



LAWS20060 *Taxation Law of Australia*

Term 1 - 2020

Profile information current as at 19/09/2024 06:16 pm

All details in this unit profile for LAWS20060 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.

Corrections

Unit Profile Correction added on 23-03-20

The end of term examination has now been changed to an alternate form of assessment. Please see your Moodle site for details of the assessment

General Information

Overview

This unit enables students to acquire a sound knowledge of the Australian taxation system and the compliance requirements. It also provides students with an awareness of the key provisions of the relevant taxation legislation, and enables them to apply the relevant legislative concepts to determine taxation consequences. Topics include: the Constitution and taxation power; the concept, source and derivation of income; trading stock, exempt income, allowable deductions; tax offsets; and the determination of taxable income; decline in value; and miscellaneous business deductions; tax administration; fringe benefits tax; and goods and services tax. If you have successfully completed the unit LAWS20023 you should not enrol in this unit.

Details

Career Level: *Postgraduate*

Unit Level: *Level 9*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

There are no requisites for this unit.

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 1 - 2020

- Brisbane
- Melbourne
- Online
- Sydney

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 Postgraduate 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 and Written Assessment**

Weighting: 40%

2. **Examination**

Weighting: 60%

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 feedback

Feedback

Suggestion made to include a demonstration on how to calculate and prepare a tax return for an individual

Recommendation

This has been included as a "master class" topic, and students will have a chance to practice this in tutorials.

Feedback from Student feedback

Feedback

More practical examples were requested by students

Recommendation

Worked examples (master classes) to be provided via Moodle.

Feedback from Student feedback

Feedback

I would value the opportunity to interact with other students and other teaching staff from other campuses more often

Recommendation

Unit coordinator will encourage students to actively participate on discussion boards, and to support members of the teaching team to engage with same.

Unit Learning Outcomes

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

1. Demonstrate a sound understanding of the Australian Taxation system and the sources of Australian taxation by researching and reporting on the Australian regulatory framework for taxation.
2. Demonstrate a professional knowledge of the main concepts and principles of Australian taxation law by analysing given business scenarios and reporting on the most appropriate planning for, or application of, Australian taxation law.
3. Demonstrate competence in applying Australian taxation law by calculating and reporting on the correct or most appropriate preparation of income tax returns of moderate complexity for individual taxpayers, companies, partnerships and trusts.
4. Analyse and report on the compliance requirements of the Australian taxation system, including a critical awareness of the concept of tax avoidance and of general tax avoidance provisions in the Australian Tax legislation.
5. Provide strategic advice to stakeholders regarding the tax issues arising from common scenarios.

Alignment of Learning Outcomes, Assessment and Graduate Attributes



Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes				
	1	2	3	4	5
1 - Practical and Written Assessment - 40%	•	•	•		
2 - Examination - 60%	•	•	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes				
	1	2	3	4	5
1 - Knowledge	◦	◦		◦	◦
2 - Communication	◦	◦	◦	◦	◦
3 - Cognitive, technical and creative skills			◦		◦
4 - Research					
5 - Self-management					
6 - Ethical and Professional Responsibility					
7 - Leadership					
8 - 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
1 - Practical and Written Assessment - 40%	◦	◦	◦					
2 - Examination - 60%	◦		◦					

Textbooks and Resources

Textbooks

LAWS20060

Prescribed

Tax Kit

(2020)

Authors: Sadiq et al

Thomson Reuters

Pyrmont, Australia

ISBN: 9780455244112

Binding: Paperback

Additional Textbook Information

This pack contains both Principles of Taxation Law 2020 and Tax Questions and Answers 2020, which are both prescribed texts for this subject. Packs are available for purchase at the CQUni Bookshop here:

<http://bookshop.cqu.edu.au> (search on the Unit code)

[View textbooks at the CQUniversity Bookshop](#)

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: [Australian Guide to Legal Citation, 4th ed](#)

For further information, see the Assessment Tasks.

Teaching Contacts

Kirsty Abbott Unit Coordinator

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Schedule

Week 1 - The Australian Taxation System - 09 Mar 2020

Module/Topic	Chapter	Events and Submissions/Topic
Overview and structure of the Australian taxation system	Principles of Taxation Law 2020: Chapters 1, 2 and 3 Tax Questions and Answers 2020: See Moodle	

Week 2 - Residence and Source - 16 Mar 2020

Module/Topic	Chapter	Events and Submissions/Topic
Residence and source	Principles of Taxation Law 2020: Chapter 4 Tax Questions and Answers 2020: See Moodle	

Week 3 - Income - 23 Mar 2020

Module/Topic	Chapter	Events and Submissions/Topic
Income: Assessable income, income from personal services and employment, income from business, income from property and principles of compensation.	Principles of Taxation Law 2020: Chapters 5, 6, 8, 9 and 10 Tax Questions and Answers 2020: See Moodle	

Week 4 - Deductions and offsets - 30 Mar 2020

Module/Topic	Chapter	Events and Submissions/Topic
General Deductions and specific deductions and offsets	Principles of Taxation Law 2020: Chapters 12, 13 and 15 Tax Questions and Answers 2020: See Moodle	

Week 5 - Avoidance and administration - 06 Apr 2020

Module/Topic	Chapter	Events and Submissions/Topic
Tax avoidance and tax administration	Principles of Taxation Law 2020: Chapters 3 (revision), 23 and 24. Tax Questions and Answers 2020: See Moodle	

Vacation Week - 13 Apr 2020

Module/Topic	Chapter	Events and Submissions/Topic

Week 6 - Capital gains - 20 Apr 2020

Module/Topic	Chapter	Events and Submissions/Topic
Capital gains tax	Principles of Taxation Law 2020: Chapter 11 Tax Questions and Answers 2020: See Moodle	

Week 7 - Capital allowances - 27 Apr 2020

Module/Topic	Chapter	Events and Submissions/Topic
Capital allowances	Principles of Taxation Law 2020: Chapter 14 Tax Questions and Answers 2020: See Moodle	INDIVIDUAL WRITTEN ASSIGNMENT Due: Week 7 Monday (27 Apr 2020) 11:45 pm AEST

Week 8 - Companies - 04 May 2020

Module/Topic	Chapter	Events and Submissions/Topic
Introduction to company taxation	Principles of Taxation Law 2020: Chapter 21 Tax Questions and Answers 2020: See Moodle	

Week 9 - partnerships and trusts - 11 May 2020

Module/Topic	Chapter	Events and Submissions/Topic
Taxation of partners and partnerships, and taxation of trusts and beneficiaries	Principles of Taxation Law 2020: Chapters 19 and 20 Tax Questions and Answers 2020: See Moodle	

Week 10 - Fringe Benefits Tax - 18 May 2020

Module/Topic	Chapter	Events and Submissions/Topic
Fringe Benefits Tax	Principles of Taxation Law 2020: Chapter 7 Tax Questions and Answers 2020: See Moodle	

Week 11 - GST - 25 May 2020

Module/Topic	Chapter	Events and Submissions/Topic
Goods and Services Tax	Principles of Taxation Law 2020: Chapter 25 Tax Questions and Answers 2020: See Moodle	

Week 12 - Revision Week - 01 Jun 2020

Module/Topic	Chapter	Events and Submissions/Topic
Revision Week		

Review/Exam Week - 08 Jun 2020

Module/Topic	Chapter	Events and Submissions/Topic

Exam Week - 15 Jun 2020

Module/Topic	Chapter	Events and Submissions/Topic

Assessment Tasks

1 INDIVIDUAL WRITTEN ASSIGNMENT

Assessment Type

Practical and Written Assessment

Task Description

Practical and Written Assessment

Task Description

This assessment item is an individual written assignment worth 40% of the total unit mark. It covers aspects of the unit covered in Weeks 1 to 5 of the term. Part A of the assignment is a case study, which will require you to provide advice to hypothetical taxpayer as to their residency status under Australian taxation law. Part B of the assignment will require you to prepare a memo addressing various avenues of objection for a hypothetical taxpayer. Both Part A and Part B will require you to demonstrate your information literacy skills by locating information about tax and to further demonstrate your problem solving skills by identifying tax issues and locating the relevant legislative and secondary source to support your argument regarding these issues. The total word count for the assignment will not be more than 3000 words. Further details regarding the assignment will be provided on the Moodle site for the unit at the start of the term.

Learning Outcomes Assessed

Demonstrate a sound understanding of the Australian Taxation system and the sources of Australian taxation by researching and reporting on the Australian regulatory framework for taxation.

Demonstrate a professional knowledge of the main concepts and principles of Australian taxation law by analysing given business scenarios and reporting on the most appropriate planning for, or application of, Australian taxation law.

Demonstrate competence in applying Australian taxation law by calculating and reporting on the correct or most appropriate preparation of income tax returns of moderate complexity for individual taxpayers, companies, partnerships and trusts.

Graduate Attributes

Knowledge

Communication

Cognitive, technical and creative skills

Assessment Due Date

Week 7 Monday (27 Apr 2020) 11:45 pm AEST

Assignments submitted after this date (or a date approved by the unit coordinator after an online extension application) may incur a penalty of 5% per day.

Return Date to Students

Week 9 Monday (11 May 2020)

Assignments will be returned two weeks after due date. If an assignment is submitted late it may be returned after this time.

Weighting

40%

Assessment Criteria

Assessment and Evaluation Criteria

These criteria are a general guide as to the standard expected at the various levels. Characteristics indicative of the respective levels of achievement in the assignment are as follows. It is not necessarily the case that all these criteria will be met at a particular standard as there may be a superior performance on one of the criteria and not so satisfactory performance on another.

High distinction standard

- The answer is very well written and clearly expressed
- There is a demonstrated appreciation and understanding of the issues involved
- The answer is well structured and logically organised
- Demonstrated mastery of referencing system
- There is evidence of a comprehensive analysis of the issues
- Conclusions are backed by well-reasoned arguments demonstrating a detailed insight and analysis of issues
- Comprehensive coverage of all relevant issues
- References are made to the appropriated legislation for particular issues
- Statutory provisions are analysed and interpreted correctly
- The legislation is applied to the particular fact situation in a competent manner
- Consideration is given to the operation of the common law
- There may be consideration of issues not raised in the tutorials and answer guides

Distinction standard

- The answer is well written and expressed
- The answer is structured and logical
- The issues have been reasonably well identified and appreciated
- There is correct use of referencing
- Issues have been analysed
- Reference is made to all appropriate legislation, although the analysis and interpretation is not as detailed and reasoned as for the high distinction standard
- The effect of the common law is considered
- There is a comprehensive coverage of the issues
- Occasional errors of law and legal reasoning may still be present

Credit standard

- The answer is generally well written and expressed
- The answer is structured and sequential
- Referencing is satisfactory
- Issues are identified and addressed
- There has been an attempt to analyse some of the issues
- The coverage of issues is reasonably comprehensive often with a good treatment and analysis of particular points
- Errors of law and incorrect reasoning may sometimes be present
- Statutory interpretation may require improvement
- Depth of treatment is often lacking in some of the issues

Pass standard

- The answer is able to be followed and understood
- The answer could perhaps be better organised and structured
- The referencing may need improvement
- Issues may need to be identified and addressed in more depth
- Analysis when present may be incorrect
- Some familiarity with the legislation and its application is demonstrated
- Sometimes the conclusions reached are simple
- There may be several errors of law
- There may be quantities of material of marginal relevance included in the answer

Fail standard

- The answer may be significantly short of the required length
- The written expression is poor and difficult to understand
- The answer is poorly organised
- There has been a failure to identify and address the issues in the question
- Referencing is generally inadequate
- There is a lack of familiarity with the legislation and its appropriate application
- The reasoning and application demonstrated is poor
- Frequently there is much irrelevant material

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

Submission

Online

Submission Instructions

Submission Instructions This assignment is to be submitted online via Moodle in one (1) Word document only. It is suggested that where necessary you put your calculations into columns or tables to improve readability of the assignment document. The method of referencing to be used is the Australian Guide to Legal Citation (AGLC) 4rd Edition. Additional information regarding this method is available through the library and the Academic Learning Centre. When making a reference, cite the original source or authority in preference to a secondary source such as the textbook, especially when you are discussing various sections of legislation. This means you should make reference to legislation, cases and Tax Rulings as a priority to back up any arguments that you make in your assignment.

Graduate Attributes

- Knowledge
- Communication
- Cognitive, technical and creative skills

Learning Outcomes Assessed

- Demonstrate a sound understanding of the Australian Taxation system and the sources of Australian taxation by researching and reporting on the Australian regulatory framework for taxation.
- Demonstrate a professional knowledge of the main concepts and principles of Australian taxation law by analysing given business scenarios and reporting on the most appropriate planning for, or application of, Australian taxation law.
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Examination

Outline

Complete an invigilated examination.

Date

During the examination period at a CQUniversity examination centre.

Weighting

60%

Length

180 minutes

Exam Conditions

Open Book.

Materials

Dictionary - non-electronic, concise, direct translation only (dictionary must not contain any notes or comments).
Law dictionaries, Business and Law dictionaries (discipline specific dictionaries) are authorised.
Calculator - all non-communicable calculators, including scientific, programmable and graphics calculators are authorised

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