



SCHOOL OF ACCOUNTING & COMMERCIAL LAW

ACCY 305: ADVANCED DOMESTIC TAXATION

Trimester One 2009

COURSE OUTLINE

Contact Details

Lecturers

Assoc Prof Andrew Smith RH 620 Ph: 463 6707 Email: andrew.smith@vuw.ac.nz
Professor Kevin Holmes RH 618 Ph: 463 5968 Email: kevin.holmes@vuw.ac.nz

Course Coordinator

Andrew Smith

Course Administrator

Danielle Van Resseghem RH 708 Ph: 463 7465 Email: danielle.vanresseghem@vuw.ac.nz

Lecture Times and Lecture Rooms

Lecture times are: Monday, Wednesday and Friday, from 12.40pm – 1.30pm in RH LT1 at the Pipitea Campus. In addition, there are **nine** tutorials of 50 minutes each. These tutorials are optional. Tutorial times and locations are listed on *Blackboard*. See also under *Tutorials* in this Course Outline.

Course Objectives

This course builds on the income tax component taught in ACCY 231 last year so that by the end of this course you should be able to:

- explain and apply the basic principles and policies of income tax law in New Zealand;
- provide reasoned arguments concerning whether particular transactions give rise to assessable income or to deductible expenditure or loss;
- explain and contrast the manner in which different entities are taxed;
- explain how transactions can be arranged legally to minimise a tax liability.

In addition there will be some coverage of GST. The course does not cover personal taxation issues such as rebate and credits for low income earners nor international tax issues (which are covered in ACCY 316). While not directly taught in this course, you have the opportunity

to improve your writing and oral expression skills, which are critical when dealing with matters of a legal nature such as taxation.

Course Content

Details of the lecture programme are provided in a table at the end of this Course Outline.

Required Textbook and Course Materials

The following textbook and materials are required for this course:

1. Alley et. al., *New Zealand Taxation 2009: Principles, Cases and Questions*, Thomson Brookers, Wellington, 2009. (The 2008 editions of this text would suffice for this year's course.)
2. *New Zealand Taxation 2009 Legislation Handbook*, Thomson Brookers, Wellington, 2009. Alternatively you can use the *CCH New Zealand Income Tax Legislation 2009*. (The 2008 editions of this text would suffice for this year's course.)
3. Handouts distributed in lectures and/or posted on *Blackboard*.

The Thomson Brookers publications listed in (1) and (2) above may be purchased as a set at a discount.

Students are permitted to take the income tax legislation into the Interim and Final Tests and are strongly recommended to do so. If you want to use your legislation in the Interim and Final Tests, you **must not** write in it other than emphasis marks by underlining and/or highlighting parts of the text.

With respect to using this legislation in the two Tests, please note:

1. The tax legislation will be checked at the beginning of each test.
2. Legislation containing notes of any kind will **not** be allowed to be used. Only emphasis marks by a highlighter pen or by underlining are permitted.
3. The indexing of the legislation by tabs whether by use of "Post-it" notes or any other means is prohibited.
4. Any student who does not have tax legislation to use in the test(s) because his/her text did not meet the above conditions or the student forgot to bring their legislation will **not** be able to borrow a replacement copy from the examiners or to share a copy with another student.

Materials and Equipment

Most course materials can be found in the Course Materials Book or downloaded from the online *Blackboard* system. The course lecturers do not hold spare copies of any Course Notes or course handouts in their offices. If you are having any trouble obtaining course materials, please contact Marina Dobrovolskaya in RH 708, who is available Monday to Friday between 8.30am-5.00pm.

Electronic calculators and non-electronic foreign language dictionaries may be used in both tests. Calculators must be battery powered and silent in operation. Calculators with

alphanumeric keyboards and programming functions will not be permitted. If you are in doubt, check with the course coordinator.

Tutorials

There will be nine tutorials in the course. While the tutorials are optional we recommend you plan to attend all of them as they will provide valuable information and skills that will assist with obtaining a good grade in this course.

Tutorials commence in the third week of the course from Monday, 16 March. Tutorial sign-up will be on-line through *Blackboard* during the first week of classes. The exact time the signup will start will be provided in class. The instructions for signing up are later in this Course Outline. Places in tutorials are allocated on a “first-come, first-served” basis and **cannot** exceed 18 students in each tutorial. Tutorial lists will be posted on *Blackboard*.

The dates for the tutorials and the lecturer responsible for setting them are as follows:

Tutorial 1	Week beginning 16 March	A Smith
Tutorial 2	Week beginning 23 March	A Smith
Tutorial 3	Week beginning 30 March	A Smith
Tutorial 4	Week beginning 6 April	A Smith
Tutorial 5	Week beginning 4 May	A Smith
Tutorial 6	Week beginning 11 May	K Holmes
Tutorial 7	Week beginning 18 May	K Holmes
Tutorial 8	Week beginning 25 May	K Holmes
Tutorial 9	Week beginning 1 June	K Holmes

Tutorial questions will be posted on *Blackboard* at least one week before the relevant tutorial.

The tutorial format in ACCY 305 this year has changed and will follow the format used in ACCY 232 last year –i.e. group presentations. The tutorials require students to actively participate and contribute in them otherwise credit towards the final grade will not be given.

1. Tutorial presentations

At Tutorial 1, tutors will outline their expectations of your presentations and your bullet point summary solutions (see below). You will also have an opportunity to exchange email addresses, telephone numbers and other contact details with other students in your tutorial for the purpose of planning your presentations.

Tutorials 2 to 4 and 6 to 8 will be conducted as follows: Two or three students (depending on the size of the tutorial) will be required to lead the discussion on the topic nominated for the tutorial. Over these six tutorials, each student will have been a part of a group that has led one tutorial.

The success of your tutorial presentations depends on you getting together with the other students in your group before the presentation to plan the content and how the presentation will be run. Hence, it is expected that you will contact each other once the tutorial lists are

published on *Blackboard*, using your VUW student email address. If you do not use your VUW email address, you must ensure that you create a diversion within the VUW email system to your preferred email address, e.g. G-Mail, Yahoo, Hotmail, etc.

Up to 5% of your final grade for this course is awarded for your preparation for, and leading of, each of the tutorial discussions in the week in which your team presents as follows:

- 1 mark for preparation and coordination with the other presenters in your group;
- 1 mark for confident oral expression;
- 3 marks for strength of argument, facilitating the discussion with the other students and your ability to debate your view convincingly.

At the conclusion of each tutorial in which you present, your tutor will discuss and advise you of your individual marks (out of 5) for your presentation. These marks are updated on *Blackboard* in the week following each tutorial. Your mark cannot be seen on *Blackboard* by other students.

If you are unhappy with your mark, you must first discuss, and attempt to resolve, the matter with your tutor before the following tutorial. If you cannot reach a satisfactory resolution with your tutor, the tutor will forward the matter to the Course Coordinator – Administration for consideration.

If you have a compelling reason for not attending the regular tutorial group in which you are enrolled in a particular week, and you are **not** presenting in that week, you may attend another tutorial group (subject to seating capacity in that group). If you do so, you must advise the “alternative” tutor of your details and also inform the Course Coordinator – Administration of the one-off change in your tutorial attendance. You must not make a habit of switching tutorials. If you are found to have attended another tutorial in the week that you are scheduled to present in, you can expect the marks you receive for your presentation to be significantly reduced.

2. Tutorial participation and bullet point summaries

For **each** tutorial in which you are *not* giving a presentation, you **must** prepare a bullet point summary solution to the tutorial questions/topic and post it in the assignment folder on *Blackboard* **before 12 noon on Monday** of the week of the tutorial. Late summaries will **not** be accepted. Note that *Blackboard* automatically provides us with the date and time that you submitted your bullet-point summaries. Your summaries must be written in comprehensible and legible English. **Please ensure that the bullet-point summaries you submit comply with the University’s rules on plagiarism. These rules are explained later in this Course Outline.**

To assist your participation in the tutorials, you should retain a copy of your bullet point summary solution for use at the tutorial.

No suggested solutions to tutorial topics/questions are provided on *Blackboard* or elsewhere, or distributed by tutors. Therefore, you need to attend the tutorials to ensure that you get the full benefit of the discussion and debate on the subject material. Tutors have notes to ensure that the presentations and discussion in the tutorials adequately cover the topic.

Your tutorial participation and bullet point summary solutions account for up to 5% of your final grade for this course. The 5% is awarded on the basis of:

1. your attendance at tutorials;
2. your participation in tutorial discussions; and
3. the content of your bullet point summary solutions.

Your tutor will grade your performance for each of Tutorials 2 to 4 and 6 to 8 and post your grades on *Blackboard* following each tutorial giving you either 0%, 3% or 5%. Your grade cannot be seen on *Blackboard* by other students. If you are unhappy with your posted grade after a tutorial, you must first discuss, and attempt to resolve, the matter with your tutor before the following tutorial. If you cannot resolve the matter satisfactorily with your tutor, the tutor will forward the matter to the Course Coordinator – Administration for consideration. At the end of the course the mark you receive for tutorial participation will be an average over the 6 tutorials. If you fail to submit a bullet point summary for a particular tutorial you will automatically receive 0% for that tutorial.

Assignments

There will be four assignments to be completed that will form an integral part of the course. You must satisfactorily complete **three of the four assignments**. (Refer *Mandatory Course Requirements* in this Course Outline). Students are **strongly recommended** to complete all **four** assignments as both tests will be set assuming that all assignments have been completed.

Assignment questions will be posted on *Blackboard* approximately 10 days before the relevant assignment due date. Suggested solutions to the assignments will also be posted on *Blackboard*.

The due dates for the assignments and the lecturer responsible for setting them are as follows:

Assignment 1	5.00pm Friday, 27 March	A Smith
Assignment 2	5.00pm Thursday, 9 April	A Smith
Assignment 3	5.00pm Friday, 15 May	K Holmes
Assignment 4	5.00pm Friday, 29 May	K Holmes

Assignments must be electronically submitted by posting them in the assignment folder on *Blackboard* before the due date. Late assignments will **not** be accepted. Graded assignments will be returned to you in your tutorial the following week.

In the absence of genuine and credible reasons, late assignments will not be accepted. In no circumstances can assignments be accepted for grading after the suggested solutions have been posted on *Blackboard* or otherwise released. It is not possible for lecturers to set special assignment questions to accommodate students who miss assignment deadlines. If you have concerns about a late assignment, you should contact the Course Coordinator.

Assessment Requirements

To pass this course, you must:

1. meet the mandatory course requirements (see below); *and*
2. obtain a weighted average mark of 50% or more from the four pieces of assessment in the course as below:

<i>Item of assessment</i>	<i>Percentage of final grade</i>
Tutorial participation	5
Tutorial presentation	5
Interim Test –5.30pm Thursday, 30 April (2 hours)	45
Final Test –5.30pm Friday, 5 June (2 hours)	<u>45</u>
	<u>100</u>

(Note that the above assessment percentages differ slightly from those shown in the *Bachelor of Commerce and Administration Prospectus 2009* and in the *Accounting and Commercial Law Prospectus 2009*.)

As the course is internally assessed, the final piece of assessment for the course will be completed on Friday, 5 June.

In addition you must meet mandatory requirements of the course explained in the next section below. If you obtain a weighted-average mark of 50% or more over the four items of assessment above but fail to meet the mandatory course requirements, you will **fail** the course and be given a *K* grade.

If your performance is affected by sickness or other personal difficulties (e.g. bereavement of a close relative) you should contact the Course Coordinator as soon as possible. You must not delay this until the end of the course or when final results are posted. In case of sickness, it is essential that you see a registered medical practitioner as soon as possible while you are sick and obtain a medical certificate that certifies that in the opinion of the doctor you are sick and the extent of disability suffered by you during the period of sickness. Medical certificates that simply state “student X visited me and told me he/she was sick last week”, or something to that effect, do not contain any professional assessment or opinion of the doctor and are of no value.

Mandatory Course Requirements

To meet the mandatory requirements of the course you must:

- Satisfactorily complete and submit for grading at least **three** out of the **four** assignments; and
- Undertake one tutorial presentation as allocated by your tutor.

For an assignment to be “satisfactorily completed”, **all questions must be attempted** and the student receive a grade of a ‘C’ or better. Assignments that receive a grade ‘D’ or lower are not regarded as being “satisfactorily completed” and do not contribute towards mandatory course requirements.

Communication of Additional Information

This Course Outline is available, along with other information and materials relating to the course, on *Blackboard*. You are expected to have access to *Blackboard* to participate in this course. All announcements and notices are posted in the Announcements section of *Blackboard*. If you have problems accessing *Blackboard*, you should contact Student Computing Services or the Administrative Coordinator, Marina Dobrovolskaya. Where applicable, copies of slides presented in lectures will generally be made available on *Blackboard*.

Faculty of Commerce and Administration Offices

Railway West Wing (RWW) - FCA Student and Academic Services Office

The faculty's Student and Academic Services Office is located on the ground and first floors of the Railway West Wing. The ground floor counter is the first point of contact for general enquiries and FCA forms. Student Administration Advisers are available to discuss course status and give further advice about FCA qualifications. To check for opening hours call the office on (04) 463 5376.

Easterfield (EA) - FCA/Law Kelburn Office

The Kelburn Campus Office for the Faculties of Commerce & Administration and Law is situated in the Easterfield Building - it includes the ground floor reception desk (EA005) and offices 125a to 131 (Level 1). The office is available for the following:

- Duty tutors for student contact and advice.
- Information concerning administrative and academic matters.
- Forms for FCA Student and Academic Services (e.g. application for academic transcripts, requests for degree audit).
- Examinations-related information during the examination period.

To check for opening hours call the Student and Academic Services Office on 463 5376.

General University Policies and Statutes

You should familiarise yourself with the University's policies and statutes, particularly the Assessment Statute, the Personal Courses of Study Statute, the Statute on Student Conduct and any statutes relating to the particular qualifications for which you are studying: see the Victoria University Calendar available in hard copy or under *About Victoria* on the VUW home page at <http://www.victoria.ac.nz>.

Student Conduct and Staff Conduct

The Statute on Student Conduct, together with the Policy on Staff Conduct, ensure that members of the University community are able to work, learn, study and participate in the academic and social aspects of the University's life in an atmosphere of safety and respect. The Statute on Student Conduct contains information on what conduct is prohibited and what steps are to be taken if there is a complaint. For information about complaint procedures under the Statute on Student Conduct, contact the Facilitator and Disputes Advisor or refer to the statute on the VUW policy website at <http://www.vuw.ac.nz/policy/studentconduct>. The Policy on Staff Conduct can be found on the VUW website at <http://www.vuw.ac.nz/policy/staffconduct>.

Academic Grievances

If you have any academic problems with your course you should talk to the tutor or lecturer concerned; class representatives may be able to help you in this. If you are not satisfied with the result of that meeting, see the Head of School or the Associate Dean. VUWSA Education Coordinators are available to assist in this process. If, after trying the above channels, you are still dissatisfied, formal grievance procedures can be invoked. These are set out in the Academic Grievances Policy which is published on the VUW website: www.vuw.ac.nz/policy/AcademicGrievances.

Academic Integrity and Plagiarism

Academic integrity is about honesty – put simply it means **no cheating**. All members of the University community are responsible for upholding academic integrity, which means staff and students are expected to behave honestly, fairly and with respect for others at all times.

Plagiarism is a form of cheating which undermines academic integrity. Plagiarism is **prohibited** at Victoria.

The University defines plagiarism as follows:

The presentation of the work of another person or other persons as if it were one's own, whether intended or not. This includes published or unpublished work, material on the Internet and the work of other students or staff.

It is still plagiarism even if you re-structure the material or present it in your own style or words.

Note: It is, however, perfectly acceptable to include the work of others as long as that is acknowledged by appropriate referencing.

Plagiarism is not worth the risk.

Any enrolled student found guilty of plagiarism will be subject to disciplinary procedures under the Statute on Student Conduct (www.vuw.ac.nz/policy/studentconduct) and may be penalised severely. Consequences of being found guilty of plagiarism can include:

- an oral or written warning
- suspension from the course or the University
- cancellation of your mark for an assessment or a fail grade for the course.

Note also that if you are found guilty of plagiarism, your name is entered on the University's *Academic Misconduct Register*.

Find out more about plagiarism and how to avoid it, on the University's website at: www.vuw.ac.nz/home/studying/plagiarism.html. In order to detect plagiarism, computer programmes such as Turn It In (or similar) may be used by VUW staff in this course.

Students with Impairments

The University has a policy of reasonable accommodation of the needs of students with disabilities. The policy aims to give students with disabilities the same opportunity as other students to demonstrate their abilities. If you have a disability, impairment or chronic medical condition (temporary, permanent or recurring) which may impact on your ability to

participate, learn and/or achieve in lectures and tutorials or in meeting the course requirements, then please contact the Course Coordinator as early in the course as possible. Alternatively you may wish to approach a Student Adviser from Disability Support Services to discuss your individual needs and the available options and support on a confidential basis. Disability Support Services are located on Level 1, Robert Stout Building, telephone 463-6070, email: disability@vuw.ac.nz. The name of your School's Disability Liaison Person can be obtained from the School Office or Disability Support Services.

Student Support

Staff at Victoria want students to have positive learning experiences at the University. Each Faculty has a designated staff member who can either help you directly if your academic progress is causing you concern, or quickly put you in contact with someone who can. Assistance for specific groups is also available from the Kaiwawao Māori, Manaaki Pihipihinga or Victoria International.

The Student Services Group is also available to provide a variety of support and services. Find out more at www.vuw.ac.nz/st_services/ or email student-services@vuw.ac.nz.

VUWSA employs two Education Coordinators who deal with academic problems and provide support, advice and advocacy services, as well as organising class representatives and Faculty delegates. The Education Office is located on the ground floor, Student Union Building, phone 463 6983 or 463 6984, email education@vuwsa.org.nz.

Manaaki Pihipihinga Māori and Pacific Mentoring Programme (Faculty of Commerce and Administration).

This is a mentoring service for Māori and Pacific students studying at all levels. Weekly one hour sessions are held at the Kelburn and Pipitea Campuses in the Mentoring Rooms, 14 Kelburn Parade, and Rooms 210 and 211, Level 2, Railway West Wing. Sessions cover drafting and discussing assignments, essay writing, and any questions that may arise from tutorials and/or lectures. A computer suite networked to Cyber Commons is available for student use.

To register with Manaaki Pihipihinga, please contact one of the following:

Puawai Wereta
Room 210, Level 2
Railway West Wing
Tel. (04) 463 8997

Email: Puawai.Wereta@vuw.ac.nz

Fa'afoi Seiuli
Room 109 B
14 Kelburn Parade
Tel. (04) 463 5842

Email: Faafoi.Seiuli@vuw.ac.nz

COURSE PROGRAMME

<i>Week</i>	<i>Date</i>	<i>Lecturer</i>	<i>Tutorials/Assignment</i>	<i>Lecture Topic</i>
1	March 2	A Smith		Introduction
2	March 9	A Smith		Recap from ACCY 232 Employment Income (& FBT)
3	March 16	A Smith	Tutorial 1	Investment & Other Income
4	March 23	A Smith	Tutorial 2 (Assignment 1 due Friday 27 March)	Allowable Deductions - General Deduction Rule - Prohibitions - Repairs and Maintenance
5	March 30	A Smith	Tutorial 3	- Depreciation - Inventory
6	April 6	A Smith	Tutorial 4 (Assignment 2 due Thursday 9 April)	- Interest - Other Specific Deductions Tax Accounting & Timing Financial Arrangement Rules Taxation of Partnerships

MID TRIMESTER & EASTER BREAK (10 April – 26 April)

(No Lecture on Good Friday -10 April)

7	April 27	K Holmes		Taxation of Companies -Dividends
INTERIM TEST Thursday, 30 April at 5.30pm				
8	May 4	K Holmes	Tutorial 5	-Losses -Qualifying Companies
9	May 11	K Holmes	Tutorial 6 (Assignment 3 due Friday 15 May)	Taxation of Trusts
10	May 18	K Holmes	Tutorial 7	Tax Avoidance and Evasion Tax Planning
11	May 25	K Holmes	Tutorial 8 (Assignment 4 due Friday 29 May)	GST
12	June 1	K Holmes	No lecture Monday 1 June –Queens Birthday Tutorial 9	
FINAL TEST Friday, 5 June at 5.30pm				

Tutorial Sign-Up Instructions

1. Go to the signup website at: <https://signups.victoria.ac.nz>
2. Enter your SCS username and password to login the system.
3. The “Signup Home” page opens. It displays all courses you are enrolled for and that use the S-Cubed Tutorial & Workshop Signup system. Click on the course you wish to sign up for.
4. The selected course page opens. It will show the course contact and brief details of the signup instructions. A “key” is provided at the bottom that explains all buttons and what they do.
5. The schedule of tutorials includes the day/time, location, maximum group size, and spaces left in the tutorial sessions.
6. If there are spaces left in a particular session, you will see the “ENROL” button next to it. You can click this button to enrol yourself into that tutorial session.
7. If there are NO more spaces left in a particular session, you will see the “JOIN WAITLIST” button, if available. You can click this button to join the waitlist for that tutorial session. Please note that you will be removed from any other waitlist you may have joined earlier. If somebody withdraws from this session, you will automatically be moved up the waitlist or enrolled into the session. In this case you are enrolled in the session; an email will be sent to you if you are enrolled into the session from a waitlist.
8. You can only “JOIN WAITLIST” if you have already enrolled in one of the other available sessions. In other words, “ENROL” in one session and then you can choose to join the waitlist for another preferred session.
9. You can choose to “WITHDRAW” from a session you have already enrolled for. You can also choose to “CANCEL WAITLIST” to remove yourself from a particular waitlist.
10. A “FULL” button indicates all seats and waitlist are full for that tutorial session. You must choose another session.
11. More details on the various buttons are available in the “Key” section at the bottom of the signup page.
12. You should “ENROL” in only ONE tutorial session and may “JOIN WAITLIST” for only ONE other tutorial session.
13. You can login and signup (or change your signup) anytime before the **closing date of the tutorial signup. You will NOT be able to sign up or change your choice after the tutorial signups have closed.**
14. You can view/confirm details of the sessions you are enrolled and waitlisted for, such as day/time and location by clicking on “My Signups” on the left hand menu.
15. Click on “Support” on the left hand menu if you are having problems.

This online signup system is available around the clock over the internet. Any requests after this date will need to be manually handled by the course administrator. You will need to submit a written application stating the reason why you were not able to sign up on time using the online system, along with other relevant documentation such as medical certificate etc.

Finally, **you must always attend the tutorial sessions that you have signed up for.** If you attend a different session, your attendance may not be recorded.