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CRICOS Provider No. 00098G
Preface

The Australian Taxation Studies Program (ATAX) at the University of New South Wales, occupies a unique position in Australian universities by teaching specialist taxation degrees at both the undergraduate and postgraduate level. This teaching program has brought together a multidisciplinary team of lawyers, accountants, economists, tax and finance specialists. This team comprises academic staff whose tax teaching and research skills are highly respected both domestically and internationally.

This report details the research activities of ATAX staff members during 2001.

What will be clear from what follows is the breadth, depth and quality of the research output of ATAX staff members. Activities as diverse as organising high quality conferences, editing highly regarded publications, undertaking commissioned professional training programs, and undertaking contracted research complement the routine academic research and scholarly output required of ATAX and its staff members.

ATAX staff members hold numerous editorial positions in a range of professional journals. They also act as referees for individual contributions. They are often called upon to be expert witnesses at government inquiries and to prepare government reports; invited to be members of various government committees and are sought after as speakers by the professions.

The high public standing of ATAX staff members is also reflected in the many requests from the media for expert comment on controversial tax issues.

This report clearly reflects ATAX’s reputation as an academic tax research institution of the highest standing and its success in making a significant ongoing contribution to tax policy and tax technical discussion in Australia and internationally.

Associate Professor Chris Evans          Associate Professor Neil Warren
Director ATAX                             Associate Director (Research)
Email: cc.evans@unsw.edu.au               Email: n.warren@unsw.edu.au

May 2002
Introduction

The Australian Taxation Studies Program (ATAX) within the Faculty of Law at the University of New South Wales is nationally and internationally recognised as a leading institution in the teaching of and research into taxation issues. With over 1300 students undertaking its undergraduate and postgraduate flexible education programs, ATAX is a leader in tax education in Australia. This is due to the dedication and high calibre of its 18 full-time academic staff, its support staff and to the part-time lecturers and tutors who provide invaluable assistance.

The mission of UNSW is to provide an excellent educational experience and to achieve excellence in research through national and international engagement and interaction with the community. ATAX clearly contributes to this mission through its education program and its strong focus on developing research excellence.

ATAX Research Goals

ATAX attaches considerable importance to its research profile and the research program of its academic staff members.

The ATAX research mission is:

- to promote excellence in research;
- to raise the research profile of ATAX and its academic staff;
- to attract research funds to ATAX;
- to foster links with other academic institutions in Australia and overseas with similar tax research interests; and
- to promote ATAX research activities to the broader community.

Achieving the Research Mission

ATAX focuses on a number of strategies designed to achieve the ATAX research mission and further promote its highly regarded academic prowess. These are:

- Build a strong research culture in ATAX;
- Encourage publication of high quality research in peer reviewed publications;
- Undertake and widely promote a Seminar Series targeted at communicating ATAX research and the research of visiting academic staff;
- Initiate and promote an ATAX Visiting Fellowship Scheme designed to attract leading international tax experts in order to promote linkages with other world renowned academic institutions and to encourage these Visiting Fellows to mentor junior academic staff members;
- Develop a vibrant culture of discourse and collegiality amongst PhD candidates through a PhD seminar and networking program;
- Develop Research Groups amongst ATAX staff to facilitate collaborative research and mentoring;
- Organise Research Conferences and Workshops focused on showcasing ATAX
staff research and promoting interaction with other academic institutions;

- Succeed in attracting *ARC research grants*, commissioned research and consultancy funding for fundamental research;
- Promote ATAX research activities by developing a research-focused area on the *ATAX Website*. Staff papers, ATAX Discussion Papers and links to important staff works are an important part of this website;
- Develop a concerted program to promote ATAX's research activities including an *Annual Research Report*, publicity for research outputs and greater community interaction through the media.

This report details the various research activities which ATAX academic staff members have undertaken during 2001 that contribute to achieving the above strategies. ATAX's research success is evident in this report as is the significant contribution ATAX staff make to the tax literature both nationally and internationally.

**Comparison with previous years**

The first ATAX Research Annual Report was published in 1999. Contrasting the research performance of ATAX staff in 2001 with that in 2000 shows a significant increase in the total number of book chapters, edited books and refereed articles in scholarly journals. The all important DEST categories also saw a significantly increased output in 2001 which is a true test of the calibre of ATAX staff and their contribution to increasing the stock of tax related knowledge.

ATAX staff also continued to contribute to conference programs organised by ATAX and by other organisations. The demand for presentations by ATAX staff continued to be strong which is a good indicator of their high professional and public standing.

The following sections will highlight in more detail just how significant the contribution of ATAX staff were to the discussion of taxation issues during 2001.

**Academic Members of ATAX**

ATAX academic staff teach and research across a broad range of tax issues. Briefly outlined below are the general areas of research interest of the full-time staff in 2001.

<table>
<thead>
<tr>
<th>Position</th>
<th>Research Interests</th>
</tr>
</thead>
<tbody>
<tr>
<td>R. Deutsch</td>
<td>Professor International tax; superannuation</td>
</tr>
<tr>
<td>Y. Grbich</td>
<td>Professor Entity taxation; anti-avoidance; tax policy</td>
</tr>
<tr>
<td>C. Evans</td>
<td>Associate Professor and Director Compliance costs; capital gains tax; tax policy; tax accounting</td>
</tr>
<tr>
<td>P. Gallagher</td>
<td>Associate Professor GST; TLIP; and Part IVA</td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
</tr>
<tr>
<td>--------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>N. Warren</td>
<td>Associate Professor and Associate Director (Research)</td>
</tr>
<tr>
<td>M. Cashmere</td>
<td>Senior Lecturer</td>
</tr>
<tr>
<td>R. Fisher</td>
<td>Senior Lecturer</td>
</tr>
<tr>
<td>J. McManus</td>
<td>Senior Lecturer</td>
</tr>
<tr>
<td>J. Raneri</td>
<td>Senior Lecturer</td>
</tr>
<tr>
<td>W. Scholtz</td>
<td>Senior Lecturer</td>
</tr>
<tr>
<td>C. Spicer</td>
<td>Senior Lecturer</td>
</tr>
<tr>
<td>B. Tran-Nam</td>
<td>Senior Lecturer</td>
</tr>
<tr>
<td>M. Wallace</td>
<td>Senior Lecturer</td>
</tr>
<tr>
<td>M. Walpole</td>
<td>Senior Lecturer and Associate Director (Teaching)</td>
</tr>
<tr>
<td>S. Abadee</td>
<td>Lecturer</td>
</tr>
<tr>
<td>M. Blissenden</td>
<td>Lecturer</td>
</tr>
<tr>
<td>S. Carlon</td>
<td>Lecturer</td>
</tr>
<tr>
<td>K. Emmerton</td>
<td>Lecturer</td>
</tr>
<tr>
<td>C. Fong</td>
<td>Librarian/Associate Lecturer</td>
</tr>
</tbody>
</table>

**Awards, Appointments, and Honours**

During 2001, ATAX academic staff again made a significant contribution to the tax profession and more generally to the debate on taxation issues. This is no better illustrated than in the awards, appointments, and honours given to ATAX staff over the past year as documented below.

- **Carlon S**  
  Member, Institute of Chartered Accountants Australia

- **Deutsch R L**  
  General Editor, *Investment & Taxation Bulletin*, Prospect Media Pty Ltd, St Leonards, NSW.

- **Evans C**  
  ATO National Tax Liaison Group, CGT Committee  
  Board of Taxation: Tax Value Method Working Group  
  CPA Australia, National CGT Committee  
  Member of the Tax Centre of Excellence at CPA Australia
Consulting Editor of *Australian Capital Gains Tax Planner*, published by CCH

Editorial Board, *Legal Issues in Business*

Referee - *UNSW Law Journal*

Cited in parliamentary debates relating to the introduction of the CGT in South Africa in January 2001, including in ‘Capital Gains Tax in South Africa’ – a briefing by the National Treasury’s Tax Policy Chief Directorate to the Portfolio and Select Committees on Finance; 24th Jan 2001

**Fisher R**
Member, CPA Australia

Fellow, Taxation Institute of Australia

Member, Law Council of Australia

Member, Bar Association of Queensland

**Fong C**

**Gallagher P**
Member, Taxation Institute of Australia

Member, CPA Australia

**McManus J**
Secretary, Australasian Tax Teachers’ Association.

**Raneri J**
Contributing Editor, *Investment & Taxation Bulletin*, Prospect Publishing

Co-editor, *GST and Indirect Taxes Monthly*, Prospect Publishing

**Tran-Nam B**
Referee *Australian Journal of Labour Economics*

*National Tax Journal, Journal of Comparative Economics*

Expert witness providing written advice on VAT-related issues to the Chairman of the Vietnamese Prime Minister’s Research Commission, December 2001.

**Wallace M**
Member, Taxation Institute of Australia

**Walpole M**
Vice President, Australasian Tax Teachers’ Association

Member of the Taxation Research Network, UK

Member of the Institute of Fiscal Studies, UK

Fellow of Taxation Institute of Australia

Referee – *Journal of Australian Taxation*

**Warren N**
Tax Advisor, Business Coalition for Tax Reform, Melbourne

Co-editor, *GST and Indirect Taxes Monthly*, Prospect Publishing

Member, Small Business Consultative Committee, Commonwealth of Australia

Project Director, Management and Technical Strengthening
Research Groups
ATAX places great importance on a collegiate environment as the stimulus to joint research and mentoring of junior staff. An important part of this strategy was the formation in 2000 of a number of informal research groups that focus on specific areas of tax research. In 2001, 3 groups were operational and reflected areas in which ATAX has a strong research profile.

Compliance Costs  
Chris Evans, Binh Tran-Nam, Jacqui McManus, Mike Walpole

Capital Gains Tax  
Chris Evans, Wouter Scholtz, Bob Deutsch, John Raneri

GST  
Patrick Gallagher, Mike Walpole, Cathy Spicer, Neil Warren, Jacqui McManus, John Raneri

International Visiting Academic Program
ATAX received a number of eminent visitors during 2001 as noted below. In addition, see the list of speakers in Attachments relating to conferences organised by ATAX.

- Malcolm Gammie, Barrister, Institute for Fiscal Studies, Visiting Professor of Tax Law London School of Economics
- Simon James, Department of Economics, University of Exeter, UK
- Professor Ernie Larkin, Department of Accounting, Georgia State University, Atlanta, Georgia
- Professor Nina Crimm, Law School, St John’s University, New York

Visiting Fellowship Program
ATAX’s Visiting Research Fellowship Scheme began in 2000. The Fellowship Scheme is open to taxation academics and others working in taxation and related disciplines in Australia or overseas.

The majority of the 15 high quality applications for the 2001 Research Fellowships were from overseas. Each applicant was assessed on his or her ability to enhance the ATAX research profile.

The successful applicants for 2001 were:
In addition to working with ATAX staff members, the visitors presented seminars that were published in the ATAX Discussion Paper series. These included:


Applications for 2002 ATAX Research Fellowships were called in August 2001 and some 11 applications were received. Attachment A details the call for applications for 2002.

The successful applicant from the strong field of 15 applicants for the 2002 ATAX Research Fellowships was Professor Bev Dahlby, School of Economics, University of Alberta, Alberta, Canada.

**PhD Program**

Supporting and expanding the postgraduate research program at ATAX has been an on-going activity during 2001. Special preparations during 2000 laid the foundation for a successful PhD Open Day held on 1 February 2001. The day was structured around seminars dealing with topics as diverse as choosing your topic and supervisor through to sourcing research funds. It provided an important foundation for aspirant PhD students and renewed motivation for continuing students. Considerable interest has been shown in the ATAX PhD program and numerous student inquiries continue to flow in relation to the possibility of undertaking a PhD at ATAX.

The list of PhD students in the ATAX PhD program at the end of 2001 is outlined below:

- Evans C, University of NSW; Supervisors: Professor Cedric Sandford and Professor Yuri Grbich; Title: *An evaluation of the impact of aspects of capital gains tax design on the burden of compliance costs of taxpayers.*
- Walpole M, University of NSW; Supervisor: Professor RL Deutsch; Title: *Taxation of Intangibles.*
- McKerchar M, Sydney University – Orange; Supervisor: Associate Professor Chris Evans and Associate Professor Ian Wallschutsky; Title: *The effect of rewriting the income tax laws upon compliance levels in Australia.*
- Rankine C, University of NSW; Supervisor: Professor RL Deutsch; Title: *The costs and burdens imposed by the Australian tax system on small investors.*
- Ritchie K, Manukau Business School, New Zealand; Supervisor: Associate Professor Chris Evans and Associate Professor Ian Wallschutsky; Title: *New Zealand small business taxation compliance costs: Definition and Measurement.*
- Sharkey N, University of NSW; Supervisor: Professor RL Deutsch; Title: *Taxation Policies in China.*
Postgraduate seminar presentations

As part of the collegiate approach to research at ATAX, doctoral students are encouraged to present seminars on their work in progress. The following seminars were held at the Cliffbrook Campus, Coogee during 2001:

Date: 12 October 2001
Title: The Study of Income Tax Complexity and Unintentional Noncompliance: Research Method and Preliminary Findings
Researcher: Margaret McKerchar (Sydney University, Orange Campus)

Date: 16 November 2001
Title: Current Issues in the Taxation of Intangibles: An Attempt to Tax “Scotch Mist”?
Researcher: Michael Walpole (ATAX, UNSW)

Postgraduate Thesis Assessment

The high calibre of ATAX’s academic staff, the renown in which they are held and their standing in their chosen specialities mean they are sought after as external examiners to assess postgraduate theses. Marking undertaken this year includes:

- Gallagher P, (External Examiner): SJD, University of Technology Sydney

Research Program Funding

The ATAX staff has been active in seeking funding from a range of different sources for their research activities. Grants received from the Australian Research Council and other institutions with a research focus are noted below.


Tran-Nam, B., Accessibility to and Operating Costs of Tax Dispute Resolution in Australia; URSP Grant, $6843

Walpole, M., and McManus, J., An analysis of the expectations gap between tax advisors and tax administrators dealing with the Australian GST, URSP Grant $7000.

Special Projects

ATAX and its academic staff are amongst Australia’s leading researchers in the field of taxation and are therefore often commissioned to undertake research for various private sector organisations and government authorities. These projects generate funding for ATAX, foster the research activities of its staff and throw a public spotlight on their capabilities and breadth of expertise.

The commissioned research undertaken by ATAX during 2001 is detailed below.
Special projects for government authorities.


Conferences, Seminars, Workshops, etc Organised by ATAX

ATAX maintains a very active professional education program. An important part of that program is the organisation of a number of conferences on topical issues. The major conferences and workshops organised by ATAX during 2001 and the ATAX staff members involved are listed below.

13th Australasian Tax Teachers’ Association Conference
(See Attachment B)
Date: 1 – 3 February 2001
Location: UNSW Cliffbrook Campus, Coogee, NSW
ATAX Academics Involved: Michael Walpole (Anchor); Colin Fong, Jacqui McManus; Wouter Scholtz.

13th Annual GST & Indirect Tax Weekend Workshop
(See Attachment C)
Date: 21-23 April 2001
Location: Noosa Heads, Queensland
ATAX Academics Involved: Patrick Gallagher (Anchor)

Tax Value Method Consultative Conference
(See Attachment D)
Date: 23 - 24 July 2001
Location: Coogee, NSW
ATAX Academics Involved: Yuri Grbich (Anchor); Chris Evans; Binh Tran-Nam; Neil Warren.

Derivatives & Synthetic Equities School
(See Attachment E)
Date: 25 - 26 July 2001
Location: UNSW Cliffbrook Campus, Coogee, NSW
ATAX Academics Involved: Tony Rumble (Anchor)

1st CGT Master Class
(See Attachment F)
Date: 27- 29 August 2001
Location: UNSW Cliffbrook Campus, Coogee, NSW
ATAX Academics Involved: Chris Evans (Anchor); Bob Deutsch; Rodney Fisher; Matthew Wallace; Michael Walpole; Wouter Scholtz

Tax Catch-ups National Seminar Series
(See Attachment G)
Date: October 2001
Location: Sydney, NSW; Townsville and Brisbane, Queensland; Melbourne, Victoria; Canberra, ACT; Perth, WA.
ATAX Academics Involved: Rodney Fisher (Academic Anchor); Bob Deutsch; Jacqui McManus
In addition to the seminars organised as part of the Visiting Fellowship and the PhD programs, ATAX benefits from the scholarship of its visiting international academics and other experts. The following seminars were held during 2001:

Date: 20 April 2001  
Presenter: Simon James (Department of Economics, University of Exeter, UK.)  
Title: *Why Is It so Difficult to Achieve Harmony on Tax Harmonisation?*  
Location: ATAX - UNSW Cliffbrook Campus, Coogee  
Convenor: Dr Binh Tran-Nam

**ATAX Research Publications**

The above information clearly indicates the breadth of research activities undertaken by ATAX staff. What has not yet been outlined is the prolific publication record of ATAX’s relatively small academic staff. This is detailed below.

**Books - Authored Research**


**Books - Edited**


**Books - Revision/New Edition**


**Book Chapters (DEST)**


McManus J, ‘Employees and contractors’ in *TimeBase GST Service with Malt* CD ROM (Sydney: TimeBase Pty Ltd, 2001).


Scholtz WM, ‘Selling a business or other enterprise’ in *TimeBase GST Service with Malt* CD ROM (Sydney: TimeBase Pty Ltd, 2001).

Scholtz WM, ‘Ceasing to be registered’ in *TimeBase GST Service with Malt* CD ROM (Sydney: TimeBase Pty Ltd, 2001).

Scholtz WM, ‘Bankruptcy, liquidation or mortgagee sales’ in *TimeBase GST Service with Malt* CD ROM (Sydney: TimeBase Pty Ltd, 2001).


Scholtz WM, ‘Charities and non-profit bodies’ in *TimeBase GST Service with Malt* CD ROM (Sydney: TimeBase Pty Ltd, 2001).


**Book Chapters (Other)**


**Journal Articles - Refereed article**


**Journal Article - Non Refereed**


**Letter or Note (includes Book Reviews)**


**Conference - Full paper, non referee**


**Edited volume of conference proceedings**


**Seminar, conference and other presentations**

In addition to the DEST/UNSW seminars in category E above, a number of papers
were presented at the following conferences organised by ATAX staff and detailed in the Attachments to this report:

- **Attachment B:** 13th Australasian Tax Teachers’ Association Conference
- **Attachment C:** 13th Annual GST & Indirect Tax Weekend Workshop
- **Attachment D:** Tax Value Method Consultative Conference
- **Attachment E:** 1st CGT Master Class 2001
- **Attachment F:** Tax Catch-ups National Seminar Series

ATAX staff also made the following speeches and presentations at seminars, conferences, discussion groups and other events:

- Deutsch RL, ‘Personal Services Income: whose income is it anyway?’ at the ATAX Tax Catch-ups National Seminar Series, Sydney, Townsville, Brisbane, Melbourne, Canberra, Perth; October
- Evans C, ‘Getting the most from the CGT small business concessions’ to Bentleys MRI training session, Sydney; 16th March 2001.
- Evans C, ‘CGT Update’ to CPA Australia Discussion Group (Northern Suburbs), Sydney; 21st August 2001.
- Fisher R, ‘The new Uniform Capital Allowance Regime: A depreciating experience’ at the ATAX National Tax Catch-up Seminar Series, Sydney, NSW; Townsville and Brisbane, Queensland; Melbourne, Victoria; Canberra, ACT; Perth, WA; October 2001.
- Fong C, ‘Compiling an electronic tax casebook: as easy as ABC?’ to the Australasian Tax Teachers Association 13th Annual Conference at UNSW Cliffbrook Campus, Coogee, NSW; 3 February 2001.
- Fong C, ‘Principles of computerised legal research.’ in Computerised Legal Research and the Internet Seminar Proceedings, University of New South Wales, Faculty of Law, Continuing Legal Education, 28 September 2001.
- McManus J. ‘GST Update’ at the ATAX National Tax Catch-up Seminar Series, Townsville and Brisbane, Queensland; Canberra, ACT; Perth, WA; October 2001.
• McManus J. ‘Small Business Concessions’ at the ATAX National Tax Catch-up Seminar Series, Sydney, NSW; Townsville and Brisbane, Queensland; Perth, WA; October 2001.

• McManus J. CPA program tax module workshop presenter, April and October 2001 for CPA Australia.

• Ngo Van L. and Tran-Nam B, ‘Economic Openness and the Gains from International Trade and Foreign Investment’ presented by B. Tran-Nam at The Vietnamese Economy Entering the 21st Century organised by the Central Institute for Economic Management and held at Ha Noi on 4 May 2001.

• Raneri J, ‘Consolidations’ a presentation in the CPA Tax Centre of Excellence Program held at the Hilton Hotel, Sydney on 21 March 2001.


• Wallace M, ‘The interaction between Australia’s CGT provisions and Australia’s DTAs in taxation of non-residents’ to the 3rd ATAX GST Master Class at UNSW Cliffbrook Campus, Coogee, NSW; 27 – 29 August, 2001.

• Walpole M, ‘Some observations on the arm’s length principle in Division 13 Income Tax Assessment Act 1936.’ to the Australasian Tax Teachers Association 13th Annual Conference at UNSW Cliffbrook Campus, Coogee, NSW; 3rd February 2001.

• Walpole M, ‘Current Issues in the Taxation of Intangibles (discussion draft)’ to the Australasian Law Teachers’ Association Conference at University of the South Pacific, Emalus Campus, Port Vila, Vanuatu; 1- 4 July 2001

• Walpole M, ‘Current Issues in the Taxation of Intangibles - An attempt to tax “Scotch Mist”?’ to the British Taxation Research Network Annual Conference, University of Nottingham, UK; September 2001.

• Walpole M, ‘Practical Stamp Duty’ to Bentleys MRI training session at Sydney, NSW; 27th July 2001.


Other Speaking Engagements

• Evans C, Guest speaker at Taxation Group No. 14 Annual Dinner, Sydney; 18th December 2001.

• Tran-Nam B, Guest speaker in a forum discussion organised by the Vietnam Asia Pacific Center in Ho Chi Minh City on 15th August 2001.
Press Interviews

A number of ATAX staff members have a high public profile and are frequently called upon to provide public commentary or expert opinion either in the electronic media or the printed press. Just some of the press coverage given to ATAX staff during 2001 is noted below:

Evans C.

Print Media


Walpole M

Radio


Research Input into the Revision of ATAX Course Materials

The impressive research record of ATAX academic staff would be incomplete without an acknowledgement of the significant research input that goes into the preparation of ATAX Course materials.

Since ATAX courses are taught in a flexible learning environment (using a combination of distance education media including correspondence, audio conferences, tutorials and intensive regional classes), it is necessary to provide students with detailed course materials prior to the beginning of each session.

These material are on average 400-500 pages in length and are substantial pieces of work which merit consideration as major research works by ATAX staff members.

Moreover, because tax is an ever changing field, ATAX staff are require to continuously review and update these course materials. Set out below is a list of those ATAX subjects which were the subject of minor (<10% changed) or major (10-40% changed) revisions or a full re-write (>40% of material changed) during 2001.
<table>
<thead>
<tr>
<th>Course</th>
<th>Level of revision</th>
<th>Author of revisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATAX0001 Basic Tax Law and Process</td>
<td>Major</td>
<td>Walpole</td>
</tr>
<tr>
<td>ATAX0002 Computer Information Systems</td>
<td>Minor</td>
<td>Van Toorn</td>
</tr>
<tr>
<td>ATAX0003/0103 Microeconomics of the Australian Tax System</td>
<td>Minor</td>
<td>Tran-Nam</td>
</tr>
<tr>
<td>ATAX0004/0104 Framework of Commercial Law</td>
<td>Minor</td>
<td>Cashmere</td>
</tr>
<tr>
<td>ATAX0005/0105 Accounting 1</td>
<td>Minor</td>
<td>Carlon</td>
</tr>
<tr>
<td>ATAX0006/0106 Tax Administration</td>
<td>Rewrite</td>
<td>Rigney/Morris</td>
</tr>
<tr>
<td>ATAX0008/0108 Principles of Capital Gains Tax</td>
<td>Minor</td>
<td>Abadee</td>
</tr>
<tr>
<td>ATAX0009/0109 The Law of Companies, Trusts and partnerships</td>
<td>Minor</td>
<td>Cashmere</td>
</tr>
<tr>
<td>ATAX0010 Accounting 2</td>
<td>Minor</td>
<td>Carlon</td>
</tr>
<tr>
<td>ATAX0011 Macroeconomics, Government and the Economy</td>
<td>Minor</td>
<td>Tran-Nam</td>
</tr>
<tr>
<td>ATAX0013/0113 Taxation of Companies, Trusts and Partnerships</td>
<td>Minor</td>
<td>Grbich</td>
</tr>
<tr>
<td>ATAX0015 Intermediate Financial Accounting</td>
<td>Major</td>
<td>Carlon</td>
</tr>
<tr>
<td>ATAX0016/0116 Critical Perspectives and Ethics</td>
<td>Minor</td>
<td>Gallagher</td>
</tr>
<tr>
<td>ATAX0017/0117 Tax Accounting Systems</td>
<td>Major</td>
<td>Evans</td>
</tr>
<tr>
<td>ATAX0018 Tax Litigation</td>
<td>Minor</td>
<td>Raneri</td>
</tr>
<tr>
<td>ATAX0020/0320/0420 Principles of Australian International Taxation</td>
<td>Major</td>
<td>Wallace</td>
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<tr>
<td>ATAX0021 Indirect and Business Taxes</td>
<td>Major</td>
<td>Raneri</td>
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<tr>
<td>ATAX0022/0322/0422 GST: Design and Structure</td>
<td>Minor</td>
<td>Warren/Spicer</td>
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<tr>
<td>ATAX0023/0123/0323/0423 Principles of GST Law</td>
<td>Major</td>
<td>McManus/Gallagher</td>
</tr>
<tr>
<td>ATAX0053 Accounting for Complex Structures and Instruments</td>
<td>Minor</td>
<td>M Miller</td>
</tr>
<tr>
<td>ATAX0058 Quantitative Analysis</td>
<td>Minor</td>
<td>Tran-Nam</td>
</tr>
<tr>
<td>ATAX0059 Management Accounting</td>
<td>Minor</td>
<td>J Macmullen</td>
</tr>
<tr>
<td>ATAX0060 Auditing and Assurance Services</td>
<td>Rewrite</td>
<td>Carlon</td>
</tr>
<tr>
<td>ATAX0301/0401 Tax Policy</td>
<td>Minor</td>
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<tr>
<td>ATAX0303/0403 Taxation of Entities</td>
<td>Major</td>
<td>Fisher/Scholtz</td>
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<tr>
<td>ATAX0304/0404 International Comparative Taxation</td>
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<td>McManus/Wallace/Sharkey/Fullerton</td>
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<tr>
<td>ATAX0305/0405/0605 Taxation of Trusts</td>
<td>Major</td>
<td>Walpole</td>
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<tr>
<td>ATAX0307/0407/0607 Taxation of Corporate Finance</td>
<td>Major</td>
<td>Grbich</td>
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<tr>
<td>ATAX0308/0408 International Tax: Anti-avoidance</td>
<td>Major</td>
<td>Raneri</td>
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<td>ATAX0310/0410/0610 Taxation of Superannuation</td>
<td>Major</td>
<td>Payne/Abadee</td>
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<td>ATAX0311/0411 Taxation of Capital Gains</td>
<td>Major</td>
<td>Evans/G Davies</td>
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<tr>
<td>ATAX0315/0415/0615 Taxation of Specific Industries</td>
<td>Minor</td>
<td>Abadee</td>
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<tr>
<td>ATAX0318/0418 Complex Corporate Structures</td>
<td>Major</td>
<td>Grbich</td>
</tr>
<tr>
<td>ATAX0321/0421 Taxation of Innovative Financial Products</td>
<td>Minor</td>
<td>Spicer</td>
</tr>
<tr>
<td>ATAX0324/0424 GST: Complex Issues and Planning</td>
<td>Major</td>
<td>Scholtz</td>
</tr>
<tr>
<td>Advanced Tax Research and Writing</td>
<td>Minor</td>
<td>Fong</td>
</tr>
</tbody>
</table>
Attachment A  Research Fellowship Scheme

ATAX RESEARCH FELLOWSHIPS 2002

Applications are invited for up to two ATAX Research Fellowships with each Fellowship valued at up to AUD$7,500. ATAX will provide office space and computer equipment at the ATAX campus in Coogee, Sydney, Australia. It is expected that successful applicants will spend four weeks working at ATAX on a mutually agreed areas of research in the field of taxation and its related disciplines.

More particularly, the successful applicants will be expected to:

1. produce at least one research paper on a topic of taxation interest. This paper will be published as part of the ATAX Research Papers series and may also be published elsewhere;
2. conduct one ATAX staff seminar (which may be based on the research paper noted above) for ATAX staff and other interested tax academics;
3. collaborate with ATAX staff (possibly in a mentoring role) in the writing of a paper on any aspect of taxation or its related disciplines and suitable for eventual publication in a refereed journal; and
4. participate in ATAX activities that may be occurring during the period of the Fellowship. Participation will not involve any formal teaching or research duties other than those specified in items 1 to 3 above, but will involve a more collegial participation from which ATAX staff can benefit.

Fellows will be responsible for organising their own travel and accommodation arrangements. ATAX will provide office accommodation and some support services.

Interested persons should send a letter of application, indicating taxation areas that they would wish to research under the Fellowship and when they would like to undertake the Fellowship (the preferred timing being August 2002), together with an up-to-date curriculum vitae to:

    Associate Professor Neil Warren
    Associate Director (Research)
    ATAX
    UNSW
    SYDNEY NSW 2052 Australia
    email n.warren@unsw.edu.au

Applications must be received by 16 November 2001, and successful applicants will be notified by 31 December 2001.

Selection criteria

The Fellowships are open to taxation academics and others working in taxation and related disciplines in who are both Australian residents and non-residents. Each applicant will be assessed on his or her abilities to be able to contribute to the success of the ATAX research profile.
Background to ATAX

ATAX is the Australian Taxation Studies Program, and is located within the Faculty of Law at The University of New South Wales (UNSW). ATAX offers postgraduate and undergraduate degrees in taxation to over 1,400 students studying on a part time basis across Australia and overseas. Its mode of delivery is a synthesis of traditional distance education and more conventional face to face teaching/learning, utilising technology based media. ATAX operates from a sub campus of UNSW, pleasantly located overlooking the ocean in the eastern suburbs of Sydney. With a full time staff of 16 tax, law, accounting and economics academics, ATAX boasts the greatest concentration of tax academic staff in Australasia. Further details about ATAX can be obtained by visiting the ATAX homepage on [www.atax.unsw.edu.au](http://www.atax.unsw.edu.au)

Further information

For more information about the Research Fellowships contact either Associate Professor Neil Warren, Associate Director (Research), on + 61 2 9385 9350, email n.warren@unsw.edu.au or Associate Professor Chris Evans, Director, on +61 2 9385 9365 email cc.evans@unsw.edu.au
Attachment B: 13th Annual Australiasian Tax Teachers’ Association Conference 2001

ATAX Convenor: Michael Walpole

AUSTRALASIAN TAX TEACHERS’ ASSOCIATION CONFERENCE 2001

PROGRAM

THURSDAY 1ST FEBRUARY 2001

1830 Registration & Welcome Cocktails

ATAX UNSW Cliffbrook Campus
45 Beach Street, Coogee

Welcome Address Professor Bob Deutsch
Director - ATAX

FRIDAY 2ND FEBRUARY 2001

0830 Arrival Tea & Coffee

0900 1. Opening Address
Justice Graham Hill – Patron of ATTA
Federal Court of Australia

0915 2. Keynote Address
Michael Bersten
Deputy Chief Tax Counsel, Australian Taxation Office

TAXATION REFORM

0945 3. Tax effects of alternative forms of corporate distribution under the profits first rule
Associate Professor John Taylor
The University of New South Wales, School of Business Law & Taxation

1015 4. Taxation of distributions of beneficiary income from trusts to minors
Chris Ohms
The University of Auckland, Department of Commercial Law

1045 Morning Tea

TAXATION REFORM

1115 5. The Mechanics of Taxing Entity Distributions: A Comparative Perspective
Miranda Stewart
Melbourne University, School of Law

GENERAL TAXATION ISSUES

1115 6. Abnormal transactions & trading stock
Dr David Smith
Deakin University, School of Law

1145 7. What is installment income?
Tom Delaney

1145 8. Realisation v Accruals: Capital Gains Taxation in Australia
University of Southern Queensland,
Faculty of Commerce

Paul Kenny
Flinders University
School of Commerce

9. An analysis of the operation of the personal service income measures
Rodney Fisher
Central Queensland University,
Faculty of Business & Law

10. The application of the definition of permanent establishment under double tax treaties in the context of e-commerce
Dale Pinto
Curtin University
School of Business Law

9. An analysis of the operation of the personal service income measures
Rodney Fisher
Central Queensland University,
Faculty of Business & Law

10. The application of the definition of permanent establishment under double tax treaties in the context of e-commerce
Dale Pinto
Curtin University
School of Business Law

1245 Lunch

11. RBT ‘Option 2’: Why it won’t work
Associate Professor John Glover
Monash University, Faculty of Law

12. Tax costs compliance team: reporting on preliminary field results
Professor Robin Woellner
The University of Western Sydney,
Faculty of Law

1400 11. RBT ‘Option 2’: Why it won’t work
Associate Professor John Glover
Monash University, Faculty of Law

12. Tax costs compliance team: reporting on preliminary field results
Professor Robin Woellner
The University of Western Sydney,
Faculty of Law

1245 Lunch

13. The future of the mutuality principle after the tax reform program
Nathalie Love
Queensland University of Technology,
School of Accountancy

14. A year in the life of the tax compliance costs of some small New Zealand businesses
Katherine Ritchie
Manukau Institute of Technology,
Business School

1430 13. The future of the mutuality principle after the tax reform program
Nathalie Love
Queensland University of Technology,
School of Accountancy

14. A year in the life of the tax compliance costs of some small New Zealand businesses
Katherine Ritchie
Manukau Institute of Technology,
Business School

Associate Professor Julie Cassidy
Deakin University, School of Law

16. Honest is the best policy - but not for me: Research into motivations for taxpayer compliance
Associate Professor Cynthia Coleman
The University of Sydney, Department of Accounting and Business Law

Associate Professor Julie Cassidy
Deakin University, School of Law

16. Honest is the best policy - but not for me: Research into motivations for taxpayer compliance
Associate Professor Cynthia Coleman
The University of Sydney, Department of Accounting and Business Law

1530 Afternoon Tea

17. GST: The concept of an enterprise and the badges of trade
Andrew Maples
The University of Canterbury,
Department of Accountancy, Finance & Information Systems

18. Unitary taxation - the case for global formulary apportionment
Kerrie Sadiq
The University of Queensland,
Department of Commerce

1700 Sessions conclude

19. A bloomsday walk through financial supplies and RITC’s
Wouter Scholtz
The University of New South Wales,
ATAX

20. Intangibles and transfer pricing
Michael Walpole
The University of New South Wales,
ATAX

1900 Drinks overlooking Coogee Beach
The Pool Deck - Crowne Plaza Coogee Beach (formerly Holiday Inn)
1930 2001 ATTA Conference Grand Dinner
Crowne Plaza Coogee Beach
After Dinner Speaker: Geoffrey Lehmann
Partner, PricewaterhouseCoopers - Sydney

SATURDAY 3RD FEBRUARY 2001

0900 Arrival Tea & Coffee

TAX EDUCATION AND RESEARCH

0930 21. Tax education for the 21st century: time to go on-line?
Paul Macmullen
Blueprint Educational Services Pty Ltd

1000 22. Compiling an electronic tax casebook: as easy as ABC?
Colin Fong
The University of New South Wales, ATAX

1030 23. Opportunities for taxation research with the Australian Tax Research Foundation
Associate Professor Neil Warren
The University of New South Wales, ATAX
Research Director, Australian Tax Research Foundation

1045 Morning Tea

TAX ADMINISTRATION & INTERNATIONAL

1115 24. To what extent has the Commissioner of Taxation power's pursuant to s264 been diminished? - Esso Australian Resources v FCT
Ken Devos
Monash University,
Department of Business Law & Taxation

1115 25. Key tax cases 2000
Catriona Lavermicocca
Macquarie University,
School of Economic & Financial Studies

1145 26. Small tax claims resolution under the proposed ART – where are we heading?
Michael Blissenden
The University of Western Sydney,
College of Law and Business

1215 28. A comparison of international tax rulings regimes
Professor Robin Woellner and Lachlan Wolfers
The University of Western Sydney,
Faculty of Law

1215 29. In need of reform: A Trans-Tasman perspective on the definition of "residence"
Clinton Alley
Waikato University,
School of Management Studies

1245 30. International income taxation and multilateral tax agreements workshop
Jacqui McManus
The University of New South Wales, ATAX

1315 Lunch

1345 31. The impact of property law and contractual principles in taxation law
Geoffrey Hart
The University of New South Wales, Department of Accounting and Business Law
GENERAL TAXATION ISSUES

1415  32. The vexed problem of the deductibility of interest expenditure
      Suzette Chapple

1445  33. Federation revisited: what now for state taxes?
      Wayne Gumley
      *Monash University, Department of Business Law & Taxation*

1515  34. Superannuation for Tax Teachers
      Barbara Smith
      *Taxpayers’ Australia Inc*

1545  Afternoon Tea

1615  ATTA - Annual General Meeting

1730  Farewell Barbecue

IMPORTANT  This is a UNSW academic activity and all care is taken to assure the highest possible standards and accuracy.  **Even so, no person is entitled to place legal reliance on the papers, presentations or comments** of any person presenting or attending.  Specific tax matters should be advised upon by appropriately qualified persons in professional adviser/client circumstances.

Please note that the organisers reserve the right to make changes to the program if necessary.
Attachment C: 13th Annual GST and Indirect Tax Weekend Workshop

ATAX Convenor: Patrick Gallagher

PROGRAM

SATURDAY 21 APRIL

1400 Accommodation Check In for arriving delegates
1600 REGISTRATION
Collect your papers from 4pm onwards in the Ballroom Lobby
1830 - 2000 WELCOME COCKTAILS
From 6.30pm to 8.00pm enjoy welcoming cocktails in the Rendezvous Lounge. Choose company from amongst friends (new & old) to enjoy dinner in Noosa. Booking a restaurant before cocktails, if possible, may be wise – ask the concierge at the Sheraton for advice.

SUNDAY 22 APRIL

0700 - 0900 BREAKFAST IN CATO’S YOU NEED TO PRESENT YOUR BREAKFAST VOUCHER (delegates please plan an early breakfast to avoid an 8.30am crush)
0830 - 0900 Registration Noosa Ballroom Lobby
0900 CORE CONCEPTS – TOUGH ISSUES
Chair Justice D Graham Hill Federal Court of Australia
1000 Determining the Law for Supply: Rights
Patrick Gallagher Deputy Director ATAX UNSW
Roderick Cordara QC Lincoln’s Inn Fields and Wentworth Chambers Sydney
1040 The Law That Drives the GST – Origins and Complexities
Stephen Bladwell Partner Pannell Kerr Foster Sydney
1120 Forum includes all speakers and
Frank McNamara Manager Business Taxes Fosters Brewing Group
1140 Coffee
1200 Creditable Acquisitions – The Basic Jurisdictional Test
- including financial supplies
Denham Martin Denham Martin & Associates Auckland
1240 Forum
1300 Lunch
1430 INTERNATIONAL
Chair Joycelyn Morton President CPA Australia
General Manager Taxation The Shell Company of Australia Ltd
1430 GST and E Commerce
Amrit MacIntyre Partner Baker & McKenzie
1505 Export of Goods
Andrea Laing Senior Tax Adviser, Indirect Taxes The Shell Company of Australia Ltd
1530 GST-Free Export of “Services”
- Suzuki NZ v CIR
- including Rights & Other Things

www.atax.unsw.edu.au
Research Annual Report  2001  13th Annual GST & Indirect Tax Weekend Workshop

Rebecca Millar   Senior Manager   Ernst & Young

1555 Import of Services & Goods
  • including Real Property, Rights & Other Things
Rodger Muir   Partner   Arthur Andersen

1635 International – Connected With Australia…
Bruce Quigley   Senior Assistant Deputy Commissioner   ATO

1720 Forum

1750 Ends

2000 Pre-dinner drinks in the Rendezvous Lounge and on the Lillypond Terrace

2030 Dinner   -   Sheraton Noosa Ballroom
GLITTER DINNER & LIVE ENTERTAINMENT & DANCING
Dressed-up or casual you choose – prizes for the best glitterers!

MONDAY 23 APRIL  please note modified Monday afternoon timing

0700 - 0850 BREAKFAST IN CATO’S   YOU NEED TO PRESENT YOUR BREAKFAST VOUCHER
(delegates please plan an early breakfast to avoid an 8.30am crush)

0850 ESTABLISHING LEGAL PROCEDURE
Chair  Kevin O’Rourke   Partner
      Head   GST Practice   PricewaterhouseCoopers

0855 The Law for Court Orders and Out of Court Settlements
Ken Fehily   Head of GST Practice   Arthur Andersen

0935 ATO Views and Approaches to GST Rulings
Peter Chochula   Tax Counsel   ATO

1000 GST Rulings – Facts and Fallacies…
Peter Hill   Managing Writer   Australian Tax Practice

1020 “Passing On” and The Tax Administration Act
Bruce Hamilton   Partner   Ernst & Young

1055 Forum
includes all speakers and
Justice Graham Hill

1110 Coffee

1130 PUTTING THINGS TOGETHER
Chair  Jacqui McManus   Senior Lecturer   ATAX UNSW

1130 GST Implications of Business Re-Organisations
  • financial supplies rules
  • going concern issues
  • grouping
Ian Jeffrey   Partner   PricewaterhouseCoopers   Melbourne
Sophia Varelas   Director   PricewaterhouseCoopers   Melbourne

1230 Forum

1250 Lunch

1430 HARDLY “LOOSE” ENDS…
Chair  Graeme Kennedy   Partner   Deloitte Touche Tohmatsu

1430 Unresolved Property Issues
John Koutsogiannis   Principal   Deloitte Touche Tohmatsu

1510 Vouchers
  • key issues that will affect all businesses
Denis McCarthy   Senior Manager   PricewaterhouseCoopers

1550 Forum
1610  ATO Approaches to GST Compliance
Barrie Russell  Senior Assistant Deputy Commissioner  ATO
Head  GST Compliance

1640  Forum

1720  Ends

1730 to 1830  Closing Cocktails on the lawns by the sea at Sails Restaurant
Share a beer or a glass of wine before choosing company for dinner somewhere in Noosa. For more choice, try one of the many restaurants at Noosaville – you can get there by ferry leaving from the Sheraton’s jetty or by taxi.

TUESDAY 24 APRIL

0700 - 0900  BREAKFAST IN CATO’S  YOU NEED TO PRESENT YOUR BREAKFAST VOUCHER
(delegates please plan a leisurely breakfast)
Room checkout is 11.00am unless arrangements are made with reception

IF STAYING ADDITIONAL NIGHTS YOU PAY THESE NIGHTS DIRECT TO YOUR HOTEL

THANKS TO EVERYBODY WHO PARTICIPATED AND TO EVERYBODY WHO HELPED PUT THIS PROGRAM TOGETHER
Patrick Gallagher

0900  PRICEWATERHOUSECOOPERS
OPTIONAL MERGERS & ACQUISITION CASE STUDY (ADDITIONAL COST TO ATTEND)

Detailed in-depth Case Study – maximum 45 persons
Case study to develop much further topics covered Monday morning
- Financial supply rules
- International transactions
- Adjustments
- Anti-avoidance provisions
- Going concern issues
- Grouping
- Structuring fees
- Interaction of other taxes including an analysis of the Consolidations regime & GST
- Other commercial issues

Case Study Leaders are (3 groups of 15 people):
Ian Jeffrey  Partner  PricewaterhouseCoopers
Kristina Kipper  PricewaterhouseCoopers
Sophia Varelas  Director  PricewaterhouseCoopers

1200  Concludes

SPEAKER PROFILES

Stephen Bladwell  Partner  Pannell Kerr Foster  Sydney

Peter Chochula  Tax Counsel  Australian Taxation Office
Peter Chochula has over twenty years experience in taxation, particularly with interpretational and legal issues. He was admitted as a solicitor in 1978. His focus is on GST rulings and their impact on business. Peter is a member of CPA Australia and is a State Councillor with the TIA.

Roderick Cordara  Queens Counsel  Essex Court Chambers, Lincoln’s Inn Fields, London and Level 7 Wentworth Chambers, Phillip Street, Sydney. Email: cordara@aol.com
Roderick Cordara has over thirty years experience at the bar. He is recognised as one of the leading counsel in Europe practising in VAT. Recently admitted in Australia Roderick has already provided tax advice to some of Australia’s leading firms as well as to the corporate sector. Roderick’s was leading counsel in a many of Europe’s best known VAT decisions and most recently was successful in the Card Protection Plan Case – arguably a decision which has the most profound consequences for the way that important aspects of VAT are treated.
Roderick has participated in writing a paper for Noosa but was not able to attend this year due to the imminent arrival of Baby Cordara – with Tsam and Roderick to become parents in early May.

Ken Fehily  Partner  Arthur Andersen
Ken Fehily has been an Indirect Taxation Consultant in the chartered accounting profession since 1979, and operated his own practice for 8 years specialising in Federal and State Indirect Taxes before joining Arthur Andersen. Ken joined Arthur Andersen’s Melbourne office in 1991 and now has overall responsibility for the Indirect Taxes Practice. Ken was also Arthur Andersen’s Area Coordinator of Indirect Taxes for the Asia Pacific Region for many years. Ken was personally appointed to be a member of the Federal Treasurer’s GST Technical Advisory Committee, and has now been appointed as a member of the GST Rulings Panel of the Australian Taxation Office. He has also had significant involvement in representing clients, industry and the profession at Senior Government level on the GST legislation for Australia.

Patrick Gallagher  Deputy Director  ATAX UNSW
Patrick Gallagher is Deputy Director of ATAX at UNSW and an Associate Professor. He is a key member of the team that created ATAX’s three GST subject. Patrick acts as an adviser to businesses, large and small, and has a particular focus on alternative dispute resolution processes. A lecturer for 20 years, he has taught accounting, information systems, law and taxation at UNSW and at other universities at both undergraduate and postgraduate levels. Patrick is a Fellow of the Australian Society of CPAs. He is a Fellow of the Australian Institute of Taxation and is a Barrister. Patrick was foundation President of the Australasian Tax Teachers’ Association. He has a significant profile and is also the Director of a joint Tax Research Project in China with the State Administration of Taxation which has the brief to provide tax reform recommendations for the People’s Republic of China.

Bruce Hamilton  Partner  Ernst & Young
Bruce Hamilton has over 15 years international experience in indirect tax consulting, in both South Africa and New Zealand. His focus is on providing specialist technical and practical skills in assessing the effects of GST on business. His experience of the GST extends to its implementation in South Africa and, then having moved to New Zealand, in consulting in GST to corporate entities until moving to Brisbane in July 1998. There, he has used his experience in dealing with the effects of GST on a wide range of business activities including the finance, manufacturing, mining, construction, retail and telecommunications industries. In addition, he has been extensively involved in addressing the impact of the introduction of GST on the tourism industry, having been involved in the ATO, Tourism & Hospitality GST Consultative Committee.

Justice D Graham Hill  Federal Court of Australia
Justice Graham Hill, judge of the Federal Court of Justice, Challis lecturer in law (part time, at the Law School of the University of Sydney, which includes lecturing on the GST in the Masters Degree program). At various times, Graham has been a solicitor and partner in the then Dawson Waldron, practising in Sydney, a barrister practising at the bar of NSW, and was subsequently appointed Queens Counsel in NSW, Victoria and Western Australia. Graham was formerly a National President of the Taxation Institute of Australia and is a prolific writer on various revenue topics.

Peter Hill  Managing Writer  Australian Tax Practice
Bachelor of Business, MTax (UNSW), Fellow of Tax Institute of Australia (1986 to present). Managing Writer at ATP, and heads up ATP’s GST team (1997 to present). Tax Consultant at senior levels in Sydney, Adelaide and Auckland (1987 to 1997) after 4 year apprenticeship in ATO. Involved with rulings at professional committee level since 1990. Author of New Zealand Binding Rulings Commentary (Brookers, 1995), New Zealand Tax Practitioners’ Guide to Binding Rulings (Brookers, 1997), GST Strategies for Professionals (ATP, 1999), GST Business Essentials (ATP, 1999), and Foundation Technical Editor of and Contributor to ATP’s GST Today (1998 to present) and many articles and papers on GST and income in Australia and New Zealand.

Ian Jeffrey  Partner  PricewaterhouseCoopers
Ian Jeffrey is a partner in PwC. He completed his articles and worked as a corporate solicitor before joining the CorporateTax practice in 1984. In 1987 he was seconded to work for a year in London focussing on international tax. He was admitted as a partner in 1990. Ian has had extensive experience in advising on the tax issues relating to mergers and acquisitions, restructures, cross border transactions and financial transactions. During the past couple of years Ian’s focus has been on GST as it applies to financial institutions, mergers and acquisitions and cross border transactions. Ian’s strong income tax and legal background places him in a unique position to identify the similarities and tensions between GST and income tax. Ian has also been heavily involved in conducting training within PwC and for clients and has presented at many external seminars conducted by bodies such as the TIA and the ICA.

John Koutsogiannis  Principal  Deloitte Touche Tohmatsu
Andrea Laing  Senior Tax Adviser, Indirect Taxes  The Shell Company of Australia Ltd
Andrea has over 20 years’ experience in Taxation, mainly in indirect tax. She spent 13 years with the ATO in PAYE and sales tax, where she studied part time for her Bachelor of Business (Accounting) before joining the
Rodger Muir  Partner  Arthur Andersen

Rodger first became involved in taxation in 1974 when he joined the Inland Revenue Department. He left there in 1979 and entered chartered accounting. Apart from a two-year period as a financial controller and public company secretary in the mid-80s, he has since been involved in tax consulting, for the last 10 years as a partner in international accounting firms. He has provided a wide range of taxation advice to a variety of clients, including publicly listed companies, banking institutions, Government agencies and multi-national enterprises. Rodger’s specialisms include asset acquisition and disposal planning, depreciation, research and development, expatriate taxation and corporate restructuring. He has also had extensive experience in indirect taxation, specialising in advising on GST matters, and is responsible for the Firm’s indirect tax practice. He has authored and presented a large number of national professional continuing education tax papers. He has also lectured and presented internationally on both the New Zealand income tax and GST regimes, and has had several articles on the latter published internationally.
Barrie Russell  Senior Assistant Deputy Commissioner  ATO  Head  GST Compliance
Barrie is a Senior Assistant Deputy Commissioner with the ATO with nearly 30 years experience in tax administration. He was one of a small team of senior ATO officers charged with the design and implementation of the administrative arrangements to support the GST. He is currently responsible for the GST compliance program and for the phasing out of the Wholesale Sales Tax. Barrie holds an Economics degree from Sydney University and has been a member of the IMF’s Panel of International Tax Experts since 1993. He also represents Australia on the OECD’s working party on Consumption Taxes.

Bruce Quigley  Senior Assistant Deputy Commissioner  ATO
Bruce Quigley is presently the Senior Assistant Deputy Commissioner responsible for GST Legislation and Interpretation. He has been with the ATO for 29 years and has worked in various technical areas including Assessing, Audit, Investigations and Policy and Legislation. Bruce spent 14 months in New Zealand helping that country develop their Goods and Services Tax. Bruce was Deputy Commissioner of Taxation in Townsville from 1992 to 1996. Bruce has degrees in Accounting and Law, is a fellow of the Australian Society of CPAs and Taxation Institute of Australia and has been admitted as a Barrister of the Supreme Court of NSW.

Sophia Varelas  Director  PricewaterhouseCoopers
Sophia Varelas, a Barrister and Solicitor since 1990, is a Director in the Melbourne Indirect Tax group of PricewaterhouseCoopers. She joined the firm in September 1995. She has been practising in GST for the past three years. She has advised clients across a number of industries including consumer products, mining and energy and services. She has recently also focussed on the GST implications of mergers and acquisitions and in particular transfers of going concerns. She has been involved in advising on a number of going concern transactions and due diligences and in preparing submissions on the draft public ruling on going concerns to the ATO.

David Vos AM  Partner  PricewaterhouseCoopers  Sydney
David Vos was the GST leader in Australia for PricewaterhouseCoopers from 1998 to 2000 during the period of implementation of the tax. David has specialized in indirect taxes for all of his career and has had a significant involvement in tax reform, particularly since the early 1980’s. David chaired the Tax Consultative Committee established by the Federal Government in October 1998 to inquire into, and make recommendations on a number of tax free sectors under the GST and the phasing in of the reduction in taxes on motor vehicles. David is a recognised leader in the indirect taxes area and is regularly quoted in the press and has taken a proactive leadership role in the development of tax policy within Australia. He is a regular speaker at conferences, seminars and the like. He is a fellow of the Institute of Chartered Accountants in Australia, the Australian Society of CPA’s and the Tax Institute of Australia. He is also an associate member of the Institute of Chartered Secretaries and Administrators. He is the GST advisor to a wide range of major clients in the Government sector, the food industry, health and pharmaceutical industries and the building and construction sectors. David was awarded a member of the Order of Australia in June 2000 for services to the development of indirect tax policy.
Attachment D: Tax Value Method Consultative Conference

ATAX Convenor: Yuri Grbich

DAY ONE - MONDAY 23 JULY

8.00 – 9.00  Registration
Welcome Tea & Coffee

DO YOU REALLY UNDERSTAND TVM?
Chair: Professor Yuri Grbich
ATAX UNSW

9.00 – 9.10  Introduction and outcomes sought from summit (10 min)
Richard Warburton
Chairman, Board of Taxation

Paul Abbey  Partner, Shaddick & Spence
Martin Keating  Senior Tax Counsel, Australian Taxation Office
Tom Reid  Consultant to Australian Taxation Office

10.30 – 11.00  Discussion

11.00 – 11.15  Morning Tea

ROAD TESTING TVM
Chair: Dr Tony Rumble
CEO, Savings Factory Ltd & Visiting Fellow, ATAX UNSW

11.15 – 12.45  2. Selective Case Studies: Impact of TVM on typical taxpayers
These are selective presentations of typical problems based on case studies across a number of major firms. Case studies to be discussed outline a taxable transaction; the operation of current law, impact of TVM and operation of accounting standards. Comprises 10 min analysis of problem and then open discussion.
Tony Baxter  -  Principal, AJ Baxter & Associates
Peter Dimech  -  Group Manager Taxation, Australia Post

12.45 – 1.30  Discussion Session
Tony Baxter
Peter Dimech
Michael Hay  -  Partner, Pitcher Partners
David Mouritz  -  Manager Taxation, Telstra Corporation Ltd
Kel Wall  -  Projects Manager, Corporate Tax, BHP Ltd

1.30 – 2.30  LUNCH
KEY DESIGN ISSUES
Chair: Chris Jordan
Partner, KPMG

2.40 – 3.20  3. Tax Value Method Concept:
The problem, the proposed solution and the tough issues
Professor Yuri Grbich
ATAX UNSW

3.20 – 3.50  4. TVM: How well does it express the income tax base?
Professor Graeme Cooper
Faculty of Law, Melbourne University

3.50 – 4.10 Discussion

4.10 – 4.30 Afternoon Tea

4.30 – 5.15  5. TVM and the relationship between taxation and commercial
accounting methods
Malcolm Gammie
Barrister, Institute for Fiscal Studies, Visiting Professor of Tax Law
London School of Economics

5.15 – 6.00 Discussion

6.30 – 7.30 Pre-Dinner Drinks

7.30 DINNER

Special Guest Speaker
Meredith Hellicar
Former Chief Executive, Corrs Chambers Westgarth

DAY TWO  -  TUESDAY 24 JULY

THE BIG PICTURE: FOCUSING ON TVM COSTS AND OUTCOMES
Chair: John Harvey
Board of Taxation

9.00 – 9.20 Introduction: Refocusing on the key objectives: TVM - the policy
arguments for and against
Geoff Lehmann
Partner, PriceWaterhouseCoopers

9.20 – 9.45 6. Compliance and administrative costs of TVM: What are the
implications?
Associate Professor Chris Evans
Director, ATAX UNSW
9.45 – 10.10  7. Modeling the economic outcomes from TVM: Is it practical and meaningful?
Associate Professor Neil Warren
ATAX UNSW

10.10 – 10.50  Discussion on broad range of practical issues
Su McCluskey  -  Director Taxation, National Farmers’ Federation
Dr Steven Kates  -  Chief Economist, ACCI
Ross Robins  -  Director, Australian Bankers’ Association
Peter Burn  -  Assistant Director, Business Council of Australia

10.50 –11.20  Morning tea

11.20 – 1.00  Where do we go from here? Open Forum led by Panel
Chair: Richard Warburton
Chairman  Board of Taxation

Panel members:
Professor Graeme Cooper
Professor Malcolm Gammie
Professor Yuri Grbich
Michael Barbour  -  Head of Group Taxation, Westpac
Mark Frizer  -  Partner, Clayton Utz
Lawrence Magid  -  Partner, Allens Arthur Robinson

1.00  Conference concludes

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Attachment E: Derivatives & Synthetic Equities School

ATAx Convenor: Tony Rumble

DAY ONE - Wednesday 25 July 2001

8.00am Delegates Registration and Coffee

CORPORATE FINANCE AND STRUCTURED PRODUCTS: MAXIMISING SHAREHOLDER VALUE AND INVESTOR RETURNS

9.00am Conference Opening and Chairman’s Address
Dr Tony Rumble
CEO, Savings Factory Ltd and Visiting Fellow, ATAX UNSW

9.15am Are Global Financial Markets the Death Knell of Corporate and Dividend Taxes as we know them?
Malcolm Gammie
Barrister-at-Law, Institute for Fiscal Studies and Visiting Professor of Tax Law at the London School of Economics

10.15am Financial Engineering & Shareholder Value: The Essential Corporate Finance Toolkit
Richard Stewart
Partner, Financial Advisory Services Group, PricewaterhouseCoopers

11.00am Morning Tea

11.15am Implementation of Corporate and Financial Product Tax Reform in Australia: Key Issues and Directions
Roger Paul
First Assistant Commissioner of Taxation, Australian Taxation Office

12.00pm Legal Issues for Shareholder Value Management Programs: Buyback and Hybrid Securities Issuance Rules
Bill Fuggle
Partner, Baker and McKenzie

12.45pm LUNCH

2.00pm Business Tax Reform Primer: Outline and Analysis of Tax Reform to Date (Plus, Where to from Here?)
Chris Catt
Partner, Tax and Legal Services Group, PricewaterhouseCoopers

2.45pm New Debt/Equity Rules and Corporate Financial Engineering Detailed Analysis of the New Rules, Case Studies on their Application
Robert Upfold
Partner, Blake Dawson Waldron

3.45pm Afternoon Tea

4.00pm Taxation of Financial Institutions: Thin Capitalisation and Impact on the Australian Financial Markets
Tony Frost
Partner, Tax and Legal Services Group, PricewaterhouseCoopers

4.45pm New Corporate Securities: Matching Issuer and Investor Requirements, Global Trends and the Australian Experience
Sue Lloyd Director, Deutsche Bank

5.30pm COCKTAILS - Spring School Address: The Australian Stock Exchange as a Platform for Innovative Financial Products: Key Local and International Trends
INNOVATIVE FINANCIAL PRODUCTS AND THE RETAIL MARKET: THE NEW INVESTMENT PARADIGM

9.00am  
**Online Financial Services for Financial Planners and Retail Investors**

*Issues and Trends*
Tony Negline  
Executive Director, Savings Factory Ltd

9.45am  
**DIY Superannuation and The New Financial Planner: Trends and Emerging Investor Patterns**
Tony Negline

10.30am  
**Defined Outcome Financial Products: The New Tax Rules in Context:**
Dr Tony Rumble

11.15am  
Morning Tea

11.30am  
**“Alternative” Assets & Retail Investors: Hedge Funds & Structured Retail Products**
Damien Hatfield  
Head of Alternative Assets, Colonial First State Ltd.

12.15pm  
**Retail Derivatives over Managed Funds: Global Trends and Australian Opportunities**
John Gilbert  
Head of Structured Products, BNP Paribas Australia Ltd

1.00pm  
LUNCH

2.00pm  
**Corporate and Securities Law Reform Primer: CLERP 6 and Beyond**
Andrew MacDonald  
Partner, PricewaterhouseCoopers Legal

2.45pm  
**Retail Financial Products: Investment Strategies and Customer Benefits**
Michael Walker  
Head of Warrants, Citibank Australia

3.15pm  
Afternoon Tea

3.30pm  
**Tax Avoidance and Financial Products**
Mark Friezer  
Partner, Clayton Utz

4.15pm  
**Financial Products in Australia: Are we Internationally Competitive?**
Panel Discussion

5.00pm  
**Hot Topics in Financial Product Taxation**
Conference Concluding Remarks  
Tony Rumble

5.15pm  
School concludes
Attachment F: 1st CGT Master Class

ATAX Convenor: Chris Evans

MONDAY 27 AUGUST

0800  Registration (Arrival Tea & Coffee)

0900  OPENING ADDRESS & WELCOME
Yuri Grbich
Professor of Law, ATAX UNSW

SESSION 1: THE BIG PICTURE

0910  PAPER: Taxing capital gains in Australia: one step forwards or two steps back?
Chris Evans
Director and Associate Professor of Taxation, ATAX UNSW

0955  PAPER: CGT – the view from the battlefront
Michael Inglis
Consultant Tax Barrister, Blackstone Chambers, Sydney

1040  Morning Tea

1110  PAPER: The interaction of CGT with the Tax Value Method
Andrew England
Assistant Commissioner, Law Integrity Team, Australian Taxation Office

1155  DISCUSSION: CGT policy and legislation past, present and future
Rick Krever
Professor of Law, Deakin University

1240  Lunch

SESSION 2: SOME CONCEPTUAL ISSUES

1400  CASE STUDY: CGT/GST overlap on sale of a business where premises leased to a connected entity
Wouter Scholtz
Senior Lecturer, ATAX UNSW

1445  PAPER: CGT and related issues concerning Pooled Development Funds and Venture Capital Investment
Stephen Barkocz
Associate Professor, Monash University and Consultant, Blake Dawson Waldron

1530  Afternoon Tea

1600  PAPER: CGT and ESOPs
Ken Traill
Principal Consultant on Tax Reform, Institute of Chartered Accountants in Australia

1645  CASE STUDY: Trusts are dead. Long live trusts
Michael Walpole
Senior Lecturer, ATAX UNSW
TUESDAY 28 AUGUST

SESSION 3: SMALL BUSINESS ISSUES

0900  PAPER: The small business concessions – an overview from the profession
Gordon Cooper
Director, Greenwoods and Freehills

0945  PAPER: The small business concessions – a review of some Division 152 issues
Chris Adams
CGT Centre of Expertise, Australian Taxation Office

1030  Morning Tea

1100  CASE STUDY: Structuring for the CGT small business concessions
Paul Drum
Senior Tax Counsel, CPA Australia

1145  PAPER: The interaction of CGT, the STS and proposed Division 40
Lyn Freshwater
CGT Centre of Expertise, Australian Taxation Office

1230  Lunch

SESSION 4: THE SCRIP FOR SCRIP ROLL-OVER

1400  PAPER: Coming to terms with the scrip for scrip roll-over
Rodney Fisher
Senior Lecturer, ATAX UNSW

1445  PAPER: The practical application of the scrip for scrip roll-over relief
Robert Richards
Principal, Robert Richard & Associates

1530  Afternoon Tea

1600  CASE STUDY: Scrip for scrip and the streaming of pre-takeover profits
Wouter Scholtz
Senior Lecturer, ATAX UNSW

1645  DISCUSSION: Is the scrip for scrip roll-over working effectively?
Michael Binetter
Partner, Andersen Legal

1730  Drinks overlooking Gordon's Bay
1830  MASTER CLASS DINNER

2030  End of Day 2

WEDNESDAY 29 AUGUST

SESSION 5: CORPORATE CAPITAL GAINS

0900  PAPER: The CGT loss integrity measures and corporate reorganisations
       Ken Spence
       Partner, Shaddick & Spence

0945  PAPER: CGT implications of company liquidations and buybacks
       Glenn Davies
       CGT Centre of Expertise, Australian Taxation Office

1030  Morning tea

1100  CASE STUDY: Divesting a corporate group
       John Balazs
       Partner, Baker & McKenzie

1145  PAPER: Demergers – income tax and policy issues
       Gordon Thring
       Partner, Deloitte Touche Tohmatsu

1230  Lunch

SESSION 6: THE INTERNATIONAL DIMENSION

1330  PAPER: International CGT issues
       Matthew Wallace
       Senior Lecturer, ATAX UNSW

1415  CASE STUDY: CGT and DTAs
       Bob Deutsch
       Professor of Law, ATAX UNSW

1500  Afternoon Tea

SESSION 7: WRAPPING UP

1530  Panel Discussion
       Consisting of representatives from the profession, the ATO and academia

1700  END OF CGT MASTER CLASS
       Drinks overlooking Gordon's Bay
Attachment G: Tax Catch-ups National Seminar Series

ATAX Convener: Rodney Fisher

PROGRAM

0900  WELCOME AND OPENING REMARKS

0910  PERSONAL SERVICES INCOME: WHOSE INCOME IS IT ANYWAY?
• What is Personal Services Income?
• Satisfying the tests to avoid the alienation rules
• The overlap between PSI rules and Part IVA
• Consequences of being caught

1040  MORNING TEA

1110  THE NEW UNIFORM CAPITAL ALLOWANCE REGIME: A DEPRECIATING EXPERIENCE
• The core operation of the new provisions
• Pooling of assets
• Special provisions for certain industries
• Case study

1240  LUNCH

1340  SMALL BUSINESS ISSUES - STS & CGT CONCESSIONS
This session concentrates on the new Simplified Tax System for small business that commenced on 1 July 2001 and also explains the four CGT concessions specific to small businesses and how they interact. Topics covered include:
• What is a small business?
• Cash accounting
• Depreciation
• Trading stock
• Moving in and out of the STS system
• Four CGT concessions

1510  AFTERNOON TEA

1530  ADDING VALUE TO YOUR GST PRACTICE
• Analysis of the ATO’s 2001 rulings on projected annual turnover, non-monetary consideration, GST & leased business premises, apportioning GST to mixed supplies, and GST & FBT.
• Administration issues: GST payments and the BAS, input tax credits and tax invoices.

1700  SEMINAR CONCLUDES
ATAX INFORMATION EVENING: OPTIONAL - SEE OVERLEAF FOR DETAILS

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ATAX Higher Education

The Australian Taxation Studies Program (ATAX) is part of the Faculty of Law at The University of New South Wales in Sydney, Australia. Established in 1990, ATAX is a provider of undergraduate and postgraduate tax education to students across Australia. Degree programs include:

• Bachelor of Taxation (accredited for CPA and ICAA)
• Graduate Diploma Taxation Studies
• Master of Taxation (accredited for CPA Specialist Status)
• Graduate Diploma Advanced Taxation (accredited for CPA Specialist Status)
• Doctor of Philosophy
• Single Course Study (Non-Award)

Study is undertaken in the ATAX Global Classroom, incorporating learning facilities in capital cities and regional locations. Students are supported with extensive study materials, audio conferences with lecturers, WebCT, and face-to-face regional classes.

ATAX INFORMATION EVENINGS

In conjunction with the Tax Catch-Ups National Seminar Series, ATAX will host Information Evenings for prospective university students wishing to study with UNSW through the ATAX Global Classroom. Each Information Evening will take place at 5.30 pm at the same venue as the seminar and will run for approximately one hour. Presentations will be conducted detailing all undergraduate and postgraduate level study opportunities offered by ATAX (see list above). ATAX Academic staff will also be available to answer specific questions.

FOR FURTHER INFORMATION CONTACT ATAX

www.atax.unsw.edu.au

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