BUSN7021

Taxation 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, tax planning and goods and services tax.

Semester and Year: Semester 1, 2016
Mode of Delivery: On campus, blended
Prerequisites: BUSN7052 Commercial Law
Incompatible Courses: BUSN3014 or LAWS2221
Course Convener: Alfred Tran
Office Location: Room 3.31, CBE Building (26C)
Phone: (02) 612 55118
Email: Alfred.Tran@anu.edu.au
Consultation hours: To be announced on the Wattle course site

Bio and research interests: Alfred Tran is an associate professor in the Research School of Accounting. He holds a doctoral degree from ANU. He is a Fellow of CPA Australia and a Chartered Tax Adviser. Alfred lectured at the University of Hong Kong before he joined ANU. Prior to his academic career, he worked for the tax offices in Australia and Hong Kong, and had industry experience in the accounting department of a large manufacturing company. His research interests include how taxes affect business strategy, the relation between tax law and accounting rules, and tax compliance.

Student Administrators: HN 2037 Hanna Neumann Bld 21 enquiries.rsa@anu.edu.au 6125 0025 or 6125 7968 Office hours: Monday – Friday 9-5 pm
COURSE OVERVIEW

Course Learning Outcomes

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

1. Recognise situations (business or otherwise in relation to individuals and other entities) that have income tax or goods and services tax implications;
2. Identify the tax issues involved;
3. Research for and apply the relevant tax law to those situations and issues;
4. Compute the quantum of tax base and tax liability;
5. Identify tax planning opportunities;
6. Analyse and evaluate the tax implications of alternative arrangements;
7. Communicate their reasoning, computation, conclusions and recommendations in a clear and concise manner with reference to relevant statutory provisions and case law.

Research-Led Teaching

Lectures and illustrative examples in this course are informed by the research findings of the lecturer. Tutorial problems and examination questions require students to research for the relevant statutory and case laws and apply them to hypothetical situations.

Continuous Improvement

We use feedback from students, professional bodies and staff to make regular improvements to the course. With the objectives of engaging students in the learning process throughout the semester to avoid procrastination and providing students with prompt feedback to support their learning, tutorial quizzes are used in this course. Positive and encouraging student feedback on this assessment item was found in the responses to Student Experience of Learning and Teaching surveys.

Staff Feedback

Students will be given feedback in various ways in this course, including verbal or written feedback on the return of assessment tasks, during class discussion, or during consultation with lecturers and tutors.

Student Feedback

All CBE courses are evaluated using Student Experience of Learning and Teaching (SELT) surveys, administered by Planning and Statistical Services at the ANU. These surveys are offered online, and students will be notified via email to their ANU address when surveys are available in each course. Feedback is used for course development so please take the time to respond thoughtfully. Course feedback is anonymous and provides the Colleges, University Education Committee and Academic Board with opportunities to recognise excellent teaching and to improve courses across the university. For more information on student surveys at ANU and reports on feedback provided on ANU courses, visit...
Examination material or equipment

Details regarding materials and equipment that is permitted in an examination room can be found on the ANU website:

http://www.anu.edu.au/students/program-administration/assessments-exams/examination-conduct

Information regarding permitted examination materials for the course will be available on the examination timetable website when the examination timetable is released:

http://timetable.anu.edu.au/
## COURSE SCHEDULE

<table>
<thead>
<tr>
<th>Week [No.] beginning</th>
<th>Lecture Topic</th>
<th>Readings (Sadiq et al.)</th>
<th>Tutorial topic (Tutorial questions are on the Wattle)</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>[1] 15 Feb</td>
<td>Basic taxation concepts; tax administration</td>
<td>Chapters 1, 2, 3, 24</td>
<td>No tutorial</td>
<td>None</td>
</tr>
<tr>
<td>[2] 22 Feb</td>
<td>Income</td>
<td>Chapters 5, 6, 8, 9, 10</td>
<td>Research skills, tax administration</td>
<td>None</td>
</tr>
<tr>
<td>[3] 29 Feb</td>
<td>Deductions</td>
<td>Chapters 12, 13</td>
<td>Income</td>
<td>None</td>
</tr>
<tr>
<td>[4] 7 Mar</td>
<td>Deductions Capital gains tax</td>
<td>Chapter 11</td>
<td>Deductions</td>
<td>Tutorial quiz 1</td>
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<td>(Public Holiday: Monday 14 Mar)</td>
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<tr>
<td>[6] 21 Mar</td>
<td>Capital allowances</td>
<td>Chapter 14</td>
<td>Capital gains tax</td>
<td>None</td>
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<td>(Public Holiday: Friday 25 Mar)</td>
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<tr>
<td>[7] 28 Mar</td>
<td>Tax accounting; tax computation; tax offsets and Medicare levy</td>
<td>Chapters 16, 17, 15</td>
<td>Capital allowances</td>
<td>Tutorial quiz 2; Take-home exam due 4pm, Monday, 4 April</td>
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<td>(Public Holiday: Monday 28 Mar)</td>
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<tr>
<td>[8] 18 Apr</td>
<td>International aspects of income tax</td>
<td>Chapters 4, 22</td>
<td>Tax accounting; tax computation; tax offsets and Medicare levy</td>
<td>None</td>
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<td></td>
<td>(Public Holiday: Monday 25 Apr)</td>
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<tr>
<td>[10] 2 May</td>
<td>Trust</td>
<td>Chapter 20</td>
<td>Partnership</td>
<td>None</td>
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<tr>
<td>[12] 16 May</td>
<td>Tax planning</td>
<td>Chapter 23</td>
<td>Company and dividend imputation</td>
<td>None</td>
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<tr>
<td>[13] 23 May</td>
<td>Goods and services tax (Tutorial questions are discussed in the lectures as examples)</td>
<td>Chapter 25</td>
<td>Tax planning</td>
<td>Tutorial quiz 5</td>
</tr>
</tbody>
</table>

Mid semester teaching break – Monday 4 April to Friday 15 April

Semester 1 examination period – Thursday 2 June to Saturday 18 June
### Assessment Summary

<table>
<thead>
<tr>
<th>Item</th>
<th>Description and details of assessment</th>
<th>Weighting (%)</th>
<th>Due Date</th>
<th>Linked to Learning Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tutorial quizzes</td>
<td>Tutorial quizzes (2% per quiz); 5 multiple choice questions in each quiz</td>
<td>10</td>
<td>Last 10 minutes at the end of tutorials in Weeks 4, 7, 9, 11 and 13</td>
<td>Outcomes 1 to 7</td>
</tr>
<tr>
<td>Take-home examination</td>
<td>Four questions covering topics up to and including capital allowances</td>
<td>30</td>
<td>4pm, Monday, 4 April 2016</td>
<td>Outcomes 1 to 7</td>
</tr>
<tr>
<td>Final examination</td>
<td>Open book exam covering all lecture topics; answer eight questions in 3 hours</td>
<td>60</td>
<td>Semester 1 examination period in June</td>
<td>Outcomes 1 to 7</td>
</tr>
</tbody>
</table>

### Assessment Task 1: Tutorial Quizzes (10%)

**Details of task:** There will be a tutorial quiz in the last 10 minutes of the five tutorials in Week 4 (covering ‘income’ and ‘deductions’), Week 7 (covering ‘capital gain tax’ and ‘capital allowances’), Week 9 (covering ‘tax accounting/computation’ and ‘international aspects’), Week 11 (covering ‘partnership’ and ‘trust’), and Week 13 (covering ‘company’ and ‘tax planning’). Each tutorial quiz consists of five multiple choice questions with four or five choices each. Two marks are awarded for a correct answer, and zero marks for an incorrect answer, to each question. The maximum score per quiz is 10, and the maximum total score over five quizzes is 50.

**Rules for tutorial quizzes:**

- The quizzes are **open book examinations**: you may refer to books and notes, but cannot use any electronic devices other than a non-programmable calculator.
- Examination conditions apply during the quiz: you are not allowed to communicate with each other in any form.
- You cannot share calculator and stationery with others – each student must bring their own calculator and stationery.
- You are not allowed to look around at others’ work.
- Failing to observe these rules will be regarded as misconduct in examination, and will receive a zero mark for the quiz.
- The tutor may ask you to move to another seat, if necessary.
- Make sure that only **one** alphabet (A or B or…) is clearly written in the answer box.
- The tutor will keep a record of tutorial attendance, and will control the number of quiz papers issued and returned for each tutorial class.

If you miss a tutorial quiz for a good reason (e.g., due to illness – a medical certificate may be required), please attend another tutorial in the same week, inform the tutor of your presence, and attempt the quiz. As a last resort, make an appointment with your tutor for a make-up quiz in her or his office **by 5pm Tuesday** of the following week.
Assessment Task 2: Take-home Examination (30%)

The take-home examination will be held in Week 7, covering materials up to and including ‘capital allowances’. Your answer to each exam question should be no longer than two word-processed pages, using 11- or 12-point font and double-line spacing. This examination is worth 20% of the assessment.

The take-home exam is due for submission in hard copy to the Research School of Accounting Office (HN 2037) at 4pm on Monday, 4 April 2016. Please attach a front coversheet and include your tutor’s name and tutorial time. As it is a take-home exam, no extension will be granted. If you plan to be away on 4 April (evidence required), please email your submission, including a coversheet, to Alfred.Tran@anu.edu.au by the due date and time.

Assessment Task 3: Final Examination (60%)

The final examination will be held in the semester 1 examination period in June, covering all lecture topics. This 3-hour examination is open book and is worth 60% of the assessment. The examination date, time and venue will be scheduled by the Examinations Office.

Scaling

Your final mark for the course will be based on the raw marks allocated for each assignment or examination. 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 or equal the scaled mark of that student), and may be either up or down.

READING LISTS

Prescribed Text


References

1. Other textbooks include:
   (a) Barkoczy, S., Foundations of Taxation Law, latest edition. CCH Australia.

2. Practitioner guidebooks:
   (a) CCH Tax Editors, Australian Master Tax Guide 2016, CCH Australia.


4. Legislation:
   (a) Barkoczy, S. et al., Core Tax Legislation & Study Guide 2016, CCH Australia.

5. Casebooks:
   (b) Krever, R., Australian Taxation Law Cases, latest edition, Thomson Reuters.

Please note that the Australian Tax Handbook (ATH), Master Tax Guide (MTG), tax legislation, tax cases and tax rulings are all available on the web.

Tax legislation can also be downloaded from the ComLaw website (http://www.comlaw.gov.au/).

Two commercial electronic tax libraries CCH Intelliconnect (which includes MTG) and Checkpoint (which includes ATH) are available at the ANU Library website (https://anulib.anu.edu.au/index.html) under “E-resources & databases” (click “C” for CCH Intelliconnect, or Checkpoint).

You can find tax legislation, tax cases, tax rulings, practitioner guidebooks and detailed commentary in these commercial electronic tax libraries.

**TUTORIAL AND/OR SEMINAR REGISTRATION**

Tutorial and/or Seminar signup for this course will be done via the Wattle website. Detailed information about signup times will be provided on Wattle or during your first lecture. 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 signup here”
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.

**COMMUNICATION**

Email is the preferred way of communication between the lecturer, tutors and students.

**Email**

If necessary, the lecturers and tutors for this course will contact students on their official ANU student email address. Information about your enrolment and fees from the Registrar and Student Services' office will also be sent to this email address.

**Announcements**

Students are expected to check the Wattle site for announcements about this course, e.g. changes to timetables or notifications of cancellations. Notifications of emergency cancellations of lectures or tutorials will be posted on the door of the relevant room.
Course URLs

More information about this course may be found on:

• Programs and Courses ([http://programsandcourses.anu.edu.au/2016/course/BUSN7021](http://programsandcourses.anu.edu.au/2016/course/BUSN7021))

• the College of Business and Economics website ([https://www.cbe.anu.edu.au/students/student-information/college-courses/](https://www.cbe.anu.edu.au/students/student-information/college-courses/)) and

• Wattle ([https://wattle.anu.edu.au](https://wattle.anu.edu.au)), the University’s online learning environment. Log on to Wattle using your student number and your ISIS password.

POLICIES

The University offers a number of support services for students. Information on these is available online from [http://www.anu.edu.au/students/get-involved](http://www.anu.edu.au/students/get-involved)

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/](http://policies.anu.edu.au/)

Students are expected to have read the Academic Misconduct Rules 2014 before the commencement of their course.

Other key policies include:


• Copyright ([http://copyright.anu.edu.au/](http://copyright.anu.edu.au/))