

Wuest, Judith (SEN)

From: s piechocki [topaccount@bigpond.com]
Sent: Thursday, 29 May 2003 6:53 AM
To: Economics, Committee (SEN)
Subject: Tax agent Administration

I refer to the email I have received and the Senate Economics References Committee.

I believe that the present structure of Tax Agents administration is out of date in these modern times. For instance I now receive emails and other communications and am addressed as "Fellow Practitioner". Clearly the inference is that I as a senior member and a (PPC) Public Practice Certificate holder and deemed to be a Tax practitioner in every way. Alas that is not true because in spite of me being a professional self employed accountant with 14 years experience and at the age of 58 years the NSW tax Agents Board has refused to recognise me and register me as a Tax Agent. Consequently I have had to prepare Tax returns for my Accountancy Clients pro bono. I have received numerous emails from the National Institute of Accountants (NIA) always with the same theme, but specifically reminding me that unregistered Tax Agents must not charge fees. This would strengthen my view that the administration of Tax Agents is now not practicable. For instance since I am able to prepare the Financial statements of my clients including Incorporated Companies, Partnerships and sole Traders and prepare their BAS then why am I deemed incapable to complete the process by way of the Income tax return. Moreover I am a agent of the ASIC and have incorporated many companies and I have converted entities from partnership or sole trader to an Incorporated Company. Mr research has revealed that in the USA there are no formal Tax Agents rather anybody can prepare an income tax return but the preparer must indicate such and of course record income earned on their on tax return. I have informed all my clients that I am unregistered but none is concerned and seem mystified as why Have been refused registration , but even my local State Member of Parliament can see the present regulation need attention.

I attached herewith my current list of clients, my letter from my local State Member and an email I received some time ago from the NIA which advised me that the ATO and the Accounting bodies have been in discussion for the past 10 years whereby senior Public Practitioners such as myself should receive automatic registration. It stands to common sense that the Professional Bodies would not grant candidates Public Practice Status unless that person was fully qualified and experienced.

Yours Faithfully

S Piechocki PNA
Professional National Accountant
Member of the National Institute of Accountants.

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From: "Helen Howell" <helen.howell@nia.org J>
To: <topaccount@bigpond.com.au>
Sent: Tuesday, 31 December 2002 8:58 AM
Subject: NIATech - Feedback

Dear Stefan

In response to your feedback on the problems you are experiencing registering as a tax agent, you are correct to say that a proposal to allow all public practice certificate holders of a professional body automatic registration is being considered and a further elaboration on that proposal will be released in the near future. This proposal has been around for at least 10 years and it is something the ATO and professional bodies have been working towards for a long time.

Yours sincerely

Gavan Ord
Technical Policy Manager

per Helen Howell
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From: To: "Marc R Bruce" <marc.bruce@tng-global.com>
Sent: <marc.bruce@tng-global.com>
Subject: Wednesday, 28 May 2003 10:58 AM
Division 7 A Problems?

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En" .".,"

Dear Fellow Practitioner

Do you have clients with a Division 7 A debit loan account problem?

You will be aware that either a complying loan agreement must be in place ~ the loan is made, or the loan must be repaid by 30 June, 2003,

We can assist you with a simple and effective strategy that will enable your client to repay the problem loan by 30 June, 2003. Competitive financing can also be arranged up to 90% of the debt without the need for additional security.

But, you must act immediately. Please do not put yourself in the potentially negligent position of trying to solve this "time-bomb" at tax return preparation time - it's too late and the consequences for both you and the client are diabolical.

Call me in confidence today on 0418231 681. I'm here to help, but you must act.

Regards

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30 August 2002

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The Hon John Howard, MP
Prime Minister
Parliament House
CANBERRA ACT 2600

Dear Prime Minister

I write on behalf of Mr Stefan Piechocki, MNIA (PO Box 52, Buxton 2571) who is a senior member of the National Institute of Accountants and has many years of experience in a range of accounting, bookkeeping and tax related activities.

Mr Piechocki is concerned that current regulations prevent people of his expertise from being able to prepare tax returns, although this is well within his capability. He understands that prior to the last election, changes were being prepared to regulations to broaden accreditation to include senior experienced members of his profession and NIA members. However, he is concerned that this process has stalled.

Mr Piechocki is 58 years old and it is unrealistic to expect him to spend the required 1 year employed in an accountancy business to become accredited by the Tax Agents Board.

At present he can prepare BAS statements and has many satisfied clients (see attached list).

I write to draw this situation to your attention and to urge the Federal Government to complete the reforms which would appear to sensibly recognise the qualification of 'experience', and of course membership of NIA.

I look forward to your reply.

Yours sincerely

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**PETA SEATON, MP**  
Member for Southern Highlands  
Parliamentary Secretary to Shadow Cabinet  
Chair, Policy and Reform Committee  
PLS:LAN