the CF is also evaluative as it embodies conventional higher level tax policy principles (such as revenue adequacy, equity, efficiency/ neutrality, and simplicity) as well as asking whether the purpose of the treatment (e.g. legislative or administrative intent) has been achieved.

At first, the course examines briefly the conventional paradigm of assessable income and deductions in the ordinary course of carrying on a continuing business, whether selling stock, providing services, or both. Students should be familiar with this territory from previous studies or work experience.

The course then considers two often controversial and challenging types of 'isolated' commercial transactions which are not in the ordinary course of business and test the scope of the income principles enunciated by the High Court in the *Myer Emporium* decision (1987). These transactions are isolated profit-making transactions (especially involving property) and transactions where the replacement principle applies (including compensation and insurance receipts).

The course moves on then to consider the way that costs of commercial transactions are allocated for income tax purposes. This can be, for example, by way of straightforward deduction, entry into the cost of trading stock, a revenue asset, or a CGT or depreciating asset, or in the case of certain 'blackhole expenditure', by way of as a special deduction. The course will also consider certain specific costs such as those from transactions involving financing, leasing, legal fees and repairs.

The course concludes by considering some important issues about the timing of tax recognition for transactional income and costs, including situations where tax consequences (on the cost or income side) are brought forward or deferred. For example, prepaid expenses, instalment and terms sales, and earn-out arrangements on the sale of business. Various issues regarding the interplay and interaction of the various capital asset and deductions rules will also be considered in passing.

Course Aims

This course is designed to be one of the earlier courses in the M Tax program and is a core and compulsory course in that program. It is an elective course in other programs. There are two main aims of the course, and these two aims either overlap or are concurrently pursued. The first is to undertake a relatively high-level analysis of fundamental areas and aspects of the income tax (including CGT) that are of considerable importance to tax practice, largely in the SME market. The second is that this high-level analysis provides the base from which to pursue the study of the other advanced tax courses in the rest of the M Tax degree.

Relationship to Other Courses

This course is designed to be one of the earlier courses in the M Tax program and it is a compulsory course. There are two main aims of the course, and these two aims either overlap or are concurrently pursued. The first is to undertake a relatively high-level analysis of fundamental areas and aspects of the income tax (including CGT) that are of considerable importance to tax practice, largely in the SME market. The second is that this high-level analysis provides the base from which to pursue the study of the other advanced tax courses in the rest of the M Tax degree.

Course Learning Outcomes

Course Learning Outcomes
CLO1 : Demonstrate expert understanding of tax rules outside of capital gains tax applicable to complex transactions
CLO2 : Demonstrate expert understanding of capital gains tax rules applicable to complex commercial transactions
CLO3 : Engage in tax problem solving techniques in complex commercial transactions
CLO4 : Demonstrate lateral thinking in taxation law and links to tax accounting

Course Learning Outcomes	Assessment Item
CLO1 : Demonstrate expert understanding of tax rules outside of capital gains tax applicable to complex transactions	<ul style="list-style-type: none">• Assessment 1: Research paper plan• Assessment 2: Research Paper• Assessment 3: Take-home Exam
CLO2 : Demonstrate expert understanding of capital gains tax rules applicable to complex commercial transactions	<ul style="list-style-type: none">• Assessment 1: Research paper plan• Assessment 2: Research Paper• Assessment 3: Take-home Exam
CLO3 : Engage in tax problem solving techniques in complex commercial transactions	<ul style="list-style-type: none">• Assessment 1: Research paper plan• Assessment 2: Research Paper• Assessment 3: Take-home Exam
CLO4 : Demonstrate lateral thinking in taxation law and links to tax accounting	<ul style="list-style-type: none">• Assessment 1: Research paper plan• Assessment 2: Research Paper• Assessment 3: Take-home Exam

Learning and Teaching Technologies

Moodle - Learning Management System

Learning and Teaching in this course

Seven propositions guide our approach to teaching and learning activities (and in the design

of course documents). They are:

- the best legacy to leave students is to have helped them develop: (a) their independent learning skills and (b) their analytical/critical thinking skills.
- given the complexity and volume of Australia's tax law, an appropriate level of direction will be provided in approaching problem solving and learning in this course.
- given the leadership role of teaching staff, deeper levels of student motivation and engagement with the curriculum is more likely when teaching staff convey energy, motivation and deep engagement with topics of study.

- academics are in a better position to assist students with their deep learning when they maintain deep and up-to-date-knowledge of the topic areas in which they teach.
- students are encouraged actively to participate and contribute in the course and can rest assured that we fully understand that, in a learning environment, students will not get everything right and we do not expect that they will.
- tax law is best understood in a practical real life context, and
- such is the diversity and complexity of tax law that not every question has a definitive answer, although we all strive to find the best reasoned and most coherent solutions where possible.

These propositions and guiding principles will inform the teaching strategies, teaching approaches, design of course documents and assessment tasks in this course.

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates	Program learning outcomes
Assessment 1: Research paper plan Assessment Format: Individual	10%	Due Date: 06/03/2024 11:59 PM	<ul style="list-style-type: none"> • PLO1 : Business Knowledge • PLO2 : Problem Solving • PLO3 : Business Communication • PLO5 : Responsible Business Practice
Assessment 2: Research Paper Assessment Format: Individual	40%	Due Date: 05/04/2024 11:59 PM	<ul style="list-style-type: none"> • PLO1 : Business Knowledge • PLO2 : Problem Solving • PLO3 : Business Communication • PLO5 : Responsible Business Practice
Assessment 3: Take-home Exam Assessment Format: Individual	50%	Due Date: Not Applicable	<ul style="list-style-type: none"> • PLO1 : Business Knowledge • PLO2 : Problem Solving • PLO3 : Business Communication • PLO5 : Responsible Business Practice

Assessment Details

Assessment 1: Research paper plan

Assessment Overview

You will prepare a Research Plan and an Annotated Reading List (includes a Bibliography) for your research paper. Your Research Plan should identify the key issues and outline the structure for your research paper (but do not write out an answer).

Assesses: PLO1, PLO2, PLO3, PLO5

Course Learning Outcomes

- CLO1 : Demonstrate expert understanding of tax rules outside of capital gains tax applicable to complex transactions
- CLO2 : Demonstrate expert understanding of capital gains tax rules applicable to complex commercial transactions
- CLO3 : Engage in tax problem solving techniques in complex commercial transactions
- CLO4 : Demonstrate lateral thinking in taxation law and links to tax accounting

Assessment Length

1,000 words

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Assessment 2: Research Paper

Assessment Overview

This task requires students to demonstrate their understanding of the key readings and concepts studied throughout the course and their ability to apply those concepts.

You will write and submit a Research Paper on the topic you identified in Assessment 1.

Assesses: PLO1, PLO2, PLO3, PLO5

Course Learning Outcomes

- CLO1 : Demonstrate expert understanding of tax rules outside of capital gains tax applicable to complex transactions
- CLO2 : Demonstrate expert understanding of capital gains tax rules applicable to complex commercial transactions
- CLO3 : Engage in tax problem solving techniques in complex commercial transactions
- CLO4 : Demonstrate lateral thinking in taxation law and links to tax accounting

Assessment Length

3,000 words

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

Assessment 3: Take-home Exam

Assessment Overview

This task requires students to demonstrate their understanding of the key readings and concepts

studied throughout the course and their ability to apply those concepts.

You will write and submit answers to a 3-day take-home exam which will be made available on Inspera during the University exam period. The take home exam will comprise problem type questions.

Assesses: PLO1, PLO2, PLO3, PLO5

Course Learning Outcomes

- CLO1 : Demonstrate expert understanding of tax rules outside of capital gains tax applicable to complex transactions
- CLO2 : Demonstrate expert understanding of capital gains tax rules applicable to complex commercial transactions
- CLO3 : Engage in tax problem solving techniques in complex commercial transactions
- CLO4 : Demonstrate lateral thinking in taxation law and links to tax accounting

Assessment Length

4,000 words

Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

General Assessment Information

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

You are expected to complete all assessment tasks for your courses in the School of Accounting, Auditing & Taxation. In some courses, there will be a minimum pass mark required on the final exam due to the need to assure individual mastery of specific course learning outcomes for accounting accreditation requirements. Where applicable this is explained in the assessment section of this course outline.

Further instructions on how to prepare for this exam will be provided to you during the term.

Grading Basis

Standard

Requirements to pass course

In order to pass this course, you must:

- achieve a composite mark of at least 50 out of 100;
- meet any additional requirements described in the Assessment Summary section.

You are expected to attempt all assessment requirements in the course.

Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 12 February - 18 February	Reading	Study Module 1 (Reading/self-study) Commence work on Research Paper Plan (due 6 March)
Week 2 : 19 February - 25 February	Seminar	Commence Study of Module 2 (Reading/self study) Continue work on Research Paper Plan (due 6 March) Webinar One 22 February on Modules 1 and 2
Week 3 : 26 February - 3 March	Reading	Complete Study of Module 2 (Reading/self study) Continue work on Research Paper Plan (due 6 March)
Week 4 : 4 March - 10 March	Seminar	Commence Study of Module 3 (Reading/self study) Webinar Two 7 March on Module 3 Research Paper Plan due by 6 March (1,000 words)
Week 5 : 11 March - 17 March	Reading	Complete Study of Module 3 (Reading/self study) Work/continue work on Research Paper (due 5 April)
Week 6 : 18 March - 24 March	Seminar	Commence Study of Module 4 (Reading/self study) Webinar Three 21 March on Module 4 Work/continue work on Research Paper (due 5 April)
Week 7 : 25 March - 31 March	Reading	Complete Study of Module 4 (Reading/self study) Work/continue work on Research Paper (due 5 April)
Week 8 : 1 April - 7 April	Seminar	Commence Study of Module 5 (Reading/self study) Webinar Four 4 April on Module 5 Research Paper due by 5 April (3,000 words)
Week 9 : 8 April - 14 April	Reading	Complete Study of Module 5 (Reading/self study) Revise/continue to revise earlier Modules
Week 10 : 15 April - 21 April	Seminar	Revision and Exam Preparation Webinar Five 18 April Course Review and Exam Preparation

Attendance Requirements

Students are strongly encouraged to attend all classes and review lecture recordings.

Course Resources

Prescribed Resources

Given the subject-matter of study in this course, students must have access to relevant tax

legislation. In addition, having access to relevant tax legislation will allow students to focus on developing those higher level skills and attributes that comes from working off primary materials. There is no need to purchase legislation from a commercial publisher (e.g. Thomson Reuters) because the legislation is readily accessible from various online sources, for example, the ComLaw site. As a student of UNSW, you have access to the legislation through the Thomson Reuters or Wolters Kluwer databases on the UNSW library site.

The full text of court and tribunal tax cases are also available on the Thomson Reuters or Wolters Kluwer databases on the UNSW library site. ATO rulings are also available here or through the ATO website. The AustLII website is very good on tax cases as well.

In terms of secondary materials, these are available through six course modules. These are on the Moodle site for this course. Indeed, these modules form a crucial part of the materials and resources for the course as they provide the content, direction and scope of topic coverage in the course.

We also encourage students to read other secondary materials like textbooks and journal articles touching on the topics in the course.

Course Evaluation and Development

Student feedback on the course will be formally gathered by survey, and informally by students posting on-line or contacting the Lecturer-In Charge about particular issues. In the past, students had expressed concerns about the volume of reading materials, length of webinars and the time required to cover all aspects of the course satisfactorily. These concerns have been addressed by a measured reduction in course content and rationalisation of requirements so they are more manageable for students, without compromising the quality of the course.

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
	Glenn Davies				By appointment	No	Yes
	Glenn Davies					No	No

Other Useful Information

Academic Information

COURSE POLICIES AND SUPPORT

The Business School expects that you are familiar with the contents of this course outline and the UNSW and Business School learning expectations, rules, policies and support services as listed below:

- Program Learning Outcomes
- Academic Integrity and Plagiarism
- Student Responsibilities and Conduct
- Special Consideration
- Protocol for Viewing Final Exam Scripts
- Student Learning Support Services

Further information is provided on the [key policies and support page](#).

Students may not circulate or post online any course materials such as handouts, exams, syllabi or similar resources from their courses without the written permission of their instructor.

STUDENT LEARNING OUTCOMES

The Course Learning Outcomes (CLOs) – under the Outcomes tab – are what you should be able to demonstrate by the end of this course, if you participate fully in learning activities and successfully complete the assessment items.

CLOs also contribute to your achievement of the Program Learning Outcomes (PLOs), which are developed across the duration of a program. PLOs are, in turn, directly linked to [UNSW graduate capabilities](#). More information on Coursework PLOs is available on the [key policies and support page](#). For PG Research PLOs, including MPDBS, please refer to the [UNSW HDR Learning Outcomes](#).

Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the

process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

Submission of Assessment Tasks

SPECIAL CONSIDERATION

You can apply for special consideration when illness or other circumstances beyond your control interfere with your performance in a specific assessment task or tasks, including online exams. Students studying remotely who have exams scheduled between 10pm and 7am local time, are also able to apply for special consideration to sit a supplementary exam at a time outside of these hours.

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

Special consideration applications will be assessed centrally by the Case Review Team, who will update the online application with the outcome and add any relevant comments. The change to the status of the application immediately sends an email to the student and to the assessor with the outcome of the application.

Please note the following:

1. Applications can only be made through Online Services in myUNSW (see the UNSW [Current Students](#) page). Applications will not be accepted by teaching staff. The lecturer-in-charge/ course coordinator will be automatically notified when your application is processed.
2. Applying for special consideration does not automatically mean that you will be granted a supplementary exam or other concession.
3. If you experience illness or misadventure in the lead up to an exam or assessment, you must submit an application for special consideration, either prior to the examination taking place, or prior to the assessment submission deadline, except where illness or misadventure prevent you from doing so.
4. If your circumstances stop you from applying before your exam or assessment due date, you must apply within 3 working days of the assessment or the period covered by your supporting documentation.

5. Under the UNSW Fit To Sit/Submit rule, if you sit the exam/submit an assignment, you are declaring yourself well enough to do so and are cannot subsequently apply for special consideration.
6. If you become unwell on the day of – or during – an exam, you must stop working on your exam, advise your course coordinator or tutor and provide a medical certificate dated within 24 hours of the exam, with your special consideration application. For online exams, you must contact your course coordinator or tutor immediately via email, Moodle or chat and advise them you are unwell and submit screenshots of your conversation along with your medical certificate and application.
7. Special consideration requests do not allow the awarding of additional marks to students.

Further information on Business School policy and procedure can be found under “Special Consideration” on the [key policies and support](#) page.

LATE SUBMISSION PENALTIES

For assessments other than examinations, late submission will incur a penalty of 5% per day or part thereof (including weekends) from the due date and time. An assessment will not be accepted after 5 days (120 hours) of the original deadline unless special consideration has been approved. An assignment is considered late if the requested format, such as hard copy or electronic copy, has not been submitted on time or where the ‘wrong’ assignment has been submitted.

For assessments which account for 10% or less of the overall course grade, and where answers are immediately discussed or debriefed, the LIC may stipulate a different penalty. Details of such late penalties will be available on the course Moodle page.

FEEDBACK ON YOUR ASSESSMENT TASK PERFORMANCE

Feedback on student performance from formative and summative assessment tasks will be provided to students in a timely manner. Assessment tasks completed within the teaching period of a course, other than a final assessment, will be assessed and students provided with feedback, with or without a provisional result, within 10 working days of submission, under normal circumstances. Feedback on continuous assessment tasks (e.g. laboratory and studio-based, workplace-based, weekly quizzes) will be provided prior to the midpoint of the course.

Faculty-specific Information

PROTOCOL FOR VIEWING FINAL EXAM SCRIPTS

UNSW students have the right to view their final exam scripts, subject to a small number of very specific exemptions. The UNSW Business School has set a [protocol](#) under which students may view their final exam script. Individual schools within the Faculty may also set up additional local processes for viewing final exam scripts, so it is important that you check with your School.

If you are completing courses from the following schools, please note the additional school-specific information:

- Students in the **School of Accounting, Auditing & Taxation** who wish to view their final examination script should also refer to [this page](#).
- Students in the **School of Banking & Finance** should also refer to [this page](#).
- Students in the **School of Information Systems & Technology Management** should also refer to [this page](#).

COURSE EVALUATION AND DEVELOPMENT

Feedback is regularly sought from students and continual improvements are made based on this feedback. At the end of this course, you will be asked to complete the [myExperience survey](#), which provides a key source of student evaluative feedback. Your input into this quality enhancement process is extremely valuable in assisting us to meet the needs of our students and provide an effective and enriching learning experience. The results of all surveys are carefully considered and do lead to action towards enhancing educational quality.

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.

TEACHING TIMES AND LOCATIONS

Please note that teaching times and locations are subject to change. Students are strongly advised to refer to the [Class Timetable website](#) for the most up-to-date teaching times and locations.

School Contact Information

The policies regarding staff contact in the School of Accounting, Auditing and Taxation are as follows:

- All questions regarding course administration should be directed to the Lecturer-in-charge.
- The full-time staff will be available for consultation starting from Weeks 2 to 10 and STUVAC period.
- Consultation hours will be advised on the course Moodle page in a consolidated timetable.
- Students are encouraged to consult with staff during online consultation sessions.
Consultation will not be provided via email or phone.
- Consultation times during STUVAC period will likely vary to the regular consultation during Term and be posted on the course webpage later in the Term.

While emails to staff should be a rare occurrence as noted above, in instances where it is warranted, please make sure that:

- You use your UNSW email address when corresponding with the teaching staff on this course. Emails from other addresses (such as Hotmail, Gmail, Yahoo, 126, QQ, etc.) are not accepted and will not be replied to.
- You must use an appropriate communication level with staff. Emails and discussion forum posts that use short-hand and “Texting” language are not acceptable, and communication must be in English. If your email cannot be understood then staff will not reply.
- You must identify yourself by your full name, student ID and tutorial day and time.
- Please be aware that Staff will not necessarily reply to students to inform them if their emails are non-compliant.
- Full-time teaching staff only answer emails during regular working hours of Monday to Friday 9am-5pm. Tutoring staff often have other jobs and require 48 hours within regular business office hours to reply to emails.

Complaints about the assessment and other aspects of this course should be directed in the first instance to the Lecturer-in-Charge (or Course Convenor) and if still unsatisfied with the response received then you are directed to contact the School of Accounting, Auditing & Taxation Grievance Officer, details available here: <https://www.unsw.edu.au/business/our-schools/accounting-auditing-taxation/contact-us>