

MACQUARIE  
UNIVERSITY



FACULTY OF  
BUSINESS AND ECONOMICS

ACCG882  
Advanced Taxation  
Semester 1, 2011

*Department of Accounting and Corporate  
Governance*

**MACQUARIE UNIVERSITY  
FACULTY OF BUSINESS AND ECONOMICS  
UNIT GUIDE**

**Year and Semester: 2011, Semester 1**

**Unit convenor: Catriona Lavermicocca**

**[Prerequisites / Corequisites:] ACCG614**

**Credit points: 4**

Students in this unit should read this unit guide carefully at the start of semester. It contains important information about the unit. If anything in it is unclear, please consult one of the teaching staff in the unit.

**ABOUT THIS UNIT**

This unit builds on a student's knowledge of Australian taxation law obtained whilst studying taxation law at undergraduate level. The building and development of a comprehensive understanding of advanced taxation concepts is achieved in this unit through the focus on advanced topics, discussion and an analysis of complex fact situations giving rise to a variety of tax implications. The seminars each week require the student to prepare a piece of advice on the tax implications of a particular transaction, or series of transactions, as well as alternatives and planning options.

**TEACHING STAFF**

Convenor and Lecturer  
Catriona Lavermicocca  
Room: E4A 241  
Phone: 9850 8528  
[catriona.lavermicocca@mq.edu.au](mailto:catriona.lavermicocca@mq.edu.au)

## CONSULTATION TIMES

Consultation time: Monday 11.30 -1.30pm

You are encouraged to seek help at a time that is convenient to you from the 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 any consultations by email. You may, however, phone staff during their consultation hours.

In order to gain access to staff located at levels 1, 2 and 3 of building E4A during their consultation hours please ring the staff member from the phones available in the lobby (phone numbers of relevant staff members will be provided on Blackboard and are available next to the phones).

Students experiencing significant difficulties with any topic in the unit must seek assistance immediately.

## CLASSES

- 13 weeks x 3 hour seminar per week
- The timetable for classes can be found on the University web site at: <http://www.timetables.mq.edu.au/>

## REQUIRED AND RECOMMENDED TEXTS AND/OR MATERIALS

### Required texts

2011 "Australian Master Tax Guide" CCH  
2011 "Core Tax Legislation and Study Guide" CCH

Required texts can be purchased from the Macquarie University Co-op Bookshop.

### NOTE:

STUDENTS SHOULD ALWAYS BRING COPIES OF THE TAXATION LEGISLATION TO EACH WEEKLY SESSION.

ONLY CURRENT LEGISLATION, TEXT AND CASEBOOK SHOULD BE USED.

For a good coverage of the topics in the course no one textbook can be recommended but rather a number of texts and journal articles. For each seminar topic a number of texts will be referred to and journal articles where relevant.

### **Recommended texts**

Woellner, Barkoczy, Murphy and Evans "Australian Taxation Law" 21st Edition, CCH 2011

Burgess, Cooper, Krever, Stewart and Vann "Income Taxation: Commentary and Materials" 6<sup>th</sup> Edition 2010 Thomson

Australian Master GST Guide 12<sup>th</sup> Edition 2011 CCH

Cooper and Evans "Cooper and Evans on CGT" 2010 Thomson

### **Case Study Texts**

Coleman, Hart, Bondfield, McKercher, McLaren, Sadiq and Ting "Australian Tax Analysis: Cases, Commentary, Commercial Applications and Questions" 2011 8th Edition Thomson

Fisher, Hodgson and Mortimer "Tax Questions and Answers 2011" Thomson

Nethercott, Richardson and Devos "Australian Taxation Study Manual" 21th Edition CCH 2011

CCH Editors "Master Tax Examples" 9th Edition CCH 2010/11

### **Case Book**

Stephen Barkoczy "Australian Tax Casebook" CCH 10th Edition 2010

"Australian Taxation Law Cases" 2011 Thomson

Recommended texts are available in the Macquarie Library.

### **Electronic Resources**

The library research databases offer Tax and Accounting On-Line (Thomson) and CCH Online. These electronic resources include up-to-date discussions concerning income tax legislation, cases, rulings and articles and will be very useful for this unit.

### **Journals**

Reference should be made to journal articles in keeping up to date with developments in tax law and practice. These include:

- Australian Tax Forum
- Australian Tax Review
- Taxation in Australia
- Tax Specialist
- The Australian Accountant
- Journal of Australian Taxation
- The Chartered Accountant in Australia "Charter"
- The Australian Law Journal contains a section called "Revenue Notes" which features articles on important decisions.

### **Rulings**

The Rulings released by the Commissioner and tax cases are available from the Library database or from the internet. The ATO website [www.ato.gov.au](http://www.ato.gov.au) includes a legal database from which you can download rulings and cases.

### **UNIT WEB PAGE**

- Course material is available on the learning management system (BlackBoard)
- The web page for this unit can be found at: [learn.mq.edu.au/webct](http://learn.mq.edu.au/webct)

## LEARNING OUTCOMES

After completing the unit, students will be able to

1. Demonstrate an ability to research advanced taxation topic areas identified in the unit outline.
2. Apply knowledge concerning the advanced taxation topics to a given problem question and in doing so give authority for their advice from relevant tax legislation and case law.
3. Require the student to apply their technical knowledge using a critical thought process.
4. An awareness of the tax reform process, current developments in taxation law and the tax administration process.
5. Independent and reflective learning developed through the completion of the written assignment as students are required to analyse a given fact situation or problem without any direction.
6. Students develop their communication skills necessary for a successful commerce related career through presentation and participation in class. This unit does at times require the student to work as part of a group in analysing questions and presenting answers.

## GRADUATE CAPABILITIES

In addition to the discipline-based learning objectives, all academic programs at Macquarie seek to develop the capabilities the University's graduates will need to develop to address the challenges, and to be effective, engaged participants in their world.

This unit contributes to this by developing the following graduate capabilities:

- 1 Discipline Specific Knowledge and Skills
- 2 Critical, Analytical and Integrative Thinking
- 3 Problem Solving and Research Capability
- 4 Creative and Innovative
- 5 Effective Communication
- 6 Engaged and Ethical Local and Global citizens
- 7 Capable of Professional and Personal Judgement and Initiative
- 8 Commitment to Continuous Learning

## TEACHING AND LEARNING STRATEGY

- The unit is made up of 13 weekly seminars each of three hours duration. There will be a minimum of formal lecturing and it is envisaged that the seminars will cover the specified topics through discussion of the questions assigned to the workshop as well as discussion of journal articles and decided cases on the topic. Each student is expected to participate in each workshop and accordingly must read the required readings for each session.

<u>Summary of Unit Program</u>		
<b>Week</b>	<b>Date</b>	<b>Seminar Topic</b>
1	22/2	Introduction
2	1/3	Capital/Income distinction, Carrying on business and income from isolated transactions
3	8/3	Income from personal exertion and Fringe Benefits Tax
4	15/3	Taxation of capital gains In-class test
5	22/3	Goods and Services Tax
6	29/3	Taxation of Superannuation Funds Derivation of income Trading Stock
7	5/4	Deductions Capital Allowances
Mid semester break – No class on 12 April and 19 April		
8	26/4	Taxation of Trusts and Beneficiaries Assignment due
9	30/4	Partnerships and taxation of partners
10	7/5	Taxation of companies and shareholders
11	14/5	International aspects of taxation
12	21/5	Tax administration, enforcement and anti-avoidance

13	28/5	Revision
Final Exam		

### RELATIONSHIP BETWEEN ASSESSMENT AND LEARNING OUTCOMES

Please see the following table:

	<b>Assessment Task 1</b>	<b>Assessment Task 2</b>	<b>Assessment Task 3</b>
Title/Name	In-class test	Written assignment	Final examination
Description	Multiple choice test 60 minutes	This assessment task will include the application of the tax legislation and case law to a given set of facts.	180 minutes plus 10 minutes reading time
Due date	In class 15 March 2011	Tuesday 26 April 2011	End-of-semester exam period
% Weighting	10%	30%	60%
Grading method	Assessed and graded on lecture topics 1-3  Multiple choice questions.  This assessment task will allow students and lecturers to ascertain the level of understanding of concepts fundamental to successful completion of this unit. Students who perform below average in this task will be identified and encouraged to review the readings and tutorial questions for the first 3 weeks.	Zero for non-submission.  Mark out of 30 based on the number of tax issues identified and applied correctly and for communicative competence.  This assessment task will allow students and lecturers to ascertain the level of understanding of fundamental and advanced tax concepts covered in the readings and seminars in weeks 1 to 7.	Assessed and graded on lecture topics 1 -12. The final exam will be comprised of 3 problem questions each of equal value.
Submission method	Hand in examination script.	The assignment must be handed in to the lecturer in the seminar on 26 April 2011.  An assignment submitted late will not be	Hand in examination script.



	<b>Assessment Task 1</b>	<b>Assessment Task 2</b>	<b>Assessment Task 3</b>
		accepted without prior permission from your lecturer.	
Feedback	Review and discussion in seminars. Feedback on common mistakes posted on Blackboard.	Criteria for marking made available on Blackboard on return of the written assignment.	
Estimated student workload (hours)	This is cumulative over the prior weeks in the semester plus your own time-management for revision.	Approximately 25 hours.	This is cumulative over the prior weeks in the semester plus your own time-management for revision.
Learning outcomes assessed	1, 2, 3, and 4	1,2, 3, 4, 5 and 6	2, 3, 4 and 5
Graduate capabilities assessed	1,2,3, 7 and 8	1,2,3,4, 5, 6, 7 and 8	1,2,3,4, 5, 7 and 8

### **(1) In-class test (10%)**

The in class test will cover lecture topics 1-3 and will be held on Friday 15 April 2011. This test will be 60 minutes in duration and results will be provided to students in the seminar the following week.

(Please see comment concerning exam aids below)

### **(2) Written assignment (30%)**

**Maximum length: 3000 words.**

This assessment task will allow students and lecturers to ascertain the level of understanding of fundamental and advanced taxation concepts covered in the readings and seminars in weeks 1 to 7. In addition students will be assessed on their ability to apply their knowledge to a given complex fact situation and explain the consequences providing references to legislation and case law.

### **(3) End of semester final examination (60%)**

The end-of-semester exam will cover lecture topics 1-12 and will be held in the exam period commencing 6 June 2011. The date, time and location of this exam will be provided in an overhead in class and on Blackboard later in the trimester. **You must achieve at least 50% in the final exam to pass this unit.**

(Please see comment concerning exam aids below)

## **Exam Aids**

***You will be permitted to take into exams the following aids:***

- **Your own handwritten class notes and study notes.**
- A calculator.
- Tax legislation in book published form – which may be hand written on and hand marked up as you see fit. Please note that, we allow book published legislation including *2011 Core Tax Legislation and Study Guide*.
- **You are NOT permitted to take into either exam any other items. No photocopies of any items are permitted nor are any computer downloads or printed output of any type.**

A final examination is included as an assessment task for this unit to provide assurance that:

- i) the product belongs to the student and
- ii) the student has attained the knowledge and skills tested in the exam.

A 3 hour final examination for this unit will be held during the University Examination period.

The University Examination period in first semester is from 6 June 2011 to 26 June 2011.

You are expected to present yourself for examination at the time and place designated in the University Examination Timetable. The timetable will be available in Draft form approximately eight weeks before the commencement of the examinations and in Final form approximately four weeks before the commencement of the examinations.

<http://www.timetables.mq.edu.au/exam>

The only exception to not sitting an examination at the designated time is because of documented illness or unavoidable disruption. In these circumstances you may wish to consider applying for Special Consideration. The University's policy on special consideration process is available at [http://www.mq.edu.au/policy/docs/special\\_consideration/policy.html](http://www.mq.edu.au/policy/docs/special_consideration/policy.html)

If a Supplementary Examination is granted as a result of the Special Consideration process the examination will be scheduled after the conclusion of the official examination period. (Individual Faculties may wish to signal when the Faculties' Supplementary Exams are normally scheduled.)

The Macquarie university examination policy details the principles and conduct of examinations at the University. The policy is available at: <http://www.mq.edu.au/policy/docs/examination/policy.htm>

## ACADEMIC HONESTY

The nature of scholarly endeavour, dependent as it is on the work of others, binds all members of the University community to abide by the principles of academic honesty. Its fundamental principle is that all staff and students act with integrity in the creation, development, application and use of ideas and information. This means that:

- all academic work claimed as original is the work of the author making the claim
- all academic collaborations are acknowledged
- academic work is not falsified in any way
- when the ideas of others are used, these ideas are acknowledged appropriately.

Further information on the academic honesty can be found in the Macquarie University Academic Honesty Policy at [http://www.mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://www.mq.edu.au/policy/docs/academic_honesty/policy.html)

## GRADES

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

HD - High Distinction  
D - Distinction  
CR - Credit  
P - Pass

F - Fail

All final grades in the Department of Accounting and Corporate Governance are determined by a grading committee and are not the sole responsibility of the Unit Coordinator.

Macquarie University's Academic Senate has a set of guidelines on the distribution of grades across the range from fail to high distinction. Your final result will include one of these grades plus a Standardised Numerical Grade (SNG).

The Standardised Numerical Grade (SNG) is not a summation of the individual assessment components.

To be awarded a specific grade, students are required to perform at an equivalent standard in the final examination and the overall assessment mark in the unit.

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>

#### **GRADING 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.businessandeconomics.mq.edu.au/new\\_and\\_current\\_students/undergraduate\\_current\\_students/how\\_do\\_i/grade\\_appeals](http://www.businessandeconomics.mq.edu.au/new_and_current_students/undergraduate_current_students/how_do_i/grade_appeals)

#### **SPECIAL CONSIDERATION**

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/procedure.html](http://www.mq.edu.au/policy/docs/special_consideration/procedure.html)

## **STUDENT SUPPORT SERVICES**

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

## **IT CONDITIONS OF USE**

Access to all student computing facilities within the Faculty of Business and Economics is restricted to authorised coursework for approved units. Student ID cards must be displayed in the locations provided at all times.

Students are expected to act responsibly when utilising University 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.

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.