



Australian Government

Assessment Requirements for FNSTPB506

Apply taxation requirements when providing tax (financial) advice services

Release: 1

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Modification History

Release	Comments
Release 1	This version first released with FNS Financial Services Training Package Version 1.0.

Performance Evidence

Evidence of the ability to:

- research, analyse and apply current relevant legislative requirements, Australian Taxation Office (ATO) guidelines, regulatory and ethical requirements on tax requirements, including tax administration, relevant to the client's circumstances and the tax (financial) advice services being provided
- analyse the client circumstances and tax (financial) advice services requiring specialised independent tax advice
- present implications of tax requirements to clients relevant to their circumstances and the tax (financial) advice services
- access and use systems and relevant resources to maintain knowledge on tax and tax administration requirements.

Note: If a specific volume or frequency is not stated, then evidence must be provided at least once.

Knowledge Evidence

To complete the unit requirements safely and effectively, the individual must:

- identify the following key issues, ethical considerations, industry obligations and legislative requirements when providing tax (financial) advice services which impacts on taxation matters:
 - conflicts of interest
 - responsibilities of tax (financial) advisers, including Code of Professional Conduct obligations, under the Tax Agent Services Act 2009 (TASA) and Tax Agent Services Regulations 2009 (TASR)
 - requirements and processes for clients who need specialised tax advice in capital gains tax and self managed superannuation funds
 - anti-avoidance provisions

- explain critical and key elements of Australian taxation law, as it relates to tax of individuals, companies, trusts, partnerships and sole traders
- describe 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
- describe key aspects of taxes that extend the ordinary statutory income tax base including relevant principles and application of the:
 - 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
- outline key sources of tax information:
 - Australian Taxation Office
 - 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

Gather evidence to demonstrate consistent performance in conditions that are safe and replicate the workplace. Noise levels, production flow, interruptions and time variances must be typical of those experienced in the tax (financial) advice services field of work and include access to:

- office equipment, technology, software and consumables
- relevant legislation, regulations and codes of practice.

Assessors must satisfy NVR/AQTF assessor requirements.

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 which stipulate that at least 40% of the assessment must be completed under some form of independent supervision. 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).

Links

Companion Volume implementation guides are found in VETNet -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=c7200cc8-0566-4f04-b76f-e89fd6f102fe>