TABL5503
TAXATION OF CORPORATIONS

Course Outline
Semester 1, 2015
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STUDY GUIDE

Module 1  The framework of corporate taxation
Module 2  Companies’ taxable income and tax loss
Module 3  Corporate distributions
Module 4  Distributions - anti avoidance provisions
Module 5  Imputation system
Module 6  Imputation - anti avoidance provisions
About the lecturer

Dale Boccabella
B Bus (Phillip), LLB (Syd), LLM (Hons) (Syd)

Dale joined the School of Business Law and Taxation in early 2001 from the University of Western Sydney, where he had spent seven years teaching and researching in various areas of Australia’s tax regime. Prior to that, Dale worked for a short time as a tax consultant with one of the ‘Big Four’ firms.

Dale has published over 100 articles, commentaries and conference and seminar papers on Australia’s tax regime(s). Those publications are across a wide range of areas (e.g. fundamental income tax principles, aggressive tax planning/tax avoidance, fringe benefits tax, capital gains tax, goods and services tax, tax administration). Further, a number of Dale’s publications have been cited by, and quoted from, by other tax commentators, including the Australian High Court in an income tax test case (FCT v Rowe (1997) 187 CLR 266; 97 ATC 4317).

He has designed an extensive range of courses and teaching materials for both undergraduate and postgraduate courses on Australian taxation law over the past 22-years.

Dale is regularly invited to act as a referee on a range of articles submitted to both tax (e.g. Australian Tax Review) and law journals for publication (e.g. Sydney Law Review, Legal Education Review).
Letter of introduction

Through your engagement with the course materials and participation in audio conferences (or webinars) throughout the semester, we expect you will come to a deep understanding of the law relating to the taxation of corporations. Your learning is supported through your participation in solving typical corporations tax related problems, provision of activities and feedback throughout each module.

The taxation of the corporation and its members is the cornerstone of the operation of the capital markets, and is also one of the most hotly contested areas of tax policy debate. The Australian tax system is fortunate, in that the introduction of the imputation system in 1987 carried with it the chance for our corporate tax regime to operate at maximum efficiency and equity. Nevertheless, the tax policy considerations which support the imputation system are complex, and require close analysis to ensure a proper understanding of them. Similarly, the actual mechanics of imputation are not simple, and their application to different fact situations requires careful consideration.

Taxation of corporations is a difficult and complex area. The course you are about to undertake is designed to really help you master the difficult policy and technical tax issues that continually arise in practice in this area.

The study guide has been carefully designed as an integrated component of the subject. The other aspects of your study are just as vital, namely the audio conferences (webinars), and evening classes classes for CBD students, and your assessment tasks. You will find that the classes strongly encourage you to have read and fully considered the relevant material in the study guide BEFORE the class. A substantial part, if not all, of each class is interactive, and typically will contain detailed consideration of issues upon which you will be assessed (problem solving component and final exam). Prepare for them well, take good notes, ask questions, and you will find that you get through the course with flying colours!

Each module of the study guide is stand alone, and we suggest that you set yourself a realistic and progressive study program at the earliest opportunity.

All the best for your study in Taxation of Corporations.

Dale Boccabella
Introduction to the course

The company is the most important and popular vehicle for collective investment and wealth creation. This course provides a comprehensive analysis of the taxation issues relating to investment in, and distributions by, Australian domestic corporations. The focus is on a practical understanding of the problems generated by simple corporate structures. The theoretical framework is developed by a critical appraisal of corporate tax integration theory. This is then used to assist understanding of the tax consequences which flow from the concepts of shareholder, company, and dividend.

A detailed analysis of the practical working of the Australian imputation system, and the mechanical operation of the rules in Part 3–6 of the *Income Tax Assessment Act* 1997 (‘ITAA’), is provided. These rules are then considered in the context of the extensive specific and general anti-avoidance provisions relating to corporate distributions which are contained in the ITAA. Existing anti avoidance provisions such as dividend stripping and dividend streaming rules are also considered.

Relationship to other courses in program

If after completing this course you wish to pursue further study in advanced corporate taxation, the School of Taxation & Business Law offers TABL3007/5507 *Taxation of Corporate Finance* and TABL5518 *Consolidations and Group Structures*. Whilst this course is not a pre-requisite for either of these advanced level courses, students are encouraged to complete this course before attempting them.

Course summary

The company remains the most widely used vehicle for the collective investment of capital. The central role of the company in our modern liberal market economy requires special and close consideration of the taxation of it, and its members.

Corporate tax integration policy has led to the introduction of the imputation system, and the technical legal rules surrounding the distribution of corporate profits are a focus of this subject. Because the imputation system confers tax benefits upon shareholders, a variety of anti-avoidance rules have been constructed to prevent the use of those benefits in tax arbitrage strategies.
Course objectives

This course introduces students to the operation of the taxation of corporate tax entities in Australia. It involves the study of the taxation of dividends and the operation of the imputation system. It also covers the anti avoidance provisions specifically relating to corporate distributions and imputation.

Student responsibilities and conduct

Students are expected to be familiar with and to adhere to university policies in relation to attendance, and general conduct and behaviour, including maintaining a safe, respectful environment; and to understand their obligations in relation to workload, assessment and keeping informed.

You are expected to conduct yourself with consideration and respect for the needs of your fellow students and teaching staff. More information on student conduct is available at: https://my.unsw.edu.au/student/atoz/BehaviourOfStudents.html

Guide to online behaviour: https://student.unsw.edu.au/online-study

You should take note of all announcements made in lectures, tutorials, the Atax Bulletins, or on the course Website (Moodle). From time to time, the School or the University will send important announcements to your university e-mail address without providing you with a paper copy. You will be deemed to have received this information. It is also your responsibility to keep the University informed of all changes to your contact details.

Information and policies on these topics can be found in the ‘A-Z Student Guide: https://my.unsw.edu.au/student/atoz/A.html and specific information for students studying taxation programmes can be found in the Atax Student Guide. See, especially, information on Attendance and Absence, Academic Misconduct, Assessment Information, Examinations, Student Responsibilities, Workload and policies such as Occupational Health and Safety.

Student learning outcomes and goals

Learning outcomes are what you should be able to do by the end of this course if you participate fully in learning activities and successfully complete the assessment items. The learning outcomes in this course will help you to achieve some of the overall learning goals for your program. These program learning goals are what we want you to be or have by the time you successfully complete your degree. The following is a list of the UNSW Business School program learning goals for both undergraduate and postgraduate students.
UNSW Business School Undergraduate Program

Learning Goals

1. **Knowledge:** *Our graduates will have in-depth disciplinary knowledge applicable in local and global contexts.*
   
   You should be able to select and apply disciplinary knowledge to business situations in a local and global environment.

2. **Critical thinking and problem solving:** *Our graduates will be critical thinkers and effective problem solvers.*
   
   You should be able to identify and research issues in business situations, analyse the issues, and propose appropriate and well-justified solutions.

3. **Communication:** *Our graduates will be effective professional communicators.*
   
   You should be able to:

   a) Prepare written documents that are clear and concise, using appropriate style and presentation for the intended audience, purpose and context, and

   b) Prepare and deliver oral presentations that are clear, focused, well-structured, and delivered in a professional manner.

4. **Teamwork:** *Our graduates will be effective team participants.*
   
   You should be able to participate collaboratively and responsibly in teams, and reflect on your own teamwork, and on the team’s processes and ability to achieve outcomes.

5. **Ethical, social and environmental responsibility:** *Our graduates will have a sound awareness of the ethical, social, cultural and environmental implications of business practice.*
   
   You should be able to:

   a) Identify and assess ethical, environmental and/or sustainability considerations in business decision-making and practice, and

   b) Identify social and cultural implications of business situations.
UNSW Business School Postgraduate Coursework Program Learning Goals

1. **Knowledge:** *Our graduates will have current disciplinary or interdisciplinary knowledge applicable in local and global contexts.*

   You should be able to identify and apply current knowledge of disciplinary or interdisciplinary theory and professional practice to business in local and global environments.

2. **Critical thinking and problem solving:** *Our graduates will have critical thinking and problem solving skills applicable to business and management practice or issues.*

   You should be able to identify, research and analyse complex issues and problems in business and/or management, and propose appropriate and well-justified solutions.

3. **Communication:** *Our graduates will be effective communicators in professional contexts.*

   You should be able to:

   a) Produce written documents that communicate complex disciplinary ideas and information effectively for the intended audience and purpose, and

   b) Produce oral presentations that communicate complex disciplinary ideas and information effectively for the intended audience and purpose.

4. **Teamwork:** *Our graduates will be effective team participants.*

   You should be able to participate collaboratively and responsibly in teams, and reflect on your own teamwork, and on the team’s processes and ability to achieve outcomes.

5. **Ethical, social and environmental responsibility:** *Our graduates will have a sound awareness of ethical, social, cultural and environmental implications of business issues and practice.*

   You should be able to:

   a) Identify and assess ethical, environmental and/or sustainability considerations in business decision-making and practice, and

   b) Consider social and cultural implications of business and/or management practice.
The following table shows how your Course Learning Outcomes relate to the overall Program Learning Goals, and indicates where these are developed and assessed:

<table>
<thead>
<tr>
<th>Program Learning Goals</th>
<th>Course Learning Outcomes</th>
<th>Course Assessment Item</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>This course helps you to achieve the following learning goals:</strong></td>
<td><strong>On successful completion of the course, you should be able to:</strong></td>
<td><strong>This learning outcome will be assessed in the following items:</strong></td>
</tr>
<tr>
<td>1 <strong>Knowledge</strong></td>
<td>Demonstrate a working knowledge of the taxation of corporate tax entities in Australia, including specific focus on the taxation of dividends and the operation of the imputation system.</td>
<td>Module Activities</td>
</tr>
<tr>
<td></td>
<td>Examine the anti avoidance provisions specifically relating to corporate distributions and imputation.</td>
<td>In-class Problem Solving Component</td>
</tr>
<tr>
<td></td>
<td>Demonstrate an independent capacity to resolve complex corporate tax issues, and to critically analyse relevant legislation and case law in terms of technical application and underlying principles.</td>
<td>Assignments</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Examination</td>
</tr>
<tr>
<td>2 <strong>Critical thinking and problem solving</strong></td>
<td>Demonstrate skills of statutory construction.</td>
<td>Module Activities</td>
</tr>
<tr>
<td></td>
<td>Critically review interpretations of legislative provisions, in applying these provisions to specific problems.</td>
<td>In-class Problem Solving Component</td>
</tr>
<tr>
<td></td>
<td>Demonstrate an ability to identify appropriate and relevant sources, and to effectively analyse and apply these sources in the construction of legal argument.</td>
<td>Assignments</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Examination</td>
</tr>
<tr>
<td>3a <strong>Written communication</strong></td>
<td>Recognise and resolve legal and tax problems.</td>
<td>Assignments</td>
</tr>
<tr>
<td></td>
<td>Develop clear, effective and well-reasoned analysis of the tax consequences of practical scenarios using the conventions of legal writing.</td>
<td>Examination</td>
</tr>
<tr>
<td></td>
<td>Apply correct citation and referencing conventions appropriate to the tax discipline in properly acknowledging all source material used.</td>
<td></td>
</tr>
<tr>
<td>3b <strong>Oral communication</strong></td>
<td>Not directly addressed in this course, but students are expected to communicate tax knowledge and problem solving effectively.</td>
<td>In-class Problem Solving Component</td>
</tr>
<tr>
<td>4 <strong>Teamwork</strong></td>
<td>Not specifically addressed in this course.</td>
<td></td>
</tr>
<tr>
<td>5a. <strong>Ethical, environmental and sustainability responsibility</strong></td>
<td>Not specifically addressed in this course.</td>
<td></td>
</tr>
<tr>
<td>5b. <strong>Social and cultural awareness</strong></td>
<td>Not specifically addressed in this course.</td>
<td></td>
</tr>
</tbody>
</table>
Course evaluation and quality enhancement

The School of Taxation & Business Law’s quality enhancement process involves regular review of its courses and study materials by content and educational specialists, combined with feedback from students. Towards the end of the semester, you will be asked to complete an online survey via myUNSW (or hardcopy questionnaires for CBD students) to evaluate the effectiveness of your course lecturer and the actual course content. These surveys are administered as part of the UNSW Course and Teaching Evaluation and Improvement process (‘CATEI’). Your input into this quality enhancement process through the completion of these surveys is extremely valuable in assisting us in meeting the needs of our students and in providing an effective and enriching learning experience. The results of all surveys are carefully considered and do lead to action towards enhancing the quality or course content and delivery.

Recent CATEI surveys have indicated a high level of satisfaction with this course, although one area of concern identified was the feedback received by students on their progress in the course. Students will be encouraged to participate in the Webinar conferences scheduled for this course and the discussions for the CBD classes as these are primary means for discussion of problems and an opportunity for students to gauge their progress. Attention will also be paid to ensuring feedback provided on work submitted for assessment is constructive and provides guidance as to how students might improve their performance. Feedback regarding assignments will be placed on the course webpage as soon as it is available.
How to use this package

If you are new to flexible learning (distance students), you should carefully read this Course Outline. It contains most of the relevant information about how this course will be run and the expectations of you as a student. You should also refer to the Suggested Study Schedule (distance students) at the end of this Course Outline as a guide to completing your coursework. So as to get the most out of your study we recommend that you follow this study schedule through the course and fit various time demands into a well-organised diary. Systematic study through the Semester is the key to success in a flexible learning program.

The Study Guide (which includes this Course Outline and the individual Modules and is sometimes referred to as the study materials or course materials) can help you in three ways.

1. It sets out a clear path of study over the Semester and helps you plan your workload. It also identifies learning outcomes and key concepts at the start of each module and provides a series of activities to help you learn actively and manage your own progress through the course.

2. It contains the core content for the course (often with reference to legislation, textbooks and other relevant material). The structure and layout of the Study Guide is designed to highlight key points and assist your revision for assignments, research papers and examinations.

3. It tells you when to refer to textbooks, legislation and other readings, giving precise details of what you should read.

Features of the Study Guide

Each module includes a range of features to assist you in managing your learning and developing study skills. These features include:

- Overview page
- Heading levels
- Learning outcomes and key concepts
- Module text
- Activities and feedback
- Readings
- Margin notes
- Instructional icons

Please familiarise yourself with the Key to Instructional Icons on the following page. These icons are intended to help you navigate the study materials and to encourage active learning.
Key to instructional icons

- compulsory reading
- write responses outside the Study Materials
- write response in the Study Materials
- pause to reflect
- note this important point
- prepare for discussion in an Audio Conference or Webinar
- recall earlier work
- discuss with colleague
- discuss with study group
- access Moodle or the internet
- undertake investigation or research
- use video resource
- use audio resource
- use software
- perform fieldwork

Only some of the media shown in the instructional icons are used in this course.
Profile of this course

Course description

Course number/s TABL3003 and TABL5503

Course name Taxation of Corporations

Units of credit 6

This course is taught in parallel to both undergraduate and postgraduate students. The study materials and the assessment structure is the same for all students. Note that the assessment structure is slightly different for CBD students compared to distance students.

Suggested study commitment

You should plan to spend an average of 10–12 hours per week on this course to perform well (including class attendance, Webinar participation, assignments, examination preparation etc). The information included on the overview page of each module should help you plan your study time.

Semester and year Semester 1, 2015

Lecturer/s Dale Boccabella

Contact details

Telephone: +61 (2) 9385 3365
Fax: +61 (2) 9313 6658
Email: d.boccabella@unsw.edu.au
Textbooks and references

Prescribed textbook/s

You must purchase or have access to the following publication/s.
This is referred to throughout the Study Guide as ‘Textbook’.

Act/s

You must purchase or have access to the following publication/s.
This is referred to throughout the Study Guide as ‘Act’.

Citation and style guide

In presenting written work for assessment in this course you must use an appropriate and consistent style for referencing and citation. The following is a selection of acceptable citation and style guides, which you may use as the basis for your written work. You must purchase or have access to one of the following publications.

(This is free to download and it is the citation style guide used by the majority of Australian legal journals.)


Recommended reference/s

Below is a list of further references that you may find useful in this course. Purchase of recommended references is not compulsory.

This is the classic, concise dictionary of legal terms, which is very useful for students of law based subjects.


Supporting your learning

Webinar conferencing

Conferences or classes will be in the form of a webinar (ie, a web-based conference conducted over the Internet). Instructions on preparing for and participating in webinars are available on the School of Taxation & Business Law website and in your course Moodle website.

These webinars provide an opportunity for you to clarify and extend your understanding of the material in this course. They are designed to try out new ideas and give you a forum to ask questions and discuss issues with your lecturer and other students. Do not be afraid to participate—it is only by trying out new ideas and exploring their dimensions that you will learn in any real depth.

Thorough preparation is essential if you are to gain maximum benefit from a webinar. You can only start to come to grips with material if you work on it actively. As a general rule each webinar will cover the module/s between the previous webinar and the week it falls within on the Suggested Study Schedule. However, more specific information on material to be covered in each webinar may be provided via Moodle throughout the Semester (see ‘Online learning in this course’ below). Exact dates and times for webinars will be advised via a timetable that you will find on Moodle and on the TBL Website (under Timetables).

There are six-seven webinars for this course during the Semester. It is also planned to have a revision or consultation type webinar in the lead up to the final exam. The Suggested Study Schedule that you will find on Moodle provides guidance in which weeks webinars will be held. Each webinar is of approximately two hours duration. It is expected that in rough terms, around 70 minutes of each webinar will be in the for of lecture type structure, and that around 50 minutes will be dedicated to solving typical corporations tax problems. Note though, that you are encouraged to involve yourself in the lecture component of the webinar.
Evening Classes (CBD students)

Evening Classes are available to students studying in CBD mode only.

Regular classes for this course are held in the Sydney Central Business District throughout the semester. Please refer to the Suggested Study Schedule at the end of the Course Outline for guidance on this.

These classes will be conducted as a combination of lecture (around 70 minutes) and problem solving (around 50 minutes), with an emphasis on interaction and active participation by students. They are designed to try out new ideas and give you a forum to ask questions and discuss issues with your lecturer and other students. Do not be afraid to participate—it is only by trying out new ideas and exploring their dimensions that we learn.

Attendance at evening classes is a compulsory requirement in this course (unless you are undertaking this course on a continuing education/non assessment basis), and you are required to attend at least 80% of the available classes in order to achieve a passing grade in this course (ie, you must attend at least 10 of the 12 classes).

Thorough preparation is essential if you are to gain maximum benefit from classes. You can only start to come to grips with material if you work on it actively. A class preparation guide providing more detail will be issued in the first class and will also be made available early in semester via Moodle (see ‘Online learning in this course’ below). Additional information on material to be covered in each class may be provided via Moodle throughout the semester.

School of Taxation & Business Law Website

The School of Taxation & Business Law’s website is at:

https://www.business.unsw.edu.au/about/schools/taxation-business-law

In addition to general information for all of the School’s students and visitors, there is a portal under Student Resources which contains information specific to those students undertaking flexible learning courses—for example, information about exams, timetables and the Weekly Bulletin:

https://www.business.unsw.edu.au/about/schools/taxation-business-law/student-support
Atax Student Guide

The Atax Student Guide is a vital source of information for students studying flexible learning courses. It provides administrative and other information specific to studying these courses and you should make a point of being familiar with its contents. You can access the 2015 Atax Student Guide from your Moodle course website(s).

Library and resources

There are several resources that you can access from the School of Taxation & Business Law website to help you with your academic and research goals. Online tax and legal resources can be found at: https://www.business.unsw.edu.au/about/schools/taxation-business-law/student-support/useful-links.

From this site you can access:

- The UNSW Library’s catalogue, online databases and e-journals
- The UNSW Learning Centre for online academic skills resources (eg, essay and assignment writing, plagiarism), and
- Gateway’ links to legislation, case law, tax and accounting organisations and international tax agencies.

UNSW Library

UNSW Library provides information resources, services and research support that can assist UNSW students complete their course requirements. Online library resources such as online databases, e-books and e-journals are available 24 hours a day via the Library Homepage (http://www.library.unsw.edu.au/).

Information about your borrowing rights for hardcopy resources is available from the Library Homepage. All students can use the InterLibrary Loan service to access resources not held within UNSW Library.

Library Subject Guides

The UNSW Library has developed Subject Guides which identify major electronic resources in specific subject areas and are the ideal starting point for research.

Subject Guides

There are a range of Subject Guides in Business and Law topics, and a guide specific to electronic Taxation resources in the Taxation Subject Guide at http://subjectguides.library.unsw.edu.au/law/taxation.
Getting Library help

The Help Zones are where you can find library staff to help you. They are located just inside the entrance to each library.

See opening hours for staffed hours of library Help Zones.

See Contact Us for telephone numbers of the Help Zones.

Help Zone staff can assist you with:

- locating journal articles, cases and legislation
- searching on-line databases and e-journals
- loans of books

You can also use the ‘Ask Us’ icon on the Library Homepage to ask the Library a question online.

For library related queries you can also contact the Faculty Outreach Librarian to the UNSW Business School.

Online learning in this course

UNSW Australia uses an online learning platform called ‘Moodle’.

You should try to familiarise yourself with Moodle early in the semester. The Moodle course websites are where lecturers post messages and deliver documents to their class, where students can complete quizzes, submit assignments and participate in discussions, etc. This platform is an important link between you, your lecturer and your peers, and you should make a habit of regularly accessing your Moodle course website as part of your study regime.

All of the School’s flexible learning courses will have a Moodle course website, which is accessible only by students enrolled in that particular course. The contents of each site will vary, but at a minimum will provide you with information about the course, course content, assignment submission, email, relevant links to online resources and the opportunity to network with fellow students. In addition, Conferences will be recorded and made available via Moodle.

Log into Moodle from: https://moodle.telt.unsw.edu.au/.

Moodle support

A complete library of how-to guides and video demonstrations on the Moodle learning management system is available via the UNSW Teaching Gateway at http://teaching.unsw.edu.au/elearning.
Moodle technical support

If you encounter a technical problem while using Moodle, please contact the UNSW IT Service Desk via the following channels:

Website:   https://www.it.unsw.edu.au/students/
Email:     ITServiceCentre@unsw.edu.au
Telephone: +61 (2) 9385 1333

Phone and email support is available Monday to Friday 8am – 8pm, Saturday and Sunday 11am – 2pm. Online service requests can be made via their website.

Other support

Additional support for students is available from the UNSW Learning Centre, which provides a range of services to UNSW students. The Learning Centre website also features very helpful online resources which may assist you to refine and improve your study skills. You can access these resources and find out more about the services available at www.lc.unsw.edu.au.

As well as the Learning Centre, the faculty’s Education Development Unit (EDU) provides academic writing, study skills and maths support specifically for UNSW Business School students. Services include workshops, online and printed resources, and individual consultations. For further information, see:

https://www.business.unsw.edu.au/students/resources/learning-support

The EDU contact details are as follows:

Phone:  +61 (2) 9385 5584
Email:   edu@unsw.edu.au

The ‘Academic Support’ section of the Atax Student Guide details further services available to assist in achieving success in a flexible learning environment.

Those students who have a disability that requires some adjustment in their teaching or learning environment are encouraged to discuss their study needs with the course convenor prior to, or at the commencement of, their course, or with the Equity Officer (Disability) in the UNSW Equity and Diversity Unit (telephone: +61 (2) 9385 4734; email: seadu@unsw.edu.au). Issues to be discussed may include access to materials, signers or note-takers, the provision of services and additional exam and assessment arrangements. Early notification is essential to enable any necessary adjustments to be made. For further information, you may also wish to look at the Student Equity and Disabilities Unit homepage at http://www.studentequity.unsw.edu.au/
Academic Honesty and Plagiarism

UNSW has an ongoing commitment to fostering a culture of learning informed by academic integrity. All UNSW students and staff have a responsibility to adhere to this principle of academic integrity. Plagiarism undermines academic integrity and is not tolerated at UNSW.

The University regards plagiarism as a form of academic misconduct, and has very strict rules regarding plagiarism. For UNSW policies, penalties, and information to help you avoid plagiarism see: http://www.lc.unsw.edu.au/plagiarism/index.html as well as the guidelines in the online ELISE and ELISE Plus tutorials for all UNSW students: http://subjectguides.library.unsw.edu.au/elise.

To see if you understand plagiarism, do this short quiz: http://www.lc.unsw.edu.au/plagiarism/plagquiz.html

For information legal citation go to: http://www.law.unimelb.edu.au/mulr/submissions/quick-aglc

The following discussion of plagiarism is adapted from the UNSW website at https://my.unsw.edu.au/student/atoz/Plagiarism.html.

Plagiarism is using the words or ideas of others and presenting them as your own. Plagiarism is a type of intellectual theft. It can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement.

Examples of plagiarism include:

- direct duplication of the thoughts or work of another, including by copying work, or knowingly permitting it to be copied—this includes copying materials, ideas or concepts from a book, article, report or other written document (whether published or unpublished), computer program or software, website, internet, other electronic resource, or another person’s assignment, or the student’s own assignment from a previous course, without appropriate acknowledgement

- quotation without the use of quotation marks

- paraphrasing another person’s work with very minor change keeping the meaning, form and/or progression of ideas of the original

- citing sources which have not been read, without acknowledging the ‘secondary’ source from which knowledge of them has been obtained

- piecing together sections of the work of others into a new whole

- presenting an assessment item as independent work when it has been produced in whole or part in collusion with other people (eg, another student or tutor)
• claiming credit for a proportion of work contributed to a group assessment item that is greater than that actually contributed

• using another person’s ideas or words in an oral presentation without crediting the source.

Note also that submitting your own assessment item that has already been submitted for academic credit at UNSW or elsewhere may also be considered plagiarism.

The basic principles are that you should not attempt to pass off the work of another person as your own, and it should be possible for a reader to locate information and ideas you have used by going to the original source material. Acknowledgement should be sufficiently accurate to enable the source to be located quickly and easily.

The University has adopted an educative approach to plagiarism and has developed a range of resources to support students. If you are unsure whether, or how, to make acknowledgement, consult your lecturer or visit The Learning Centre at UNSW or at the following address: http://www.lc.unsw.edu.au/

For more information, please refer to UNSW’s Plagiarism & Academic Integrity website at the following address:

http://www.lc.unsw.edu.au/plagiarism/index.html

Academic Misconduct carries penalties. If you are found guilty of academic misconduct, the penalties include warnings, remedial educative action, being failed in an assignment or being excluded from the University for a number of years. All students who are found guilty of academic misconduct will be placed on the UNSW Academic Misconduct register.
Assessment: Undergraduate Students (TABL3003)

All assignments must be submitted electronically through Moodle. Please refer to Appendix A for guidelines on assignment preparation and rules for electronic submission of assignments (as well as information on deadlines and penalties for late submission).

Assessment for undergraduate students undertaking this course will be on the basis of:

(a) In-class Problem Solving 15% (Zero)*
(b) Assignment One 20%
(c) Assignment Two 25%
(d) Final examination 40% (55%)*

In order to pass this course, a student enrolled at undergraduate level must obtain:

- 50 per cent or more of the total marks available in the course and
- at least 40 per cent of the marks available for the final examination in the course.

In-class problem solving

*Distance students

This part of the assessment is not compulsory, but it is strongly suggested that you complete this part of the assessment. If you do not complete this part of the assessment, your final exam will be out of 55%.

Every student will be allocated to be a discussant in two webinars classes (i.e. “tutorial component” of the 2-hour webinar). You only have to be a discussant in one webinar, but if you choose to be a discussant in two, you will be allocated the higher mark. This part of the assessment is likely to commence in webinar 3.

You will be expected to contribute to the discussion by addressing the issues raised and addressing questions raised by the lecturer and others. As noted, this part of the assessment is not compulsory. More detail on this will be provided in the first webinar.

CBD students

Every student will be allocated a problem(s) for discussion in the “tutorial component” of the 2-hour class. This regime will not commence until Week 4 or Week 5. You will be expected to contribute to this discussion by addressing the issues raised and addressing questions raised by the lecturer and others. Unlike for distance students, this part of the assessment is compulsory. More detail on this will be provided in the first class.
Assignments

Assignment submission dates

There are 2 assignments:

Assignment 1
Due date: Wednesday, 1 April 2015
Weighting: 20%
Word limit: 1500 words (plus or minus 10%)

Assignment 2
Due date: Monday, 18 May 2015
Weighting: 25%
Word limit: 1800 words (plus or minus 10%)

Assignment topics will be posted to Moodle before the semester commences.

You may be asked to submit your assignments through Turnitin, which will allow you to check your work for inadvertent plagiarism. You will do this via Moodle. Note that the version lodged at the due date will be taken as your final submission in the course.

For information on Turnitin functions and how to interpret originality reports please refer to the following online resource:

http://www.turnitin.com/static/training/student.php

Final examination

The final examination will be open book, of 2 hours duration plus 10 minutes reading time, and will cover the whole Semester’s content. Note that you will not be permitted to write during the reading time.

Examinations are held from Friday 12 June to Monday 29 June 2015 for Semester 1, 2015. Students are expected to be available for exams for the whole of the exam period.

The final examination timetable is published prior to the examination period via the Atax Weekly Bulletin and on the School’s website at:

https://www.business.unsw.edu.au/about/schools/taxation-business-law/student-support/examinations

This is not a negotiable schedule. The School of Taxation & Business Law publishes the exam schedule as a matter of courtesy, and to ensure that any clashes of examinations are brought to our attention.
Evaluation criteria for assignments

An important note on word limits
Assignments are exercises in filtering material and communicating it succinctly. Quantity is not to be confused with quality. Atax lecturers will uniformly apply this principle in their assessment of assignments. Most word processing packages indicate word lengths, or otherwise some manual check must be done in the drafting process. Indicate the actual number of words of your assignment in the space indicated on your assignment cover sheet.

The following criteria will be used to grade assignments:

- ability to cut through the undergrowth and penetrate to key issues
- identification of key facts and the integration of those facts in the logical development of argument
- in the case of problem assignments, this means tying argument back to the problem and severely pruning less relevant material
- demonstration of a critical mind at work and, in the case of better answers, of value added to key issues over and above that of the source materials
- clarity of communication—this includes development of a clear and orderly structure and the highlighting of core arguments (including, where appropriate, headings)
- sentences in clear and, where possible, plain English—this includes correct grammar, spelling and punctuation
- accurate numerical answers
- use of graphs, where appropriate, to support your argument
- correct referencing and bibliographic style in accordance with a recognised and appropriate citation and style guide (when uploading, check your footnotes have been correctly submitted).

You are encouraged to read beyond the study materials and references to do the assignment.
Assessment: Postgraduate Students (TABL5503)

All assignments must be submitted electronically through Moodle. Please refer to Appendix A for guidelines on assignment preparation and rules for electronic submission of assignments (as well as information on deadlines and penalties for late submission).

Assessment for postgraduate undertaking this course will be on the basis of:

(a) In-class Problem Solving 15% (Zero)*
(b) Assignment One 20%
(c) Assignment Two 25%
(d) Final examination 40% (55%)

In order to pass this course, a student enrolled at Postgraduate level must obtain:

• 50 per cent or more of the total marks available in the course and
• at least 40 per cent of the marks available for the final examination in the course.

In-class problem solving

Distance students

This part of the assessment is not compulsory, but it is strongly suggested that you complete this part of the assessment. If you do not complete this part of the assessment, your final exam will be out of 55%.

Every student will be allocated to be a discussant in two webinars classes (i.e. “tutorial component” of the 2-hour webinar). You only have to be a discussant in one webinar, but if you choose to be a discussant in two, you will be allocated the higher mark. This part of the assessment is likely to commence in webinar 3.

You will be expected to contribute to the discussion by addressing the issues raised and addressing questions raised by the lecturer and others. As noted, this part of the assessment is not compulsory. More detail on this will be provided in the first webinar.

CBD students

Every student will be allocated a problem(s) for discussion in the “tutorial component” of the 2-hour class. This regime will not commence until Week 4 or Week 5. You will be expected to contribute to this discussion by addressing the issues raised and addressing questions raised by the lecturer and others. Unlike for distance
students, this part of the assessment is compulsory. More detail on this will be provided in the first class.

Assignments

Assignment submission dates

There are 2 assignments:

Assignment 1
Due date: Wednesday, 1 April 2015
Weighting: 20%
Word limit: 1500 words (plus or minus 10%)

Assignment 2
Due date: Monday, 18 May 2015
Weighting: 25%
Word limit: 1800 words (plus or minus 10%)

You may be asked to submit your assignment through Turnitin, which will allow you to check your work for inadvertent plagiarism. You will do this via Moodle. Note that the version lodged at the due date will be taken as your final submission in the course.

For information on Turnitin functions and how to interpret originality reports please refer to the following online resource:

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Final examination

The final examination will be open book, of 2 hours duration plus 10 minutes reading time, and will cover the whole Semester’s content. Note that you will not be permitted to write during the reading time.

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Most word processing packages can indicate word lengths, or otherwise some manual check must be done in the drafting process. Indicate the actual number of words of your assignment in the space indicated on your assignment cover sheet.

The following criteria will be used to grade your assignment:

- evidence of ability to conduct a literature survey to identify appropriate and relevant sources
- an appropriate mix of sources, including relevant text books, refereed journal articles, and professional, official and technical references from both Australian and overseas sources
- effective analysis and use of primary sources including reports, submissions, taxation statistics, case law and statutory material
- ability to plan and structure a research paper, as evidenced in the submitted research paper plan, which shows that your approach has been informed by your research
- sentences in clear and, where possible, plain English—this includes correct grammar, spelling and punctuation
- correct referencing and bibliographic style in accordance with the prescribed citation and style guide.

You are required to read well beyond the course materials and references to do the assignment.
Suggested study schedule (Distance students only)

Note that the following schedule focuses on the “lecture” component of each class. You will be given the schedule for the “tutorial” component at the beginning of the semester. All webinars for this course run from 5.30pm to 7.30pm (Sydney time).

<table>
<thead>
<tr>
<th>Week</th>
<th>Beginning</th>
<th>Module</th>
<th>Topic</th>
<th>Events and submissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2 March</td>
<td>1</td>
<td>The framework of corporate taxation</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>9 March</td>
<td>1</td>
<td>The framework of corporate taxation</td>
<td>Webinar 1</td>
</tr>
<tr>
<td>3</td>
<td>16 March</td>
<td>2</td>
<td>Companies’ Taxable Income and Tax</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>23 March</td>
<td>2</td>
<td>Companies’ Taxable Income and Tax</td>
<td>Webinar 2</td>
</tr>
<tr>
<td>5</td>
<td>30 March</td>
<td>3</td>
<td>Corporate Distributions</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Mid-semester break from Friday 3 April to Sunday 12 April 2015</strong></td>
<td><em>(NOTE: Daylight saving ends on Sunday 5 April 2015)</em></td>
</tr>
<tr>
<td>6</td>
<td>13 April</td>
<td>3</td>
<td>Corporate Distributions</td>
<td>Webinar 3</td>
</tr>
<tr>
<td>7</td>
<td>20 April</td>
<td>4</td>
<td>Distributions – anti avoidance provisions</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>27 April</td>
<td>4</td>
<td>Distributions – anti avoidance provisions</td>
<td>Webinar 4</td>
</tr>
<tr>
<td>9</td>
<td>4 May</td>
<td>5</td>
<td>Imputation system</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>11 May</td>
<td>5</td>
<td>Imputation system</td>
<td>Webinar 5</td>
</tr>
<tr>
<td>11</td>
<td>18 May</td>
<td>6</td>
<td>Imputation – anti avoidance provisions</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>25 May</td>
<td>6</td>
<td>Imputation – anti avoidance provisions</td>
<td>Webinar 6</td>
</tr>
<tr>
<td></td>
<td>To be announced</td>
<td>—</td>
<td>Course revision/consultation time</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Examination period from Friday 12 June to Monday 29 June 2015</strong></td>
<td></td>
</tr>
</tbody>
</table>
Study/class schedule (CBD students only)

ALL Classes for Taxation of Corporations will be held on WEDNESDAY evenings from 6pm to 8pm at UNSW, CBD Campus Level 6, 1 O’Connell Street, Sydney.

<table>
<thead>
<tr>
<th>Week</th>
<th>Class Date</th>
<th>Module</th>
<th>Topic</th>
<th>Events and submissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>11 March</td>
<td>1</td>
<td>The framework of corporate taxation</td>
<td>Evening Class 1</td>
</tr>
<tr>
<td>2</td>
<td>18 March</td>
<td>1</td>
<td>The framework of corporate taxation</td>
<td>Evening Class 2</td>
</tr>
<tr>
<td>3</td>
<td>25 March</td>
<td>2</td>
<td>Companies’ Taxable Income and Tax Loss</td>
<td>Evening Class 3</td>
</tr>
<tr>
<td>4</td>
<td>1 April</td>
<td>2</td>
<td>Companies’ Taxable Income and Tax Loss</td>
<td>Evening Class 4</td>
</tr>
<tr>
<td>5</td>
<td>8 April</td>
<td>3</td>
<td>Corporate Distributions</td>
<td>Evening Class 5</td>
</tr>
<tr>
<td>6</td>
<td>15 April</td>
<td>3</td>
<td>Corporate Distributions</td>
<td>Evening Class 6</td>
</tr>
<tr>
<td>7</td>
<td>22 April</td>
<td>4</td>
<td>Distributions - anti avoidance provisions</td>
<td>Evening Class 7</td>
</tr>
<tr>
<td>8</td>
<td>29 April</td>
<td>4</td>
<td>Distribution - anti avoidance provisions</td>
<td>Evening Class 8</td>
</tr>
<tr>
<td>9</td>
<td>6 May</td>
<td>5</td>
<td>Imputation System</td>
<td>Evening Class 9</td>
</tr>
<tr>
<td>10</td>
<td>13 May</td>
<td>5</td>
<td>Imputation System</td>
<td>Evening Class 10</td>
</tr>
<tr>
<td>11</td>
<td>20 May</td>
<td>6</td>
<td>Imputation - anti avoidance provisions</td>
<td>Evening Class 11</td>
</tr>
<tr>
<td>12</td>
<td>27 May</td>
<td>6</td>
<td>Imputation - anti avoidance provisions</td>
<td>Evening Class 12</td>
</tr>
<tr>
<td>13</td>
<td>3 June</td>
<td>6</td>
<td>Imputation - anti avoidance provisions</td>
<td></td>
</tr>
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Mid-semester break from Friday 3 April to Sunday 12 April 2015
(NOTE: Daylight saving ends on Sunday 5 April 2015)

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<td>3 June</td>
<td>6</td>
<td>Imputation - anti avoidance provisions</td>
<td></td>
</tr>
</tbody>
</table>

To be announced — Course revision/consultation time

Examination period from Friday 12 June to Monday 29 June 2015

Evening classes are available to students studying in the CBD mode only. Most classes will be held on Level 6. Please ensure to check the Plasma Screen at reception for classroom location details prior to each lecture. Alternatively, you may call reception on (02) 9931 9444 prior to arrival to confirm classroom details.