

EXECUTIVE TAX PROGRAMME LEVEL III (GST) Intake 2017/18

Information Package



INTRODUCTION

The Executive Tax Programme Level III (GST) is the foremost training programme in the area of Goods and Services Tax (GST) for the tax professionals in Singapore. The curriculum offers rigorous training in advanced GST concepts and relevant case laws. This programme provides a platform for the exchange of tax knowledge and views between the participants from the public and private sectors.

STRUCTURE

There are two components to this programme, the coursework and the research/case study components. Participants will have to complete 3 modules and 1 research/case study paper over a ten-month period.

Coursework Component

GST 101 Tax Policy, Administration and Compliance

Weightage of the module: 10%

The module is made up of 2 parts, to be covered in two 3-hour sessions. This module is tagged to the module within the Advanced Tax Programme (ATP), ATP101, of the same module title. Advanced GST participants will attend the classes with ATP participants.

Part 1 will cover the Fiscal Policy of Singapore, in particular the basic tenets of tax policy and the rationale for the policy stance. Participants will study in detail the structure of the Singapore budget using actual recent budget materials. Participants will also discuss the unique features of public finance in Singapore.

Part 2 will cover how the tax law and policies are administered in Singapore from the tax administrator's perspective. Participants will study how the tax policies formulated by the Government are actually implemented on the ground through IRAS, starting with the overall philosophy of the need to encourage voluntary compliance.

Participants will be given an appreciation of the trade-offs in tax administration in particular, the trade-off between service and compliance. The various provisions in the tax law to enable Government to enforce compliance and how IRAS goes about using these provisions to raise the level of compliance will be covered.

Assessment*:

10% of the modular assessment will be determined based on active individual classroom participation and 90% of the modular assessment will be determined based on each participant's performance on a written assignment.

GST 102 Legal Framework of Taxation

Weightage of the module: 10%

This module will be covered over one full-day and one three-hour session.

The following topics will be covered:

Appeal processes to the Board of Review and the Courts, use of case law authority of other relevant jurisdictions and case law analysis, interpretation of tax statutes in arguments and submissions before IRAS and the courts. The sessions will involve an in-depth analysis of recent tax cases and the reasoning of the court decisions in those cases. There will also be an opportunity for the class to examine and discuss interpretation of selected statutes.

Assessment*:

The module will comprise lectures, class participation and presentation, and critique. 10% of the modular assessment will be individual active classroom participation, 20% on in-class assignment and presentation and 70% on individual performance on a take-home written assignment.

GST 103 Goods and Services Tax (Law, Interpretation and Applications)

Weightage of the module: 40%

This module will be covered over four full-day sessions.

The following topics will be covered:

- (i) The direct nexus between Supply and Consideration;
- (ii) GST applications on forfeit deposits and early termination payments
- (iii) The identities of the supplier and the recipient of the supply.
- (iv) The Tests to apply in distinguishing between Single/Composite Supply (one single overall supply with more than one component) and Multiple/Mixed Supply (separate supplies with two or more components) and their GST implications
 - The leading UK case of 'Card Protection Plan Ltd'
 - How to distinguish principal and ancillary supply
- (v) International Services under Section 21(3) of the Singapore GST Act
 - What constitutes Business Establishment or Fixed Establishment
 - The meaning of 'directly in connection with' and 'directly benefit' in Zero-Rating of international services

Assessment*:

10% of the modular assessment will be determined based on active classroom participation, 10% on group discussion and presentation and 80% on individual written examination.

**assessment format is based on the last intake and may be subject to change.*

Research/Case Study Component

Participants can either write a research paper reviewing the policy and technical aspects of a specific topic of choice, or an advisory resolution to a scenario-based case study provided in this course. Each Participant will be guided by a mentor in either the research paper writing or case study.

Case Study

The main objective of the case study is to develop analytical and practical application skills of trainees in specialized areas/ issues.

The scope and the facts of the case are pre-developed and will be used as the single common case study for trainees who opt for this. Trainees will have to perform analysis of the case study, draw literature references from the concept and principles covered in the course notes to arrive at the appropriate recommendations. Mentor will provide guidance and advice to the trainees on the approach to the case study and their recommendations.

A sample of the case study from the last intake is found in Annex 1.

Research Paper

The research paper will be on policy and technical review. Mentor of the participant will provide guidance and advice throughout the development of the research paper.

A collated list of research topics attempted by past participants is found in Annex 1.

Requirements for the Research/Case Study Component

Submission of Research / Case Study Outline, 7 March 2018

The outline shall scope the coverage in the research paper and give brief descriptions on each part of the paper, for example,

- Objective of the Research / Case Study
- Issues (to list the main issues identified and their implications)
- Methodology of the Research
- Comparative Study; and
- Findings on tax principles and Relevant Case Laws.

It shall not be more than **3 pages** (Arial Font-size 14, single-line spacing) and ought to contain all the necessary details (in point form) to be covered in the final report. The outline will be circulated to all mentors and the Examining Panel. This outline is to be emailed to Tax Academy by **7 March, 5pm**.

Presentation of Outline, 21 March 2018 (5%)

Trainees will need to present their research / case study outline to the examining panel. Trainees will be evaluated on factors listed in Annex 2. Presentation slides to be submitted via email by **14 March, 5pm**, for examining panel reference. A schedule indicating your presentation date/time will be circulated after the start of the course.

Submission of Draft Report, 27 June 2018

The report shall be approximately 3,000 – 4,000 words (excluding Annexes). Please use Arial font-size 14 and single-line spacing. Word count to be reflected at the end of the report. This report is to be emailed to Tax Academy by **27 June, 5pm**.

The research/ case study is expected to cover

- Existing Legislation;
- Review of Materials on the topic;
- Comparative Analysis of legislation / position in other jurisdictions where relevant;
- Analysis of case laws;
- Application of tax principles;
- Conclusion and Recommendation.

This report will be circulated to the Examining Panel in preparation for the Report Presentation session.

Report Presentation, 2 & 3 Aug 2018 (5%)

Trainees will be evaluated by the Examining Panel on their proficiency in handling questions posed by panel members after their presentation. Please refer to Annex 3 for the evaluation criteria. Presentation slides to be submitted 1 week before, i.e. **26 Jul**, for examining panel reference.

Submission of Final Report, 31 Aug 2018 (30%)

The report shall be approximately 3,000 – 4,000 words (excluding Annexes). Please use Arial font-size 14 and single-line spacing.

The Final Report is to be emailed to Tax Academy by **31 Aug, 5pm**. Word count to be reflected at the end of the report. Annex 4(a) lists the grading criteria for Research topic report and Annex 4(b) lists the grading criteria for Case Study.

Grading

Coursework Component:

GST101	10%
GST102	10%
GST103	40%

Research/Case Study Component:

Research/Case Study Outline Presentation	5%
Report Presentation	5%
Final Report	30%
Total	100%

In the event a participant does not pass any of the components, the following will take place,

Coursework component –

Supplementary papers will be offered to participants who do not pass any of the module(s) within 3 months upon release of module results. If participant does not pass, they will be required to re-take the module(s) with the next intake.

Research component –

Participants be allowed to improve on their report and re-submit; subject to the following,

- within a 3-month period immediately following the release of the results
- if participant fails again, they will be required to re-take the whole component with next intake

Coursework Schedule

Module	Date/Time	Fee
GST 101 Tax Policy, Administration and Compliance (2 sessions) <ul style="list-style-type: none"> - Fiscal Policy of Singapore - Formulation and Implementation of tax policies - Enforcement of Tax Compliance Module Weightage: 10% Assessment: Graded take-home assignment	22 Nov 2017 (Wed) 6.30pm – 9.30pm 29 Nov 2017 (Wed) 6.30pm – 9.30pm	\$406.60
GST 102 Legal Framework of Taxation (3 sessions) <ul style="list-style-type: none"> - Appeal Processes - Case law authorities and Analysis - Interpretation of Tax Statutes in submissions - Recent GST/VAT cases Module Weightage: 10% Assessment: Graded take-home assignment	03 Jan 2018 (Wed) 9am – 5pm 04 Jan 2018 (Thu) 9am – 12noon	\$609.90
GST 103 Goods and Services Tax (Law, Interpretation and Applications) (8 sessions) <ul style="list-style-type: none"> Advanced Concept of Supply & Consideration - Importance of ‘Direct Link’ between payment and supply made - Tests of Single / Multiple Supply - Taxability of Deposits and Early Termination Payments Concept of Business Establishment and Fixed Establishment International Services - Place of Supply of Services - Zero-rated Services - Meaning of ‘Directly In Connection With’ Goods or Property - Meaning of ‘Directly Benefit’ - Identifying the Establishment Receiving the Supply of Service - Module Weightage: 40% Assessment: Exam	10 Jan 2018 (Wed) 11 Jan 2018 (Thu) 9am - 5pm 12 Jan 2018 (Fri) 9am - 5pm 17 Jan 2018 (Wed) 9am - 5pm 18 Jan 2018 (Thu) 9am - 5pm	\$1,626.40
	Exam: 03 Feb 2018 (Sat) 9am to 11am	

Research/Case Study Schedule [Fee: \$4,922.00]

Item	Date	Time
Release of Case Study via email	27 Dec 2017 (Wed)	-
Submission of Research/Case Study Selection (topic/selection can be changed after mentor consultation)	24 Jan 2018 (Wed)	Email submission by 5pm
Submission of Research/ Case Study Outline	07 Mar 2018 (Wed)	Email submission by 5pm
Presentation of Outline (5%) <i>*presentation slides to be submitted via email on 14 Mar 2018, for examining panel reference</i>	21 Mar 2018 (Wed)	9am – 6pm Individual presentation schedule to be advised.
Submission of Draft Report	27 Jun 2018 (Wed)	Email submission by 5pm
Presentation of Report (5%) <i>*presentation slides to be submitted 1 week before, i.e. 26 Jul 2018 (Thu), for examining panel reference</i>	19 Jul 2018 (Thu) 02 Aug 2018 (Thu) 20 Jul 2018 (Fri) 03 Aug 2018 (Fri)	9am – 6pm Individual presentation schedule to be advised.
Submission of Final Report (30%)	17 Aug 2018 (Fri) 31 Aug 2018 (Fri)	Email submission by 5pm
Release of Results	Oct/Nov 2018	-

**Dates indicated in both tables are accurate at time of printing and may be subject to changes.*

Programme Facilitators

	Module	Programme Facilitators
1	GST 101: (2 sessions*) Tax Policy, Administration and Compliance *to run with Advanced Tax Programme	Ms Ng Hui Li (MOF) Ms Quek Su Lynn (IRAS)
2	GST 102: (3 sessions*) Legal Framework of Taxation	Ms Moira Khaw
3	GST 103: (8 sessions*) Goods and Services Tax (Law, Interpretation and Applications)	Mrs Eng Li Ming

**1 session is approximately 3 hours of classroom session.*

ANNEX 1

Case Study from last intake:
(refer to separately attached file)

List of past research topics:

	<u>Topic</u>
1	The Distinguishing Factors for Lease (as goods) and Facilities (as services) and its Significance for GST Purposes
2	The GST Implications on Beneficiary Interest in land
3	Partial Exemption and Input Tax Recovery – Review of Regulation 29(3) and Reg 35
4	A Review of the GST treatment of Transfer of Partnership Interest
5	Interpretation and Application of Paragraph 5(3) of the Second Schedule to the GST Act on the Use of Business Premises by a Third Party for Free
6	Whether the Permanent Establishment and Tax Residency for Income Tax purposes are Relevant for Determining Business or Fixed Establishment for GST purposes
7	A study on the Significance of regarding a Treatment or Process of Goods as a Supply of Goods for GST Purposes
8	Taxability of Rebates
9	Reverse Charge – GST on Imported Services
10	A study on GST rules applicable to cloud computing
11	A study on the GST implications of funds raised through crowdfunding activities

ANNEX 2 : Presentation of Research/Case Study Outline

(30 mins per participant including Q & A)

* Presentation: 15mins / Comments by examining panel: 15mins

Trainee will be evaluated on (5 marks):

1. Has the research/case study been substantially scoped?
2. Have the issues under the topic been clearly identified?
3. Will the research methodology be able to conclude useful findings on the topic? (if applicable)
4. Comparative Study - Whether the study is relevant to the issue identified for research/case study?
5. Are Tax Principles & Case Laws identified relevant to the topic?

ANNEX 3: Report Presentation

(60 mins per participant including Q & A)

* Presentation: 40mins / Comments by examining panel: 20mins

Trainee will be evaluated on:

A. Presentation of research topic/ case study (5 marks)

1. Presentation must highlight key issues and new insights and recommendations.

B. Handling of questions posed by panel members (5 marks)

1. Able to answer coherently.
2. Able to answer confidently.
3. Able to explain clearly.

ANNEX 4(a): Final Report grading criteria for Research Topic

The report shall be approximately 3,000 – 4,000 words (excluding Annexes). Please use Arial font-size 14 and single-line spacing.

A. Executive Summary (2 marks)

1. Objectives clearly stated
2. Findings are summarised.
3. Research methodology stated (if applicable)
4. Conclusion highlighted

B. Body of the report (19 marks)

1. Issues from various aspects clearly identified. (2 marks)
2. Analysis of background and current practices. (3 marks)
3. Logical development of argument. (3 marks)
4. Technical and legal analysis, including application of concepts learnt in *coursework component and technical basis of proposed advisory. (6 marks)
5. Ability to use and cite authority (where applicable - legislation, case law, published articles, etc.) to support argument. (5 marks)

C. Conclusion and Recommendation (9 marks)

1. Conclusion incorporates own insights and reasoning. (3 marks)
2. Recommendations. (3 marks)
3. Adequately address issues and remarks raised by Examining Panel during Report Presentation. (3 marks)

**coursework component comprises: GST101 Tax Policy, Administration & Compliance; GST102 Legal Framework of Taxation & GST103 Goods & Services Tax (Law, Interpretation and Applications)*

ANNEX 4(b): Final Report grading criteria for Case Study

The report shall be approximately 3,000 – 4,000 words (excluding Annexes). Please use Arial font-size 14 and single-line spacing.

A. Body of the report (21 marks)

1. Issues from various aspects clearly identified and addressed. (4 marks)
2. Logical development of argument. (3 marks)
3. Technical and legal analysis, including application of concepts learnt in *coursework component, current practices and technical basis of proposed advisory. (8 marks)
4. Ability to use and cite authority (where applicable - legislation, case law, guidance by Comptroller, published articles, etc.) to develop advisory. (6 marks)

B. Conclusion and Recommendation (9 marks)

1. Conclusion incorporates own insights and reasoning. (3 marks)
2. Recommendations. (3 marks)
3. Adequately address issues and remarks by Examining Panel during Report Presentation. (3 marks)

**coursework component comprises: GST101 Tax Policy, Administration & Compliance; GST102 Legal Framework of Taxation & GST103 Goods & Services Tax (Law, Interpretation and Applications)*