



The University of Southern Queensland

## Course specification

The current and official versions of the course specifications are available on the web at <http://www.usq.edu.au/coursespecification/current>.  
Please consult the web for updates that may occur during the year.

### Description: Revenue Law and Practice II

Subject	Cat-nbr	Class	Term	Mode	Units	Campus
LAW	3131	90579	2, 2009	EXT	1.00	Toowoomba

<b>Academic group:</b>	FOBUS
<b>Academic org:</b>	FOB010
<b>Student contribution band:</b>	3
<b>ASCED code:</b>	090901

### STAFFING

Examiner: Toni Brackin  
Moderator: Tom Delany

### REQUISITES

Pre-requisite: LAW3130

### OTHER REQUISITES

Students are required to have access to a personal computer, e-mail capabilities and Internet access to UConnect. Current details of computer requirements can be found at <http://www.usq.edu.au/ict/students/standards/default.htm>.

### SYNOPSIS

The material covered in the course will build upon the subject matter dealt with in the course Revenue Law and Practice and students will be expected to have retained a working knowledge of material covered in that course. This course looks in detail at taxation issues not covered there in order to provide students with a greater understanding and knowledge of the Australian taxation system. Specifically it covers taxation of various business organisations, superannuation funds, and termination payments. It also examines Fringe Benefits Tax, International tax and the taxation of 'special' taxpayers such as primary producers.

### OBJECTIVES

On successful completion of this course, students should be able to:

1. apply the principles of taxation of entities such as trusts, companies, partnerships and superannuation funds
2. calculate the taxable income and apply appropriate rates of tax to the taxpayer in areas covered by the course
3. explain the advantages and disadvantages of various entity structures in relation to taxation, for example, companies, trusts, partnership, superannuation funds
4. articulate the tax implications of transactions which have international aspects

5. explain the boundaries of legitimate tax planning and effects of Part IVA
6. explain and apply the special rules relating to the taxation of primary producers
7. describe the system of taxing fringe benefits, and perform necessary calculations in relation to the imposition of FBT
8. apply the technique of analysis of problems to tax law, including the application of the appropriate law to the problem and advising on the probable outcome
9. demonstrate satisfactory skills in communication.

## TOPICS

	Description	Weighting (%)
1.	Partnerships	9.00
2.	Trusts	16.00
3.	Company and shareholder taxation	16.00
4.	Tax planning, alienation of income, part IVA	9.00
5.	Superannuation funds, termination payments, superannuation contributions	16.00
6.	The taxation of primary producers	9.00
7.	International tax	9.00
8.	Fringe benefits tax	16.00

## TEXT and MATERIALS required to be PURCHASED or ACCESSED

ALL textbooks and materials are available for purchase from USQ BOOKSHOP (unless otherwise stated). Orders may be placed via secure internet, free fax 1800642453, phone 07 46312742 (within Australia), or mail. Overseas students should fax +61 7 46311743, or phone +61 7 46312742. For costs, further details, and internet ordering, use the 'Textbook Search' facility at <http://bookshop.usq.edu.au> click 'Semester', then enter your 'Course Code' (no spaces).

2009, 2009 Australian tax handbook, Australian Tax Practice, Pymont, New South Wales.

Barkoczy, S 2008, *Australian tax casebook*, 9th edn, CCH Australia, North Ryde, New South Wales.

Barkoczy, S 2009, *2009 core tax legislation and study guide*, CCH Australia, North Ryde, New South Wales.

## REFERENCE MATERIALS

Reference materials are materials that, if accessed by students, may improve their knowledge and understanding of the material in the course and enrich their learning experience.

Woellner, R, Barkoczy, S, Murphy, S & Evans, C 2009, *2009 Australian taxation law*, CCH Australia, North Ryde, New South Wales.

## STUDENT WORKLOAD REQUIREMENTS

ACTIVITY	HOURS
Assessments	20.00
Directed Study	52.00
Private Study	93.00

## ASSESSMENT DETAILS

Description	Marks out of	Wtg (%)	Due date	Objectives assessed	Graduate skill	Level assessed
ASSIGNMENT	50.00	50.00	11 Sep 2009	1, 2, 3, 5, 8, 9		
2-HOUR EXAMINATION	50.00	50.00	END S2 (see note 1)	All		

### NOTES

1. The examination is scheduled to be held in the end-of-semester examination period. Students will be advised of the official examination date after the timetable has been finalised.

## IMPORTANT ASSESSMENT INFORMATION

- 1 Attendance requirements:  
If you are an international student in Australia, you are advised to attend all classes at your campus. For all other students, there are no attendance requirements for this course. However, it is the students' responsibility to study all material provided to them or required to be accessed by them to maximise their chance of meeting the objectives of the course and to be informed of course-related activities and administration.
- 2 Requirements for students to complete each assessment item satisfactorily:  
To satisfactorily complete an individual assessment item a student must achieve at least 50% of the marks. (Depending upon the requirements in Statement 4 below, students may not have to satisfactorily complete each assessment item to receive a passing grade in this course.)
- 3 Penalties for late submission of required work:  
If students submit assignments after the due date without prior approval of the examiner, then a penalty of 5% of the total marks gained by the student for the assignment may apply for each working day late up to ten working days at which time a mark of zero may be recorded.
- 4 Requirements for student to be awarded a passing grade in the course:  
To be assured of receiving a passing grade a student must achieve at least 50% of the total weighted marks available for the course.
- 5 Method used to combine assessment results to attain final grade:  
The final grades for students will be assigned on the basis of the aggregate of the weighted marks obtained for each of the summative assessment items in the course.
- 6 Examination information:

- This will be an open examination. Candidates may have access to any printed or written material and a calculator during the examination. In line with regulation 5.6.4.2 'Use of Electronic Devices during Examinations', laptop and notebook computers are not permitted.
- 7 Examination period when Deferred/Supplementary examinations will be held:  
Any Deferred or Supplementary examinations for this course will be held during the next examination period.
  - 8 University Regulations:  
Students should read USQ Regulations 5.1 Definitions, 5.6 Assessment, and 5.10 Student Academic Misconduct for further information and to avoid actions which might contravene university regulations. These regulations can be found at <http://www.usq.edu.au/corporateservices/calendar/part5.htm>. Students should also read the Faculty of Business Procedures which can be found at <http://www.usq.edu.au/business/aboutfob.htm>.

## ASSESSMENT NOTES

- 1 Assignments: (i) The due date for an assignment is the date by which a student must despatch the assignment to the USQ. The onus is on the student to provide proof of the despatch date, if requested by the examiner. (ii) Students must retain a copy of each assignment submitted for assessment. This must be produced within 24 hours if required by the examiner. (iii) In accordance with university policy, the examiner may grant an extension of the due date of an assignment in extenuating circumstances. (iv) Assignments are to be submitted in the appropriate assignment folders. (v) The examiner will normally only accept assessments that have been written, typed or printed on paper-based media. (vi) The examiner will not accept submission of assignments by facsimile. (vii) In the event that a due date for an assignment falls on a local public holiday in their area, such as a show holiday, the due date for the assignment will be the next day. Students are to note on the assignment cover the date of the public holiday for the examiner's convenience.
- 2 Referencing in assignments: Students studying this course as part of a Bachelor of Laws or Juris Doctor must use the Australian Guide to Legal Citation (AGLC) style. Students who are not enrolled in either of these programs may use either Harvard (AGPS) or the Australian Guide to Legal Citation (AGLC) in their assignments to format details of the information sources they have cited in their work. For AGLC style guide enquiries, consult the AGLC manual from the USQ Library's referencing guide at <http://www.usq.edu.au/library/help/referencing/default.htm>, or contact the Law librarian. The Harvard (AGPS) style to be used is defined by the USQ Library's referencing guide at <http://www.usq.edu.au/library/help/referencing/default.htm>.
- 3 Dishonest actions: (i) Any student who is alleged to have performed a dishonest action relating to any assessment in the course will have a course of action taken against him/her as outlined in the academic regulations. (ii) Pieces of assessment should be the work of individual students. Joint pieces of assessment are not permitted unless written approval has been obtained from the examiner. (iii) Dishonest action in relation to assessment includes: copying or attempting to copy the work of others; use of or attempting to use information prohibited from use in that form of assessment; submitting the work of another as your own; consciously committing acts of plagiarism, that is, taking and using another's thoughts or writings as one's own with intent to deceive, which occurs when paragraphs, sentences, a single sentence or significant parts of a sentence which are copied directly, are not enclosed in quotation marks and appropriately footnoted or referenced in the text; direct quotations are not used, but text is paraphrased or summarised, and the source of the material is not acknowledged by footnoting or other reference in the text.

## **OTHER REQUIREMENTS**

- 1 Computer, e-mail and Internet access: Students are required to have access to a personal computer, e-mail capabilities and Internet access to UConnect. Current details of computer requirements can be found at <<http://www.usq.edu.au/ict/students/standards/default.htm>>.
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