

This Determination, to the extent that it is capable of being a 'public ruling' in terms of Part IVAAA of the *Taxation Administration Act 1953*, is a public ruling for the purposes of that Part. Taxation Ruling TR 92/1 explains when a Determination is a public ruling and how it is binding on the Commissioner. Unless otherwise stated, this Determination applies to years commencing both before and after its date of issue. However, this Determination does not apply to taxpayers to the extent that it conflicts with the terms of a settlement of a dispute agreed to before the date of issue of the Determination (see paragraphs 21 and 22 of Taxation Ruling TR 92/20).

Taxation Determination

Income tax: do documents, prepared prior to the completion of tax returns and showing an analysis of shareholdings for the purpose of establishing continuity of ownership, constitute source documents under the guidelines for Access to Professional Accounting Advisors' Papers?

1. Yes. Under the guidelines, tax working papers are considered to be source documents because "they are used in assembling and compiling information preparatory to the completion of tax returns".
2. Documents which show an analysis of shareholdings for the purpose of establishing continuity of ownership preparatory to the completion of tax returns are tax working papers.
3. Accordingly, these documents are source documents.

Example : A Ltd., a Public Company, had significant changes in its shareholders over the period of three years. To ascertain whether the losses incurred in prior years could be claimed as a deduction in the current year, an analysis of the shareholding changes was undertaken by its accounting advisors prior to completion of its income tax return.

The document showing the analysis is a source document.

Commissioner of Taxation

4/11/93