



FINC13001 Estate Planning

Term 2 - 2023

Profile information current as at 19/05/2024 11:50 am

All details in this unit profile for FINC13001 have been officially approved by CQUniversity and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

General Information

Overview

This unit covers the role of the financial advisor in estate and succession planning. You will examine the legal and taxation issues related to estate and succession planning. You will apply the skills required for managing the client relationship and construct an estate and succession plan for a client situation. In this unit you will have the opportunity to integrate the broad range of knowledge and skills required of a practicing Financial Planner into a practice focused project based on a practical client situation.

Details

Career Level: *Undergraduate*

Unit Level: *Level 3*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

Pre-requisites: FINC19016 Retirement and Superannuation and FINC19019 Insurance Planning

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

Offerings For Term 2 - 2023

- Online

Attendance Requirements

All on-campus students are expected to attend scheduled classes – in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)

Class and Assessment Overview

Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

Class Timetable

[Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

[Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

Assessment Overview

1. **Practical Assessment**

Weighting: 50%

2. **Take Home Exam**

Weighting: 50%

Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

CQUniversity Policies

All University policies are available on the [CQUniversity Policy site](#).

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).

Previous Student Feedback

Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

Feedback from Student Unit Teaching Evaluation

Feedback

Sessional staff did not meet students expectations when it came sufficient guidance in constructing an estate plan.

Recommendation

Create a pre-recorded tutorial explaining what to do in the assessment, and coach Sessional staff to provide guidance on the assessment.

Feedback from Student Unit Teaching Evaluation

Feedback

Students are asking for the current detailed rubrics to set out the extent of the detail required in the assessments.

Recommendation

Continue to improve the rubrics each term, as it also serves as an assessment feedback document

Feedback from Student Unit Teaching Evaluations and self-reflection

Feedback

Saturday scheduled online timed take-home examinations were unpopular.

Recommendation

Arrange with the administrators to avoid scheduling Saturday online timed take-home examinations

Feedback from Student Unit Teaching Evaluation

Feedback

Student found the prescribed textbook difficult to engage with as it is a legal publication.

Recommendation

From T2 2023 prescribed textbooks will be replaced with unit coordinator unit content and journal articles.

Unit Learning Outcomes

On successful completion of this unit, you will be able to:

1. Demonstrate legal, ethical and commercial principles pertinent to estate and succession planning
2. Solve estate and succession planning problems using ethical financial planning principles
3. Prepare professional estate and succession plans for a variety of client circumstances
4. Apply communication techniques for effective client relationship building.

This unit will become part of the Financial Planning suite of units that is accredited by the Financial Planning Education Council using its own standards and the RG146 ASIC standard for Financial Planners. This proposed unit is designed to fit within the overall strategy for accreditation within this regime.

Alignment of Learning Outcomes, Assessment and Graduate Attributes



Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes			
	1	2	3	4
1 - Practical Assessment - 50%	•	•	•	•
2 - Take Home Exam - 50%	•	•		

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes			
	1	2	3	4
1 - Communication	•	•	•	•
2 - Problem Solving	•		•	•
3 - Critical Thinking	•	•	•	•
4 - Information Literacy	•	•	•	
5 - Team Work		•	•	
6 - Information Technology Competence	•		•	
7 - Cross Cultural Competence	•	•	•	•
8 - Ethical practice		•	•	•
9 - Social Innovation				
10 - Aboriginal and Torres Strait Islander Cultures				

Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes									
	1	2	3	4	5	6	7	8	9	10
1 - Practical Assessment - 50%	•	•	•	•	•	•	•	•		
2 - Take Home Exam - 50%	•	•	•	•		•	•	•		

Textbooks and Resources

Textbooks

There are no required textbooks.

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)

Referencing Style

All submissions for this unit must use the referencing style: [American Psychological Association 7th Edition \(APA 7th edition\)](#)

For further information, see the Assessment Tasks.

Teaching Contacts

Angelique McInnes Unit Coordinator
a.mcinnnes@cqu.edu.au

Schedule

Week 1 - 10 Jul 2023

Module/Topic

Core Concepts and Contexts:

- Components of an estate plan [EP]
- Relevant professionals engaged in EP
- Estate Planning as a strategic financial advisory component
- Role, obligations and best interest duties of the financial planner

Chapter

Refer to the Study Guide in Week 1 for Prescribed and Supplementary Reading

Events and Submissions/Topic

Refer to Week 1 in Moodle for:

- Study Guide
- Week 1 Questions and Applications
- Assessment Quizzes and Statement of Advice Instructions
- Live and Recorded Zoom Workshop
- Complete the Weekly Workbook

Week 2 - 17 Jul 2023

Module/Topic

The Situation Review and Adviser Accountability:

- Scoping the client's EP needs, responsibilities and capacity
- Who is the client and to whom are they accountable?
- Establishing the wealth of the client
- Understanding the constraints on a person's EP

Chapter

Refer to the Study Guide in Week 2 for Prescribed and Supplementary Reading

Events and Submissions/Topic

Refer to Week 2 in Moodle for:

- Study Guide
 - Week 2 Questions and Applications
 - Assessment Quizzes and Statement of Advice
 - Live and Recorded Zoom Workshop
 - Complete the Weekly Workbook
- Online Quiz available from 10am Thursday until 10pm Sunday**

Week 3 - 24 Jul 2023

Module/Topic

Chapter

Events and Submissions/Topic

Wills, Probate and Succession:

- Preparation, structure and importance of a will
- Formal requirements of wills - adults and minors
- Effect of marriage and divorce
- Intestacy

Refer to the Study Guide in Week 3 for Prescribed and Supplementary Reading

Refer to Week 3 in Moodle for:

- Study Guide
 - Week 3 Questions and Applications
 - Assessment Quizzes and Statement of Advice
 - Live and Recorded Zoom Workshop
 - Complete the Weekly Workbook
- Online Quiz available from 10am Thursday until 10pm Sunday**

Week 4 - 31 Jul 2023**Module/Topic****Chapter****Events and Submissions/Topic****Executors, Powers of Attorney:**

- Role and responsibilities of the executor
- Powers of Attorney, Guardianship and Advanced Health Directives
- Guardianship - Trends, Issues and Appointment
- Guardianship of Minors
- Guardianship of Adults and Capacity Challenges
- Testamentary capacity and undue influence

Refer to the Study Guide in Week 4 for Prescribed and Supplementary Reading

Refer to Week 4 in Moodle for:

- Study Guide
 - Week 4 Questions and Applications
 - Assessment Quizzes and Statement of Advice
 - Live and Recorded Zoom Workshop
 - Complete the Weekly Workbook
- Online Quiz available from 10am Thursday until 10pm Sunday**

Week 5 - 07 Aug 2023**Module/Topic****Chapter****Events and Submissions/Topic****Asset Protection and Trusts**

- Objectives and elements of a trust
- Controls, types and uses of a trust in EP
- Testamentary trusts - operation, benefits and tax treatment

Refer to the Study Guide in Week 5 for Prescribed and Supplementary Reading

Refer to Week 5 in Moodle for:

- Study Guide
 - Week 5 Questions and Applications
 - Assessment Quizzes and Statement of Advice
 - Live and Recorded Zoom Workshop
 - Complete the Weekly Workbook
- Online Quiz available from 10am Thursday until 10pm Sunday**

Vacation Week - 14 Aug 2023**Module/Topic****Chapter****Events and Submissions/Topic**

Vacation and catchup week

Refer to the Study Guide in Weeks 1 to 5 for Prescribed and Supplementary Reading

- Revising Weeks 1 to 5
- Assessment completion
- Catching up incomplete Modules from Weeks 1 to 5

Week 6 - 21 Aug 2023**Module/Topic****Chapter****Events and Submissions/Topic****Taxation of Estates Part 1 - Basics, Capital Gains Tax [CGT] and 3 Year Rule:**

- Tax rates for deceased estate and 3 year rule
- CGT - exemptions and deceased estates
- Testamentary gifts and exempt assets
- Inter vivos transactions

Refer to the Study Guide in Week 6 for Prescribed and Supplementary Reading

Refer to Week 6 in Moodle for:

- Study Guide
 - Week 6 Questions and Applications
 - Assessment Quizzes and Statement of Advice
 - Live and Recorded Zoom Workshop
 - Complete the Weekly Workbook
- Online Quiz available from 10am Thursday until 10pm Sunday**

Week 7 - 28 Aug 2023**Module/Topic****Chapter****Events and Submissions/Topic**

Taxation of Estate Part 2 - Superannuation and Death Benefits:

- Superannuation - how it fits into EP
- Binding Death Nominations
- Beneficiaries on the death of a member
- Tax dependent vs superannuation dependent
- SMSF and passing on control

Refer to the Study Guide in Week 7 for Prescribed and Supplementary Reading

Refer to Week 7 in Moodle for:

- Study Guide
- Week 7 Questions and Applications
- Assessment Quizzes and Statement of Advice
- Live and Recorded Zoom Workshop
- Complete the Weekly Workbook

Online Quiz available from 10am Thursday until 10pm Sunday

Week 8 - 04 Sep 2023

Module/Topic	Chapter	Events and Submissions/Topic
Responding to the Family Breakdown: <ul style="list-style-type: none"> • Family breakdown after death • Challenging the will • Eligible persons • Effect of consent orders, financial arrangements and 'pre-nup' on estates 	<p>Refer to the Study Guide in Week 8 for Prescribed and Supplementary Reading</p>	<p>Refer to Week 8 in Moodle for:</p> <ul style="list-style-type: none"> • Study Guide • Week 8 Questions and Applications • Assessment Quizzes and Statement of Advice • Live and Recorded Zoom Workshop • Complete the Weekly Workbook <p>Online Quiz available from 10am Thursday until 10pm Sunday</p>

Week 9 - 11 Sep 2023

Module/Topic	Chapter	Events and Submissions/Topic
Business Succession Planning: <ul style="list-style-type: none"> • Address basic taxation implication to the owner/business upon sale or transfer of ownership • Buy/sell agreement • Estate and personal financial plan for business owner, spouse and succeeding generation • Consider active and non-active family members equitable share of assets 	<p>Refer to the Study Guide in Week 9 for Prescribed and Supplementary Reading</p>	<p>Refer to Week 9 in Moodle for:</p> <ul style="list-style-type: none"> • Study Guide • Week 9 Questions and Applications • Assessment Quizzes and Statement of Advice • Live and Recorded Zoom Workshop • Complete the Weekly Workbook <p>Online Quiz available from 10am Thursday until 10pm Sunday</p>

Week 10 - 18 Sep 2023

Module/Topic	Chapter	Events and Submissions/Topic
Other contemporary issues - e.g. Philanthropy, Inheritances and Aged Care <ul style="list-style-type: none"> • Philanthropy issues like Charitable Trusts, Ancillary funds and small donations in wills • Inheritances, and their implications for wills, notifying beneficiaries and preservation of assets • Aged Care funding, types of arrangements and instructions 	<p>Refer to the Study Guide in Week 10 for Prescribed and Supplementary Reading</p>	<p>Refer to Week 10 in Moodle for:</p> <ul style="list-style-type: none"> • Study Guide • Week 10 Questions and Applications • Assessment Quizzes and Statement of Advice • Live and Recorded Zoom Workshop • Complete the Weekly Workbook • Complete Student Evaluation Survey <p>Online Quiz available from 10am Thursday until 10pm Sunday</p>

Week 11 - 25 Sep 2023

Module/Topic	Chapter	Events and Submissions/Topic
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Estate Planning in Action Part 1 - The Estate Plan

- Objectives and intentions
- Evaluation
- Threats and risk affecting the client
- Moving from issues to action
- Engaging with client decisions
- Estate analysis at work
- Articulating assumptions and objectives
- Explaining your observations
- Set out your advice

Refer to the Study Guide in Week 11 for Prescribed and Supplementary Reading

Refer to Week 11 in Moodle for:

- Study Guide
- Week 11 Questions and Applications
- Assessment Quizzes and Statement of Advice
- Live and Recorded Zoom Workshop
- Complete the Weekly Workbook
- Complete Student Evaluation Survey

Online Quiz available from 10am Thursday until 10pm Saturday

Weekly Online Quizzes and Estate Plan Due: Week 11 Friday (29 Sept 2023) 11:45 pm AEST

Week 12 - 02 Oct 2023

Module/Topic	Chapter	Events and Submissions/Topic
Estate Planning in Action Part 2 - Challenges and Choices for Advisers and Clients: <ul style="list-style-type: none">• Establishing private schemes of representation• Reducing impact of third party risks on estates• Superannuation - a capital protection strategy• Myths 'my estate is simple!'• Is the family fit to govern• Appointing and removing trustees Exam Review	Refer to the Study Guide in Week 12 for Prescribed and Supplementary Reading	Refer to Week 12 in Moodle for: <ul style="list-style-type: none">• Study Guide• Week 12 Questions and Applications• Assessment Quizzes and Statement of Advice• Live and Recorded Zoom Workshops• Complete the Weekly Workbook• Complete Student Evaluation Survey• Exam Review

Review/Exam Week - 09 Oct 2023

Module/Topic	Chapter	Events and Submissions/Topic
Exam Review: <ul style="list-style-type: none">• Structure• Preparation• Materials• "Have Your Say" Student Evaluation Survey	Refer to Assessment Section on Moodle for Exam Advice	Refer to Week 12 in Moodle for: <ul style="list-style-type: none">• Exam Review Preparation• Week 12 Recorded Zoom Workshops• Complete Student Evaluation Survey EXAMINATION Due: Review/Exam Week Monday (9 Oct 2023) 11:45 pm AEST

Exam Week - 16 Oct 2023

Module/Topic	Chapter	Events and Submissions/Topic
Wishing you all the best with the Exams		Unit Coordinator End of Term Report <ul style="list-style-type: none">• Available once finalised by all the relevant Committees and after Certification of Grades

Assessment Tasks

1 Weekly Online Quizzes and Estate Plan

Assessment Type

Practical Assessment

Task Description

These are all individual assessments.

To achieve the following unit learning outcomes:

- Demonstrate legal, ethical and commercial principles pertinent to estate and succession planning
- Solve estate and succession planning problems using ethical financial planning principles
- Prepare professional estate and succession plans for a variety of client circumstances

- Apply communication techniques for effective client relationship building.

Part 1 includes 10 x weekly online quizzes.

- Specifically, a 10 question quiz will be released in weeks 2 to 11.
- The quizzes can be accessed in those weeks and each week from 10am Thursday until Sunday 10pm with 1 hour to complete.
- The questions will draw from the prescribed reading referred to in the weekly study guides and webinar content.
- The aim of each quiz is to encourage progressive learning.
- **Two of the ten quizzes** worth 5% each [i.e. 2 quizzes x 5% = 10% total for Part 1] will be selected randomly for grading.
- You **MUST** complete **ALL TEN** quizzes each **week as per the schedule above** (10am Thursday until Sunday 10pm **each week**) to have the two randomly selected quizzes graded and count towards your final grade.

Part 2 is an individual assignment based on a client case study.

- Detailed submission instructions, the client case study, estate plan templates and the marking criteria are provided under the <ASSESSMENT> tile in Moodle.
- Part 2 is worth 40% and must be uploaded via Moodle in the Assessment tile.
- The Assessment is due Friday Week 11.
- In summary, you are required to read and analyse the case study carefully.
- Then prepare comprehensive estate plan for relevant professionals including the accountant and estate lawyer (cc. client).
- Together, the estate plan will demonstrate your ability to:
 - Scope the client's estate planning needs, responsibilities and capacity
 - Show who is the client and to whom they are accountable
 - Establish the wealth of the client
 - Understand the constraints on a person's estate management and the succession of their estate
 - Show consideration for the compliance regime and adviser accountability [and limits]
 - Document recommendations
 - Articulate assumptions and objectives
 - Explain your observations

Assessment Due Date

Week 11 Friday (29 Sept 2023) 11:45 pm AEST

Part 1: Released in weeks 2 to 11 available from 10am Thursday to 10pm Sunday in those weeks. Part 2 is due Week 11 Friday, at 11.45 PM.

Return Date to Students

Review/Exam Week Friday (13 Oct 2023)

Feedback will be provided via Moodle in the tile within two weeks of submission.

Weighting

50%

Assessment Criteria

A comprehensive marking rubric covering grading criteria and allocation of marks to meet the learning outcomes is available in the Moodle <Assessment> tile.

Referencing Style

- [American Psychological Association 7th Edition \(APA 7th edition\)](#)

Submission

Online

Submission Instructions

Submission via the tile in Moodle

Learning Outcomes Assessed

- Demonstrate legal, ethical and commercial principles pertinent to estate and succession planning
- Solve estate and succession planning problems using ethical financial planning principles
- Prepare professional estate and succession plans for a variety of client circumstances
- Apply communication techniques for effective client relationship building.

Graduate Attributes

- Communication

- Problem Solving
- Critical Thinking
- Information Literacy
- Team Work
- Information Technology Competence
- Cross Cultural Competence
- Ethical practice

2 EXAMINATION

Assessment Type

Take Home Exam

Task Description

This is an individual assessment.

To achieve the following unit learning outcomes:

- Demonstrate legal, ethical and commercial principles pertinent to estate and succession planning
- Solve estate and succession planning problems using ethical financial planning principles
- Apply communication techniques for effective client relationship building.
- This is an open book online timed exam of 3 hours, including downloading, uploading, and submission time.
- You have 15 minutes at the start of the exam to download the exam file via Moodle in the Assessment tile.
- You have 2.5 hours to complete the exam in a Microsoft-Word template.
- You have 15 minutes to upload and submit the completed examination paper at the end of 2.5 hours to the Assessment tile in Moodle. Late submissions will not be marked.
- This is an individual assessment, so collaboration with other students will result in an academic misconduct allegation for all students involved. This may result in a fail result for this assessment. Please note that your paper will be submitted through Turnitin.
- There is a minimum exam grade of 50% to pass the unit.
- You will be typing your answers in the examination template Microsoft-Word document provided.
- Late submissions will not be marked.
- If you encounter problems submitting your paper to Moodle, email it to your unit coordinator by the due time.

Assessment Due Date

Review/Exam Week Monday (9 Oct 2023) 11:45 pm AEST

Download the exam from Moodle tile at the scheduled date and time of the exam.

Return Date to Students

Exam Week Monday (16 Oct 2023)

Feedback will be provided via Moodle in the tile

Weighting

50%

Minimum mark or grade

50% exam grade to pass the unit

Assessment Criteria

Open book online exam grading as per the Take Home Exam Advice to meet the learning outcomes.

For your preparation refer to the:

- Take Home Exam Advice
- Week 12 live and recorded Zoom Workshop

For the exam refer to the

- Online Open Book Exam Instructions found within Moodle in the <Assessment> tile.

Referencing Style

- [American Psychological Association 7th Edition \(APA 7th edition\)](#)

Submission

Online

Submission Instructions

Upload and submit the exam via Moodle tile by the exam scheduled due date and time

Learning Outcomes Assessed

- Demonstrate legal, ethical and commercial principles pertinent to estate and succession planning
- Solve estate and succession planning problems using ethical financial planning principles

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence
- Cross Cultural Competence
- Ethical practice

Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the [Student Academic Integrity Policy and Procedure](#). This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

Where can I get assistance?

For academic advice and guidance, the [Academic Learning Centre \(ALC\)](#) can support you in becoming confident in completing assessments with integrity and of high standard.

What can you do to act with integrity?

**Be Honest**

If your assessment task is done by someone else, it would be dishonest of you to claim it as your own

**Seek Help**

If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)

**Produce Original Work**

Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem