

## LAWS70081 Capital Gains Tax: Problems in Practice

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2014.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	This core tax subject examines the law, policy and structural features of capital gains tax (CGT) in Australia and considers and applies those CGT rules in a number of different business contexts. The subject examines in detail the operation of CGT in establishing, operating and disposing of a business, in relation to real estate transactions and litigation and in relation to the use of trusts and deceased estates.  Principal topics will include: <ul style="list-style-type: none"> <li># Structure of the capital gains tax system</li> <li># Capital gains tax problems in business structures and transactions</li> <li># Capital gains tax problems in conveyancing and real estate development</li> <li># Capital gains tax problems in compensation payouts</li> <li># Capital gains tax problems in trusts and estates.</li> </ul>
<b>Learning Outcomes:</b>	A student who has successfully completed this subject should: <ul style="list-style-type: none"> <li># Have an up-to-date working knowledge of the provisions of the capital gains tax</li> <li># Have the capacity to understand their consequences for the practice of legal and accounting advisers</li> <li># Be able to analyse and use the provisions of the capital gains tax in advising.</li> </ul>

<b>Assessment:</b>	Assignment (30%) (18 June) and Take-home examination (70%) (25 – 28 July) or 10,000 word research paper (100%) (3 September) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
<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>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70081/2014">www.law.unimelb.edu.au/subject/LAWS70081/2014</a>