

Seasons Greeting & Happy New Year

Another busy year has come and gone. It is hard to believe that 2013 is drawing near.

BTA management would like to thank our staff and our clients for their ongoing support. We are looking toward 2013 and hope that it will be a prosperous year for all.

As the year draws to a close, the staff and management of BTA wish you all a very Merry Christmas and all the best for the new year.

Please note that our office will be closed from Friday 21 December 2012 and will re-open on Monday 14 January 2013 with our team back on board refreshed from a summer break.

The bTa difference – providing your point of view.

The BTA Team

Reminder of Lodgement Dates

21 January 2013 December 2012 monthly activity statement
21 January 2013 Quarterly PAYG instalment activity statement for head companies of consolidated groups
28 January 2013 December 2012 quarter superannuation guarantee contributions
21 February 2013 January 2013 IAS
28 February 2013 December 2012 quarter activity statement
21 March 2013 – February 2013 IAS
31 March 2013 - Income tax return for companies and superannuation funds with total income in excess of \$2 million in latest year lodged (excluding large/medium business taxpayers) and Income tax return for individuals and trusts which were tax level 6 as per latest year lodged (excluding large/medium business trusts).

GIC and SIC rates for quarter ended 31 March 2013

The ATO has advised that the General Interest Charge (GIC) and Shortfall Interest Charge (SIC) rates for the period 1 January 2013 to 31 March 2013 are as follows:

- GIC rate – 10.24%
- SIC rate – 6.24%

ATO annual shutdown

The ATO will be closed during the Christmas – New Year Period.

This means that the ATO will be suspending our return and form processing from 3.00pm AEDT Friday 21 December 2012 until 9.00am AEDT Wednesday 2 January 2013. As a result, returns lodged from mid-December to early January will take longer than usual to process.

For returns lodged electronically between 7 December and 21 December, refunds are expected to issue from Wednesday 2 January 2013. Refunds for returns lodged from 22 December 2012 will start to issue in the week beginning 14 January 2013.

New Director Penalty Notice Legislation

In June the Tax Laws Amendment (2012 Measures No. 2) Act 2012 received Royal Assent. This legislation introduces a number of changes that will help achieve the aforementioned goals, with a side effect of increased personal liability for all company directors.

For further details please consult our blog on this topic at <http://www.btavantage.com.au/bta-vantage-blog/New-Director-Penalty-Notice.html>

SMSF Trustees: New responsibilities and penalties to consider

In 2009 the federal government began a review into Australia's superannuation system, including laws concerning Self Managed Superannuation Funds (SMSF). As usual it has taken time to progress from reform to regulation and we are now seeing some of the fruits of the government's labour.

Importantly for SMSF Trustees, the changes include new responsibilities when managing a SMSF, and new penalties that will result in Trustees being personally liable for penalties where their fund is contravention of law.

For further details please consult our blog on this topic at <http://www.btavantage.com.au/bta-vantage-blog/SMSF-Trustees.html>

New Year Financial Resolutions.

We normally talk in fiscal years at bTa Vantage, but the end of the calendar year is as sensible a moment as any to take stock and prepare for a successful 2013.

And while new year's resolutions are easily forgotten in the busy days of a dawning year, some are worth remembering more than others.

For further details please consult our blog on this topic at <http://www.btavantage.com.au/bta-vantage-blog/Not-All-New-Years-Resolutions-Need-be-Unattainable.html>

New Commissioner of Taxation

Michael D'Ascenzo has stepped down as Commissioner of Taxation after completing his seven year term.

He has been replaced by Chris Jordan who will commence his seven year term in the hot seat of Commissioner of Taxation effective as of January 2013.

Hundreds of tax cheats convicted

In the last quarter, 465 individuals and companies were convicted for tax and superannuation criminal offences resulting in over \$1.56 million in fines and penalties.

"The ATO pursues tax cheats to the full extent of the law to ensure people who pay their fair share of tax are not disadvantaged," Tax Commissioner Michael D'Ascenzo said.

"The courts view these matters seriously with seven custodial sentences handed down this quarter, as well as a suspended jail sentence, good behaviour bonds and community service orders."

"A record jail term of nine years was handed to Vanuatu based accountant Robert Agius for his role in promoting a tax minimisation scheme. He was the twenty-eighth person to be sentenced under Project Wickenby."

"We don't just prosecute complicated fraud schemes - this past quarter saw a range of offences including not lodging tax forms and making false and misleading statements." Mr D'Ascenzo said.

From 1 July to 30 September 2012:

- 13 people were convicted of serious tax and superannuation related criminal offences, including two prosecuted under Project Wickenby
- 452 taxpayers were convicted of deliberately evading their tax and superannuation obligations, including 440 taxpayers who failed to lodge tax returns and activity statements despite reminders and notices demanding lodgement.

"Our increasingly sophisticated information matching capabilities enable us to catch those cheating the system and protect the overall integrity," said Mr D'Ascenzo.

"Tax dollars fund vital government services such as health care and schools and superannuation funds our retirement. Those who cheat the system cheat the community."