



Australian Government



TAX
PRACTITIONERS
BOARD

Questions at the coalface: Code determination obligations - everything you need to succeed

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Welcome

'In the spirit of reconciliation, we respectfully acknowledge the Traditional Owners and Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their cultures, and Elders past, present and emerging.'

Access the presentation slides: tpb.gov.au/webinar-hub

You ask, we answer

- This is an open session where you can ask questions in relation to your obligations under the Code Determination.
- To ask a question, navigate to the **Q&A tab** and enter your questions in the chat box.
- Send through as many questions as you like.



What is the Code Determination?

- The Code Determination sets out 8 additional obligations that build on the existing principles in the Code.
- It came into effect:
 - 1 January 2025 for large tax practitioners with more than 100 employees
 - 1 July 2025 for firms with 100 employees or less.



Upholding and promoting ethical standards

Registered tax practitioners must:

- ✓ uphold and promote the Code
- ✓ avoid any conduct that may undermine:
 - public trust and confidence
 - the collective work of the tax profession.



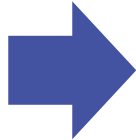
False or misleading statements

Making false, incorrect
or misleading
statements



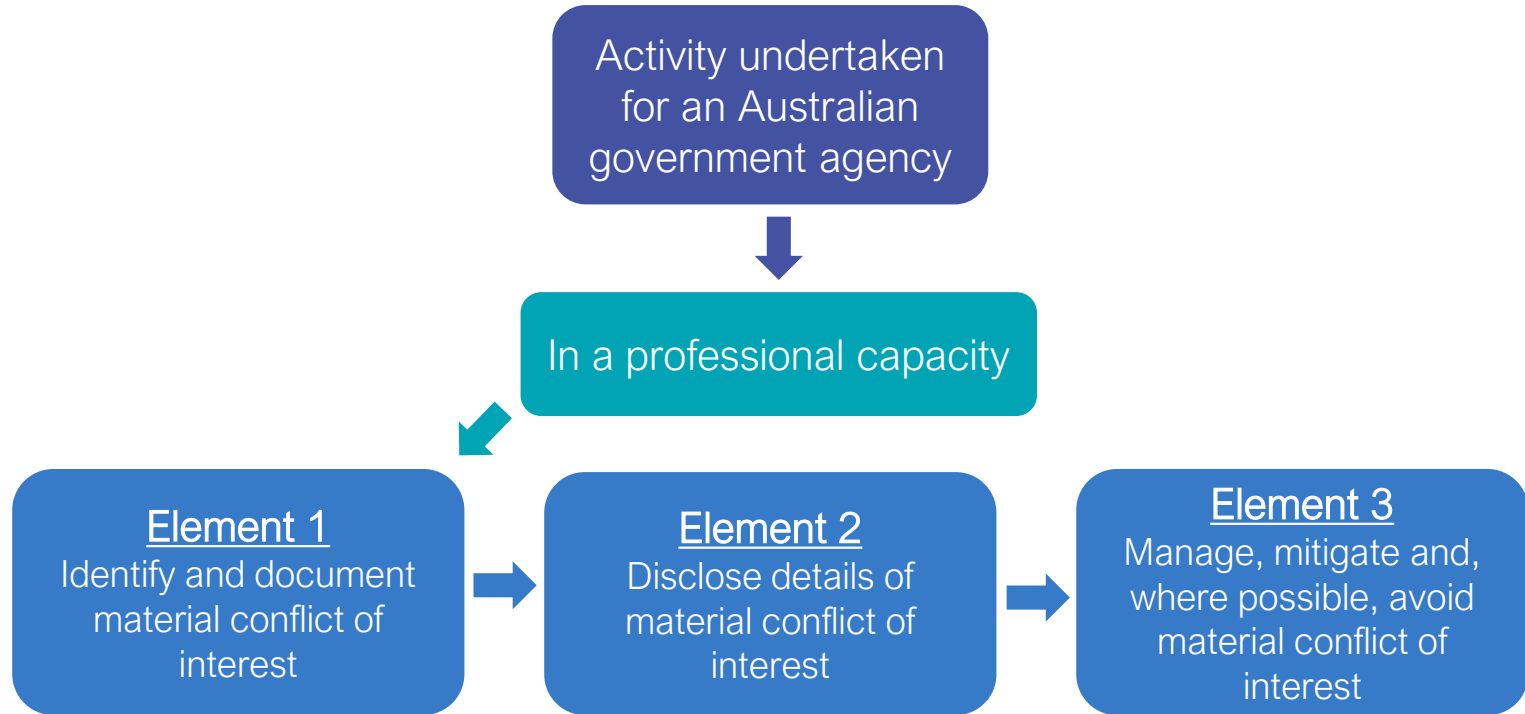
You must not make, prepare, permit or direct someone to make or prepare a statement to the TPB, Commissioner or another Australian government agency that is false, incorrect or misleading in a material particular (including by omission).

Correcting false,
incorrect or
misleading statements

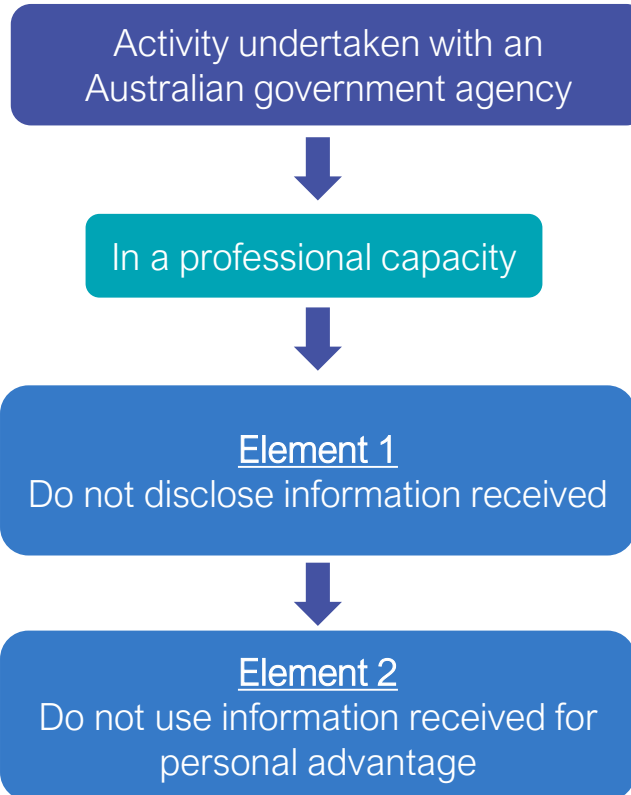


As soon as possible after becoming aware of a false, incorrect or misleading statement to the TPB or Commissioner you must take all reasonable steps to correct the statement, otherwise notify the TPB or Commissioner.

Conflicts of interest in activities undertaken for Government



Maintaining confidentiality in dealings with government



Keeping proper client records

- You should keep records that correctly record all services you provide, or are provided on your behalf, to each of your clients, including former clients.
- Records must be retained for at least 5 years after the service.
- This is particularly important when disputes or queries arise.



Tax agent services provided on your behalf are provided competently

- An employee must have knowledge and skills appropriate to the services provided on the tax practitioner's behalf.
- The level of supervision that is appropriate will differ from entity to entity.



Quality management systems



- You should establish, maintain, document and enforce a quality management system to provide confidence you are compliant with the Code.
- The extent of internal controls will differ significantly based on the:
 - size of practices
 - level of engagement by a tax practitioner on the tax agent services being provided
 - complexity of the services being provided.

Keeping your clients informed

You must inform all clients of the following information:

1. TPB public register
2. TPB complaint process
3. Rights, responsibilities and obligations
4. Prescribed events
5. Prescribed matters



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