



**Australian Government**

**Assessment Requirements for FNSTPB516  
Apply taxation requirements when  
providing tax (financial) advice services**

**Release: 1**

# Assessment Requirements for FNSTPB516 Apply taxation requirements when providing tax (financial) advice services

## Modification History

Release	Comments
Release 1	This version first released with the FNS Financial Services Training Package Version 8.0.  Supersedes and is equivalent to FNSTPB506 Apply taxation requirements when providing tax (financial) advice services.

## Performance Evidence

The candidate must demonstrate the ability to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, including evidence of the ability to:

- provide taxation services to at least two different clients.

In the course of the above, the candidate must:

- analyse each client's needs and tax (financial) advice services requiring specialised independent tax advice
- research, analyse and evaluate relevant national requirements and guidelines on tax requirements, including tax administration, relevant to each client's circumstances and the tax (financial) advice services being provided
- present implications of tax requirements to each client when providing the tax (financial) advice.

## Knowledge Evidence

The candidate must be able to demonstrate knowledge to complete the tasks outlined in the elements, performance criteria and foundation skills of this unit, including knowledge of:

- key issues, ethical considerations, industry obligations and legislative requirements when providing tax (financial) advice services which impacts on taxation matters, including:
  - conflicts of interest
  - responsibilities of tax agents with a tax (financial) advice services condition, including the Australian Taxation Office (ATO) guidelines and Code of Professional Conduct obligations, under the Tax Agent Services Act 2009 (TASA) and accompanying Regulations
  - requirements and processes for clients who need specialised tax advice in capital gains tax and self-managed superannuation funds

- anti-avoidance provisions
- critical and key elements of Australian taxation law as it relates to tax of individuals, companies, trusts, partnerships and sole traders
- key aspects of the income tax law covering concepts of:
  - residence and source
  - related elements of international tax
  - assessable income
  - deductions (general, specific and capital allowance and depreciation)
  - tax rebates and offsets (including imputation credits)
  - deferred and tax-free trust distributions
  - income test definitions that include reportable superannuation and fringe benefits tax
- key aspects of taxes that extend the ordinary statutory income tax base, including relevant principles and application of:
  - capital gains tax (CGT) including exemptions, disposals, discounts and consequences of CGT on death and CGT concessions for small business
  - fringe benefits tax, including the concept of salary packaging
  - employee termination payments
  - employee share schemes
  - goods and services tax at a basic level
  - superannuation contributions, funds earnings and benefit payments
  - at a basic level, the administrative aspects of the taxes identified above, including returns, tax collection and withholding mechanisms, assessments, obligations, rulings, penalties, amendments and objections
- key sources of information for tax administration requirements, including assessments, amendments and objections, relevant to the client's circumstances and tax (financial) advice services, including:
  - ATO
  - Australian Securities and Investments Commission
  - courts
  - securities dealers
  - existing or proposed trust deeds
  - fund managers
  - industry bodies
  - legislation
  - Australian Financial Services licensees
  - professional associations
  - regulations
  - relevant commonwealth, state or territory government organisations.

## Assessment Conditions

Skills in this unit must be demonstrated in a workplace or simulated environment where the conditions are typical of those in a working environment in this industry.

This includes access to:

- office equipment, technology, software and consumables
- clients requiring tax (financial) advice services
- relevant legislation, regulations and codes of practice.

Assessors of this unit must satisfy the requirements for assessors in applicable vocational education and training legislation, frameworks and/or standards.

This unit is designed to meet the education requirements of the Tax Practitioners Board (TPB). Where registration with the TPB is sought, assessment must reflect the conditions described by the regulator. Where recognition of prior learning (RPL) is used, it must also meet the requirements of the TPB's policy on RPL.

Details of requirements can be accessed on the TPB website ([www.tpb.gov.au](http://www.tpb.gov.au)).

## Links

Companion Volume Implementation Guide is found on VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=c7200cc8-0566-4f04-b76f-e89fd6f102fe>