

	<b>ANU College of Business and Economics</b>	<b>Research School of Accounting</b>
<b>Mail</b>	Building 26C Australian National University Canberra ACT 2601	Building 21 Australian National University Canberra ACT 2601
<b>Student Office</b>	Room 2.01 (Level 2) ANU CBE Building 26C	Room 2037 (Level 2) Hanna Neumann Building 21
<b>Phone</b>	<b>Within</b> 1300 732 120 (local call cost only) <b>Australia</b> +61 2 6125 3807 <b>International</b>	02 6125 0025 +61 2 6125 0025
<b>Fax</b>	<b>Within</b> 02 6125 0744 <b>Australia</b> +61 2 6125 0744 <b>International</b>	02 6125 4310 +61 2 6125 4310
<b>Email</b>	<a href="mailto:info.cbe@anu.edu.au">info.cbe@anu.edu.au</a>	<a href="mailto:enquiries.rsa@anu.edu.au">enquiries.rsa@anu.edu.au</a>

## BUSN3014

# Principles of Tax Law

### Course Description

The course introduces students to the principles of tax law in Australia with a focus on income tax. The important provisions of the Income Tax Assessment Acts 1936 and 1997 about the concepts of income, capital gains, and deductions are considered in detail. Other topics include international aspects of income tax, tax treatment of different entities, the anti-avoidance provisions and goods and services tax.

<b>Course URL</b>	<a href="http://programsandcourses.anu.edu.au/2017/course/BUSN3014">http://programsandcourses.anu.edu.au/2017/course/BUSN3014</a>
<b>Mode of Delivery</b>	On campus
<b>Prerequisites</b>	<a href="#">BUSN1101</a> or both <a href="#">LAWS1204</a> and <a href="#">LAWS1201</a>
<b>Incompatible Courses</b>	LAWS2221 and <a href="#">LAWS4221</a>
<b>Course Convenor</b>	<a href="#">Dr Sonali Walpola</a>
<b>Phone</b>	6125 8059
<b>Email</b>	<a href="mailto:Sonali.Walpola@anu.edu.au">Sonali.Walpola@anu.edu.au</a>
<b>Office</b>	CBE 3.21
<b>Office hours for student consultation</b>	TBA

<b>Research Interests</b>	Sonali teaches and researches in the areas of Commercial Law and Taxation Law. Prior to joining the ANU, she worked in the tax section of a national law firm.
<b>Student Administration</b>	Room 2037 Hanna Neumann Building 21 <a href="mailto:enquiries.rsa@anu.edu.au">enquiries.rsa@anu.edu.au</a> 6125 0025 or 6125 7968 Office Hours: Monday-Friday 9-5 pm

## **SEMESTER 2**

**2017**

## **COURSE OVERVIEW**

---

### **Learning Outcomes**

On satisfying the requirements for this course, students should be able to:

1. Recognize situations that have income tax and GST implications under Australian law;
2. Understand the principles and rules relating to the determination of income tax and GST (including tax avoidance provisions) as it operates in relation to individuals and other entities;
3. Apply the tax law principles learnt to specific factual situations;
4. Calculate income tax liability and GST liability;
5. Discuss, analyze and draw conclusions in relation to the various tax issues considered, in a clear and concise manner, using statutory provisions and case authorities in support.

### **Assessment Summary**

<b>Assessment Task</b>	<b>Value</b>	<b>Due Date</b>	<b>Date for Return of Assessment</b>	<b><i>Linked Learning Outcomes (optional)</i></b>
1. Tutorial preparation	10%	Weeks 2-12 (excluding quiz weeks)	Marks for tutorials 2-5 will be released by the end of week 6, with final marks released in the study week.	All
2. Two 'optional' redeemable quizzes (5% each)	10%	Week 6 and 12 (subject to change)	Within one week of the quiz	1-4
3. Take Home Exam	20%	Due end of week 6	Week 8	All
4. Final Exam	60%	November exam period		All

### **Research-Led Teaching**

Your lectures and tutorials will incorporate insights gained from relevant research in various tax law areas, such as: the economic implications of particular taxes and tax policies; the High Court's interpretation of key tax concepts; corporate tax avoidance and tax-motivated profit-shifting by Australian multi-national enterprises.

### **Feedback**

#### **Staff Feedback**

Students will be given feedback in the following forms in this course:

- Verbal feedback to their contributions during tutorials and lectures;
- Verbal feedback if they attend consultation – students will be first asked their own view on questions they have difficulty with before the lecturer/tutor responds;
- Detailed written comments in relation to their Take Home Exam;
- Brief written feedback within a reasonable time if they present their understanding of a particular area via email;
- Online explanations (via wattle) to quizzes conducted in tutorials.

## **Student Feedback**

ANU is committed to the demonstration of educational excellence and regularly seeks feedback from students. One of the key formal ways students have to provide feedback is through Student Experience of Learning Support (SELS) surveys. The feedback given in these surveys is anonymous and provides the Colleges, University Education Committee and Academic Board with opportunities to recognise excellent teaching, and opportunities for improvement.

For more information on student surveys at ANU and reports on the feedback provided on ANU courses, go to:

<http://unistats.anu.edu.au/surveys/selt/students/> and  
<http://unistats.anu.edu.au/surveys/selt/results/learning/>

## **Policies**

ANU has educational policies, procedures and guidelines, which are designed to ensure that staff and students are aware of the University's academic standards, and implement them. You can find the University's education policies and an explanatory glossary at: <http://policies.anu.edu.au/>

Students are expected to have read the [Academic Misconduct Rule](#) before the commencement of their course.

Other key policies include:

- Student Assessment (Coursework) Policy
- ([https://policies.anu.edu.au/ppl/document/ANUP\\_004603](https://policies.anu.edu.au/ppl/document/ANUP_004603))
- Student Assessment (Coursework) Procedure
- ([https://policies.anu.edu.au/ppl/document/ANUP\\_004604](https://policies.anu.edu.au/ppl/document/ANUP_004604))
- Student Surveys and Evaluations
- ([https://policies.anu.edu.au/ppl/document/ANUP\\_004601](https://policies.anu.edu.au/ppl/document/ANUP_004601))
- Copyright (<http://copyright.anu.edu.au/>)

## **Examination material or equipment**

Information about the material permitted for the final examination will be available at: <http://www.anu.edu.au/students/program-administration/assessments-exams/examination-timetable>

## READING LISTS

---

### Required materials:

**Prescribed Text:** Sadiq et al, Principles of Taxation Law, Thomson Reuters, 2017 (available from the Co-op bookshop). *A list of readings (i.e. chapter references) will be given in week 1.*

You will be able to manage with a 2016 or 2015 second hand copy but you will need to make sure you make updates where necessary (you will be alerted to changes in the lecture/tutes).

**Legislation:** students must have access to the relevant legislation. Students may access the legislation on-line. The full text of tax legislation (as well as most tax cases and tax rulings) are available on the web. Two commercial electronic tax libraries **CCH Intelliconnect** (CCH Australia) and **Tax and Accounting Online** (Thomson Reuters) are available at the ANU Library website [http://anulib.anu.edu.au/lib\\_home.html](http://anulib.anu.edu.au/lib_home.html) under “e-Resources & databases”. Click “C” for CCH or “T” for Tax and Accounting Online.

## COURSE SCHEDULE

---

Week	Summary of Activities	Assessment
1	Introduction to the Australian Tax System	
2	Residence and Source	Tutorial preparation
3	Income	Tutorial preparation
4	Income	Tutorial preparation
5	CGT	Tutorial preparation; Take Home Exam released.
6	General Deductions	Quiz (timing subject to change); Take Home Exam due.
7	Specific Deductions; Capital Allowances, Tax Accounting	Tutorial preparation
8	Partnerships and Trusts	Tutorial preparation
9	Companies	Tutorial preparation
10	Goods and Services Tax	Tutorial preparation
11	Tax Avoidance and Administration	Tutorial preparation
12	Tax-motivated Profit Shifting and Revision	Quiz (timing subject to change)
	Examination period	

## ASSESSMENT REQUIREMENTS

---

### Assessment Tasks

#### **Assessment Task 1:** Tutorial Preparation

##### **Details of task:**

Between weeks 2 to 12 (excluding the two weeks in which quizzes are conducted in the tutorials), students will have the opportunity to earn tutorial preparation marks. A maximum of 9 marks can be obtained (weighted at 10%).

1 mark will be awarded for **satisfactory** tutorial preparation evidenced by notes (e.g.  $\frac{3}{4}$  of a page or 1 full A4 page) that shows a genuine attempt to answer all questions set for that particular tutorial. The 1 mark can only be gained if your answer refers to relevant tax principles. The mark will not be awarded if it appears that the notes are too vague or obviously irrelevant. Your tutor may choose to award  $\frac{1}{2}$  a mark if the notes are not quite satisfactory but show some attempt to answer the questions.

If a student's written preparation is unsatisfactory, you still have a chance to earn either part or full marks if you make verbal contributions in that particular tutorial. The full 1 mark can be obtained for excellent verbal participation (quality not quantity is important here), and  $\frac{1}{2}$  a mark will be awarded for good contributions.

In general, the tutorial preparation marks can only be obtained by attending the tutorial and showing your preparation at the tutorial. But if you happen to be ill or happen to have an exam clash during the time of your normal tutorial, your tutor may give you the opportunity to submit your tutorial preparation by email in lieu of attendance. Also, in weeks 6-8, when many courses have mid-semester exams, if you need to you can attend a different tutorial to that which you are enrolled in – but please let us know first.

**Value:** 10%

**Estimated return date:** tutorial preparation marks for tutorials 2-5 will be released by the end of week 6, with final marks released in the study week.

#### **Assessment Task 2:** Two Quizzes

##### **Details of task:**

Two quizzes 'optional' with five Multiple Choice Questions will be issued in tutorials – at this stage the quizzes are scheduled to happen in weeks 6 and 12 (but this may change). Each quiz will test you on tax law topics covered in lectures and tutorials, and will test you on both theory and practical problems. You will have approximately 15 minutes to do the quiz and it will be open book. Each quiz mark will be redeemable against the final exam mark (i.e. will not count towards your final grade if you obtain a higher percentage in the final exam). No replacement quizzes will be offered.

**Estimated return date:** results of each quiz will be available approximately one week after the respective quiz (via wattle, and will also be returned in hard copy in the tutorial).

### **Assessment Task 3: Take Home Exam.**

#### **Details:**

You will be asked to give tax advice in relation to a hypothetical fact scenario. The Take Home Exam question will most likely be drawn from the Semester 2, 2016 exam in this course. A higher standard will be expected of the Take Home Exam however, given that you will have a significantly longer time period to complete it.

The expected time required to write a very good answer to the Take Home Exam is ½ day-1 day. You will be given around 1 week, and this is so that you can fit this Take Home Exam around your other commitments.

You need to treat the Take Home Exam like an exam – this means that you cannot discuss the question with your classmates, and you need to prepare the answer entirely by yourself.

You cannot seek help from your lecturer or tutor – this would obviously be unfair to other students. If you think some aspect of the question is unclear, you may seek clarification from your lecturer.

**Word limit: 1,000 words**

**Value: 20%**

**Presentation requirements:** the Take Home Exams need to be typed using size 12 font and either 1.5 or double spacing.

**Estimated return date: Week 8**

### **Assessment Task 4: Final Exam.**

#### **Details:**

The Exam will be similar in format to Semester 2, 2016. You will need to provide tax advice in relation to a number of fact scenarios – you will need to give explanations for your answers, and also perform some calculations. There will be no MCQs.

All aspects of the course are potentially examinable including those areas previously assessed in the Take Home Exam. You will receive further information (including as to conditions) closer to the time.

#### **Take Home Exam Submission**

##### **Hard Copy Submission:**

Your Take Home Exam paper must be submitted in hard copy to the RSA school office, HN 2037.

Your Take Home Exam must include the [RSA cover sheet](#). **Please retain an electronic copy of your Take Home Exam.**

## **Extensions and penalties**

Extensions and late submission of assessment pieces are covered by the [Student Assessment \(Coursework\) Policy and Procedure](#).

The Course Convenor may grant extensions for assessment pieces that are not examinations or take-home examinations. If you need an extension, you must request in writing on or before the due date. If you have documented and appropriate medical evidence that demonstrates you were not able to request an extension on or before the due date, you may be able to request it after the due date.

## **Return of Take Home Exam Papers**

The Take Home Papers will be returned in tutorials and results will also be available via wattle.

## **REFERENCING REQUIREMENTS**

In the Take Home Exam Paper, you will need to acknowledge sources to the extent that you rely on the analysis or arguments of others. You may use any accepted referencing system (e.g. Harvard). Further details will be provided during the semester.

## **EXAMINATIONS**

As stated above, the assessment in this course includes a final examination which will be conducted in the November examination period. Details will be provided on the ANU timetabling website in due course.

## **Scaling**

Your final mark for the course will be based on the **raw** marks allocated for each of your assessment items. However, your final mark may not be the same number as produced by that formula, as marks may be **scaled**. Any scaling applied will preserve the rank order of raw marks (i.e. if your raw mark exceeds that of another student, then your scaled mark will exceed the scaled mark of that student), and may be either up or down.

## **Privacy Notice**

The ANU has made a number of third party, online, databases available for students to use. Use of each online database is conditional on student end users first agreeing to the database licensor's terms of service and/or privacy policy. Students should read these carefully.

In some cases student end users will be required to register an account with the database licensor and submit personal information, including their: first name; last name; ANU email address; and other information.

In cases where student end users are asked to submit 'content' to a database, such as an assignment or short answers, the database licensor may only use the student's 'content' in accordance with the terms of service – including any (copyright) licence the student grants to the database licensor.

Any personal information or content a student submits may be stored by the licensor, potentially offshore, and will be used to process the database service in accordance with the licensors terms of service and/or privacy policy.



If any student chooses not to agree to the database licensor's terms of service or privacy policy, the student will not be able to access and use the database. In these circumstances students should contact their lecturer to enquire about alternative arrangements that are available.

## **TUTORIAL / SEMINAR REGISTRATION**

---

Tutorial signup for this course will be done via the Wattle website. Detailed information about signup times will be provided on Wattle. When tutorials are available for enrolment, follow these steps:

1. Log on to [Wattle](#), and go to the course site.
2. Click on the link "Tutorial enrolment"
3. On the right of the screen, click on the tab "Become Member of ....." for the tutorial class you wish to enter.
4. Confirm your choice

If you need to change your enrolment, you will be able to do so by clicking on the tab "Leave group..." and then re-enrol in another group. You will not be able to enrol in groups that have reached their maximum number. Please note that enrolment in ISIS must be finalised for you to have access to Wattle.

## **SUPPORT FOR STUDENTS**

---

The University offers a number of support services for students. Information on these is available online from <http://students.anu.edu.au/studentlife/>