

LAWS50110 Advanced Topics in Taxation

Credit Points:	12.5																																	
Level:	5 (Graduate/Postgraduate)																																	
Dates & Locations:	This subject is not offered in 2016. This subject has a quota of 60 students. Details on quota subject selection are available on the JD website. 24 hours of seminar classes offered as 12 weekly 2 hour seminars over the course of the semester, plus an additional 1 hour seminar in weeks 3 - 12. If delivered in Intensive format, 5 hours of class per day, delivered over 7 days.																																	
Time Commitment:	Contact Hours: 34 hours. Total Time Commitment: 144 hours.																																	
Prerequisites:	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50025 Torts</td> <td>November, Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50030 Property</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50046 Taxation Law and Policy</td> <td>Semester 1</td> <td>12.50</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50025 Torts	November, Semester 2	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50028 Constitutional Law	Semester 2	12.50	LAWS50029 Contracts	Semester 2	12.50	LAWS50030 Property	Semester 1	12.50	LAWS50031 Legal Theory	Semester 2	12.50	LAWS50046 Taxation Law and Policy	Semester 1	12.50
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Corequisites:	None																																	
Recommended Background Knowledge:	None																																	
Non Allowed Subjects:	None																																	
Core Participation Requirements:	The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis 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 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 must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/ .																																	
Contact:	Email: law-aso@unimelb.edu.au (mailto:law-aso@unimelb.edu.au) Phone: +61 3 8344 4475																																	

	Website: www.law.unimelb.edu.au/jd (http://www.law.unimelb.edu.au/jd)
Subject Overview:	<p>Advanced Topics in Taxation is a specialist subject that aims to give students advanced knowledge of selected topics in business taxation; international tax; tax avoidance; and the challenge of taxation for a sustainable government in a global era. The subject is taught in a seminar format.</p> <p>The subject will examine Australian tax law in the context of contemporary theoretical and policy challenges. Key challenges include tax competition and tax co-operation between states, tax avoidance and tax havens; how to tax the digital economy and how to tax multinationals in a global context. Students will work on practical tax law problems in small syndicates to gain mastery of tax law principles through active engagement in tax planning for a business and will also engage in reading and discussing key tax cases and texts.</p> <p>This subject enables students to apply advanced tax law to a range of commercial and policy contexts in preparation for professional legal practice. It integrates the development of specialist tax law knowledge with tax theory and policy in the real world.</p>
Learning Outcomes:	<p>On completion of the subject, students should:</p> <ul style="list-style-type: none"> # Have an advanced understanding of the Australian income tax rules for businesses; # Be able to apply in an integrated manner, the statutory and case law rules for the taxation of companies, trusts and partnerships in a national and international context; # Be able to analyse the tax consequences of events during the lifecycle and sale of business through a share or asset sale; # Be able to evaluate critically Australia's tax law in light of the challenges of globalization of capital, workers and information, new developments in tax theory and new forms of government cooperation; # Understand how tax avoidance rules are designed and operate in the real world through application to business tax planning, including the role of the tax advisor; # Be able to plan, advise on and implement effective tax structures with creativity and initiative including understanding tax risk and the role of the tax advisor.
Assessment:	<p>Class Participation (10%): the mark for class participation will be based primarily on active engagement and discussion in syndicates during the seminars on case studies or key tax readings; In class test (30%): one hour open book exam; and Final exam (60%): students will undertake a 2 hour open book exam covering a range of topics and materials analysed throughout the subject. The exam will be held during the examination period if the course is run over a semester. If run as an intensive, students will be advised of the examination date when classes commence.</p>
Prescribed Texts:	<p>Income Tax Legislation (single, edited volume, current year edition), published alternatively by CCH, Thomson, or Lexis; Kobetsky, et al, Income Tax: Text Materials and Essential Cases, (Federation Press 2012); Specialist printed materials will also be made available from Melbourne Law School.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Generic Skills:	<p>On completion of the subject students should have developed and demonstrated expert skills in the following areas:</p> <ul style="list-style-type: none"> # Mastery of a complex and ever-changing legal regime in a global context; # The ability to quickly and critically analyse the tax aspects of a commercial problem, and the technical and creative skills to initiate and apply a solution; # The ability to carry out strategic, commercial and ethical tax planning; # The ability to work collaboratively in a team; and # The ability to write advice that communicates and justifies a response to a complex issue to both specialist and non-specialist audiences.
Related Course(s):	<p>Juris Doctor</p>