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Institute of  
Chartered Accountants  
Australia

# Bookkeepers registration signals standards

The *Tax Agent Services Act 2009* (TASA) and creation of a BAS agent practitioner (bookkeeper) category since 1 March 2010 has formalised a new tax service delivery structure, for the first time ensuring regulatory oversight of BAS services provided for a fee. **By Donna Bagnall**

**T**he regulation of bookkeepers will be an important factor in improving the overall efficiency of the tax services sector, and individual accounting and tax agent practices.

A key message under the new regime is that accounting and tax agent practices should ensure their clients engage a registered BAS agent or tax agent to provide any external bookkeeping services, preferably an Institute member or an Accounting Technicians Association of Australia (AATA) member, who are specialist bookkeepers. (The Institute, together with the other professional accounting bodies, jointly supports AATA, the leading dedicated BAS agents (bookkeepers) association.)

Institute members who are providing bookkeeping services or other BAS services for a fee are reminded that there is now a requirement to register as either a tax agent or BAS agent to lawfully provide those services. For example, performing outsourced CFO functions, providing GST system/accounting services for clients (under contract) or preparing / lodging BAS are likely to carry an obligation to register.

Institute members should also be aware that holding either a BAS or tax agent registration, and utilising either of these registrations to provide services to the public for reward, requires the member to hold a certificate of public practice (CPP). Details on CPPs and the application form are available on the Institute's website at [charteredaccountants.com.au/cpp](http://charteredaccountants.com.au/cpp)

The Tax Practitioners Board (the board) recognises that the inclusion of BAS services in the regulatory regime is a significant change – one that is still in the process of being fully implemented. Accordingly, the board is encouraging practitioners who are not yet registered but should be registered to register without delay.

## Last chance for concessional registration

For members who do not currently meet any of the standard rules for registering as a BAS agent or tax agent (see below), the Institute recommends members take advantage of the remaining concessional gateways, namely either one of the following:

- ▶ The remaining transitional avenue for registering as a BAS agent before it closes on 28 February 2013. This will provide at least another 12 months BAS agent registration
- ▶ The current grace period from commercial law requirements (under item 203) for registering as a tax agent with conditions (BAS services only) before it closes on 28 February 2013. This will provide a three-year tax agent registration period.

## Options for standard registration – from 1 March

### 1. BAS agent registration

For BAS agent registration applications from 1 March, the standard academic requirements will have to be met to renew or register as a BAS agent.

The board has surprisingly taken the view that the Chartered Accountants Program does not meet the requirements of a "course in basic GST/BAS taxation principles". However, the Institute will be approaching the new board in 2013 for a review of the existing decision, with a view to obtaining approval of the Chartered Accountants Program taxation module. The Institute has decided not to offer either an approved GST/BAS course or an approved challenge test in the meantime.

For the time being, the Institute recommends that members who need to register to provide BAS services apply for registration as a tax agent with conditions (BAS services only).

### 2. Tax agent with conditions (BAS services only)

To be registered under this category from 1 March, applicants must meet the standard academic requirements to register as a tax agent, namely:

- ▶ Two Australian tax law subjects – ie one undergraduate tax subject and the Chartered Accountant Program taxation module
- ▶ Accounting diploma, degree or postgraduate award – this would be met by a Chartered Accountant
- ▶ Three commercial law subjects (18 months) – many Chartered Accountants will not meet this requirement, as it is unusual for Australian universities to offer three commercial law subjects within their accountancy degree curriculums, however some will do. Members should check their academic transcript(s). The government has asked the new board (effective from 22 January) to examine and report to it as a matter of priority whether this 'three commercial law subject' requirement is appropriate. In the Institute's view the requirement is excessive. A more appropriate level, and one which is consistent with the policy objectives of the TASA reform, is two commercial law subjects.

### OR:

- ▶ For voting members of the Institute, there are no academic requirements, however you must have eight years out of the past 10 years of relevant experience (ie in BAS-related tax work). Given the current design of the registration rules, in the Institute's view, tax agent registration is the most appropriate category for Chartered Accountants (who have university qualifications), rather than the BAS agent category whose rules are directed to Certificate IV /vocational level awards. 