



Australian Government

FNSTPB506 Apply taxation requirements when providing tax (financial) advice services

Release: 1

FNSTPB506 Apply taxation requirements when providing tax (financial) advice services

Modification History

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

Application

This unit describes the skills and knowledge required to research, identify and analyse the taxation requirements, including taxation administration, that apply to particular clients and circumstances.

It applies to individuals who provide tax (financial) advice services as defined in the Tax Agent Services Act 2009. Individuals providing such services are generally required to be registered tax (financial) advisers.

Work functions in the occupational areas where this unit may be used are subject to regulatory requirements. This unit is designed to meet educational requirements of the Tax Practitioners Board (TPB). Refer to the FNS Implementation Guide Companion Volume or the relevant regulator for specific guidance on requirements.

Unit Sector

Tax practice

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Research tax requirements	1.1 Identify the client's circumstances and tax (financial) advice services relevant to tax requirements 1.2 Identify sources of tax information relevant to client's circumstances and tax (financial) advice services requirements 1.3 Research relevant legislation, including Tax Agent Services Act 2009 and Tax Agent Services Regulations 2009, Australian Taxation Office (ATO) guidelines and other regulatory and ethical requirements relevant to the tax requirements of the client's

ELEMENT	PERFORMANCE CRITERIA
	circumstances and the tax (financial) advice services being provided
2. Explain relevant tax requirements and adviser's scope of authority	2.1 Identify legal, regulatory and ethical requirements that apply to the tax requirements relevant to the client's circumstances and tax (financial) advice services 2.2 Explain the scope and authority of providing tax (financial) advice services to the client 2.3 Explain to the client, within scope of authority, the tax requirements that apply to their circumstances and the tax (financial) advice services being provided 2.4 Advise the client to seek independent tax advice or specialist advice as required
3. Explain implications of tax requirements	3.1 Analyse the implications of the tax requirements relevant to the client's circumstances and tax (financial) advice services, including how it applies to individuals or different legal entities 3.2 Explain to the client, within scope of authority, the implications of the tax requirements that apply to their circumstances and the tax (financial) advice services provided
4. Maintain knowledge of tax and tax administration requirements	4.1 Identify sources of information for tax administration requirements, including assessments, amendments and objections, relevant to the client's circumstances and tax (financial) advice services 4.2 Review client's circumstances and tax (financial) advice services provided and apply changes in tax or tax administration requirements, as necessary 4.3 Access and use systems for maintaining up-to-date knowledge about relevant tax and tax administration requirements 4.4 Conduct research to identify updates, or additions to, tax and tax administration requirements relevant to client's circumstances and tax (financial) advice services provided

Foundation Skills

This section describes language, literacy, numeracy and employment skills incorporated in the performance criteria that are required for competent performance.

Skill	Performance Criteria	Description
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Learning	4.3	Identifies and implements strategies to manage gaps in personal knowledge
Reading	1.2, 1.3, 2.1, 3.1, 4.1, 4.3, 4.4	Accesses, comprehends, assesses and interprets complex documents with a high level of technical detail
Oral Communication	2.2, 2.3, 2.4, 3.2	- Presents information choosing language appropriate to audience - Asks questions and listens to responses from clients and others using appropriate vocabulary and non-verbal features
Numeracy	3.1	Extracts, comprehends and analyses mathematical information embedded in a range of complex documents related to taxation and with taxation implications
Navigate the world of work	2.1, 2.2, 2.3	Accepts responsibility for providing advice according to requirements of own role and relevant legislation
Interact with others	2.2, 2.3, 2.4, 3.2	- Uses a range of strategies to establish connection and build rapport with client - Selects and uses appropriate conventions and protocols when liaising or sharing information with clients
Get the work done	1.1, 1.2, 1.3, 4.1, 4.2, 4.3, 4.4	- Plans, organises and implements tasks required to provide accurate information to the clients - Applies systematic and analytical processes to decide on most appropriate advice for clients in complex and non-routine situations - Uses the main features and functions of digital tools to complete work tasks and to access information

Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
FNSTPB506 Apply taxation requirements when providing tax (financial) advice services	Not applicable	New unit	No equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

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

Assessment Requirements for FNSTPB506 Apply taxation requirements when providing tax (financial) advice services

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>