



Australian Government

FNSTPB516 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 the FNS Financial Services Training Package Version 8.0. Supersedes and is equivalent to FNSTPB506 Apply taxation requirements when providing tax (financial) advice services.

Application

This unit describes the skills and knowledge required to research, identify and analyse the taxation requirements that apply to taxation administration when providing tax advice services to clients within own role.

The unit applies to individuals who provide tax (financial) advice services as defined in the Tax Agent Services Act 2009. Individuals providing such services may be required to be registered tax agents with a tax (financial) advice services condition.

Work functions in the occupational areas where this unit is used are generally subject to regulatory requirements. This unit is designed to meet the education requirements of the Tax Practitioners Board (TPB). Users are advised to check with the relevant regulatory authorities to confirm those requirements.

Unit Sector

Tax practitioners

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 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, guidelines and other regulatory and ethical requirements relevant to 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 client, within scope of authority, tax requirements that apply to their circumstances and tax (financial) advice services being provided 2.4 Advise client to seek independent tax advice and specialist advice as required
3. Explain implications of tax requirements	3.1 Analyse implications of tax requirements relevant to client's circumstances and tax (financial) advice services, and how tax requirements that apply to individuals and different legal entities 3.2 Explain to client, within scope of authority, implications of tax requirements that apply to their circumstances and tax (financial) advice services provided
4. Maintain knowledge of tax and tax administration requirements	4.1 Identify sources of information for tax administration requirements, 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 and tax administration requirements, as required 4.3 Access and use systems for maintaining up-to-date knowledge about relevant tax and tax administration requirements 4.4 Establish process to identify updates and additions to tax and tax administration requirements relevant to client's circumstances and tax (financial) advice services provided

Foundation Skills

This section describes those language, literacy, numeracy and employment skills that are essential to performance but not explicit in the performance criteria.

SKILL	DESCRIPTION
Numeracy	Extracts, comprehends and analyses mathematical information embedded in a range of complex documents relating to taxation and with taxation implications

SKILL	DESCRIPTION
Oral communication	• Presents information choosing language appropriate to audience • Asks questions and listens to responses from clients and others using appropriate vocabulary and non-verbal features
Reading	• Accesses, comprehends, assesses and interprets complex documents with a high level of technical detail
Planning and organising	• Plans and organises tasks required to provide accurate information to clients • Applies systematic and analytical processes to decide on most appropriate advice for clients
Self-management	• Accepts responsibility for providing advice according to requirements of own role and relevant legislation
Technology	• Uses the main features and functions of digital tools to complete work tasks and to access information

Unit Mapping Information

Supersedes and is equivalent to FNSTPB506 Apply taxation requirements when providing tax (financial) advice services.

Links

Companion Volume Implementation Guide is found on VETNet -

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

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

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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).

Links

Companion Volume Implementation Guide is found on VETNet -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=c7200cc8-0566-4f04-b76f-e89fd6f102fe>