

## 730-654 VAT: Australia's GST in a Global Context

<b>Credit Points:</b>	12.500
<b>Level:</b>	Graduate/Postgraduate
<b>Dates &amp; Locations:</b>	2008, This subject commences in the following study period/s: Semester 2, - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidate's background and experience.
<b>Prerequisites:</b>	Prerequisite Successful completion of ' <b>Goods and Services Tax Principles</b> ' ( <a href="http://www.masters.law.unimelb.edu.au/subject/730637/2008">http://www.masters.law.unimelb.edu.au/subject/730637/2008</a> ) or equivalent professional experience
<b>Corequisites:</b>	N.A.
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	N.A.
<b>Coordinator:</b>	Mr Michael Evans
<b>Subject Overview:</b>	<p><b>Objectives:</b></p> <p>A candidate who has successfully completed the subject should be able to:</p> <ul style="list-style-type: none"> <li># Discuss the history of the growth of value-added taxes globally and the rationale for their adoption by governments internationally</li> <li># Describe the invoice based, credit offset, value-added tax model and the concept of neutrality as that term is used in the European VAT</li> <li># Undertake a comparison of and contrast the tax base of Australia's value-added tax and the uniform VAT in the European Union and explain the distinction between the destination and origin principles of the international value-added tax model</li> <li># Discuss the contextual approach to statutory interpretation and how it has been applied in Australia's GST and discuss how the character of a value-added tax might be taken into account in interpreting a value-added tax in Australia</li> <li># Explain the administration provisions of Australia's GST law and, in particular, the operation of the rulings system and administrative and judicial reviews of administrative decisions</li> <li># Identify the common features in the taxing and credit provisions in the 6th Directive, New Zealand, UK and Australia, and undertake a comparative analysis of the legislative design for each</li> <li># Discuss the activities and transactions that represent practical difficulties in the operation of the invoice based, credit offset, value-added tax model and describe the structural design features that lead to these difficulties. In particular, candidates will gain an advanced knowledge of the Australian GST policy and legislative design in respect of the treatment of international transactions, financial services, real property and government</li> <li># Give reasons why governments choose to exempt, zero-rate and treat as out of scope certain activities under a credit offset, invoice-based VAT, explain the outcomes that arise from those special treatments and identify design features in the Australian, New Zealand, Singapore and 6th Directive that give effect to and counteract those outcomes</li> <li># Contrast the different regimes that exist for international supply of goods and services, in the Australian, New Zealand, 6th Directive and UK VAT laws.</li> </ul> <p><b>Syllabus:</b></p> <p>Australia's GST law was introduced into Parliament on 2 December 1998. After 10 years experience with the Australian model, how does it compare with the European and other value-added tax systems?</p>

	<p>This subject provides participants with the opportunity to undertake a comparative analysis of Australia's value-added tax. The subject examines the history of adopting value-added tax in selected jurisdictions, identifies and compares the approaches to the common core design features and traces the development of the law.</p> <p>Participants will gain an insight into the policy and design aspects of Australia's GST, law and its interpretation and application.</p> <p>By examining international legislative and case law developments, participants will acquire a familiarity with the policy, design and interpretation issues in value-added taxes generally, to enable them to engage in the policy and legislative design of value-added taxes in both Australia and more broadly.</p>
<b>Assessment:</b>	Class assignment (30%) Take-home examination (70%) (30 January-2 February 2009)
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	Please see the Subject Objectives for this information.
<b>Links to further information:</b>	For the latest information on this subject, please visit: <a href="http://www.masters.law.unimelb.edu.au/subject/730654">http://www.masters.law.unimelb.edu.au/subject/730654</a>