

# Local Tax Club – Hobart

13 April 2023

Old Woolstore, Hobart

2.75 CPD hours / session



# Kick start your CPD this financial year and join your Local Tax Club today!

Tasmania's Local Tax Club Series will deliver quintessential and hot topics which affect you and your clients. This series will include 3 sessions delivered locally to you.

Each session features a specialist tax topic presented by experts in their fields and a panel discussion offering different perspective on the same relevant topic.

Being part of your Local Tax Club will not only keep you on top of the latest tax knowledge but will connect you with your peers, and fellow members of your tax community.

Please note this is a paperless event, the materials will be emailed to you the day prior. If you purchase a member registration, you may send a non-member from your firm. Please note that the difference in registration fee will be charged to the attendee.

All subscriptions are valid for 2023 only. Please see the registration page for registration options.

For more information about our Refund Policy -COVID-19, [click here](#).

## Who should attend?

This series will provide you with quintessential updates and topical tax content tailored for you and your local tax community.

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## Schedule

**April 2023 – September 2023**

**Old Woolstore, Hobart**

**2.75 CPD hours / session**

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## Registration options

### Individual sessions

Tailor your attendance by simply indicating your preferred session/s on the registration form.

# Technical Program

Date/Time	Session	Presenter
<b>Thursday 13 April</b>  Old Woolstore 1 Macquarie St, Hobart	<b>Session Timing</b> <ul style="list-style-type: none"><li>8.30am: Registration and tea/coffee on arrival</li><li>9.00am: Part 1: Special topic: Trusts by Phillip Bender</li><li>10.30am: Morning tea break</li><li>11.00am: Part 2: Advising Clients in Financial Distress</li><li>11.50am: Open Panel and Delegate Discussion</li><li>12.15pm: Session concludes</li></ul>	

## Thursday 13 April

9am – 10:30am AEST  
Old Woolstore  
1 Macquarie St,  
Hobart

### Part 1: Trusts

This seminar is vital for any accountant or lawyers practice includes advising clients with trusts.

Dr Bender will examine important recent developments in case law and administrative approaches to trusts, including:

- Understand the impact of recent case law that affect all trust distribution decisions, whether they be at the end of financial year or at other decision points.
- Are the days of unfettered trustee discretion over? When is a Trustee exercising their discretion actually a scheme and could the Trustee's decisions be scrutinized by the ATO under Part IVA? (Minerva Financial Group Pty Ltd v FCT (2022) FCA 1092). What about if those decisions were made as part of an estate plan? (Owies and Owies v JJE Nominees Pty Ltd (ACN 004 856 366)(in its capacity as trustee for the Owies Family Trust) (2022) VSCA 142).
- Do you know when your client's trusts will vest? When does the life in being rule still apply (to provide for a 'date certain') despite any statutory timeframe? (Application by Perenna Nominees Pty Ltd (2022) VSC 193).
- Courts have already had the opportunity to consider Section 100A on several occasions. Understand the implications of the Guardian case (Commissioner of Taxation v Guardian AIT Pty Ltd v Australian Investment Trust (2023) FCAFC 3) as well as other decisions where section 100A was found to be relevant, including a share buy-back scenario (Bblood Enterprises Pty Ltd & Anor v FC of T (2022) FCA 1112).
- The ATOs Tax Avoidance Taskforce – Trust and other regulatory focuses on tax avoidance and arrangements using trusts.

**Speaker:**

**Dr Phillip Bender, ATI, Victorian Bar**

Date/Time	Session	Presenter
<p><b>Thursday 13 April</b></p> <p>11am: - 11:50am AEST Old Woolstore 1 Macquarie St, Hobart</p>	<p><b>Part 2: Advising Clients in Financial Distress</b></p> <ul style="list-style-type: none"> <li>• Statistical insolvency trends and industry issues</li> <li>• Solvency</li> <li>• Indicators of financial distress</li> <li>• Common issues encountered by advisors</li> <li>• Options in insolvency</li> <li>• War stories and tips</li> </ul>	<p><b>Speaker:</b> Adam Johnston, Deloitte</p>

# Presenters

**Dr Phillip Bender, ATI** is a barrister at the Victorian Bar and a Chartered Accountant. He grew up and was educated in Tasmania and was the best graduating student in both accounting and law in his year level at the University of Tasmania, and the best candidate in Victoria in the Chartered Accountants Program. He is the author of *Bender's Australian Stamp Duties*, published by the Tax Institute. He acts in Federal and State taxation, superannuation, and trusts and estates matters for taxpayers and revenue authorities. In the trusts area, he has acted in many taxation disputes involving trusts issues, and has acted in many trusts matters involving, amongst other topics, trust deed and will interpretation, alleged breaches of trust; trustee removal applications; judicial advice; charitable trusts; and superannuation death benefits disputes.

**Adam Johnston** is a Principal at Deloitte in Turnaround & Restructuring based in Tasmania. Adam has spent the last ten years working in the insolvency industry and is a Registered Liquidator and Bankruptcy Trustee. Adam has significant experience in leading formal insolvency appointments, including trading-on businesses, managing a variety of stakeholder groups, and overseeing external administration of entities that are the subject of disputes.

“The Local Tax Club provides you with the opportunity to network with your colleague whilst maintaining your technical knowledge.”

Nick Wilkins, CTA, Wilkins Advisory

For event queries please contact

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+61 02 8223 0040

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A tax invoice and confirmation letter will be sent on receipt of your registration. Please photocopy for additional delegates and retain original copy for your records. All prices quoted are in Australian dollars and include GST where applicable. ABN 45 008 392 372.

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Individual Session	<input type="checkbox"/> \$150	<input type="checkbox"/> \$180

Please note:

Dietary requirements:

Promotional code:

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I hereby apply for membership of The Tax Institute and declare that I am a person of good fame, integrity and character. I agree to be bound by the Constitution of The Tax Institute.

Signature:

Date of signature:

## 2 Delegate contact details

Member no.:  If your member details are up-to-date, you can skip this section.

Title:  Mr  Mrs  Miss  Ms

Date of birth:

First name:

Last name:

Position:

Company:

Address:

Suburb:

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