



***TD 15 - Capital Gains: Does roll-over relief apply if there is a capital loss following the loss, destruction of, or damage to, an asset acquired after 19 September 1985?***

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 This document has changed over time. This is a consolidated version of the ruling which was published on *31 October 1991*

*CGT Cell Determinations do not have the force of law, but can be relied upon as being the considered view of the ATO. Unless otherwise stated, the view expressed may be applied to transactions entered into both before and after the date of issue of the Determination.*

## CGT Determination Number 15

**Capital Gains: Does roll-over relief apply if there is a capital loss following the loss, destruction of, or damage to, an asset acquired after 19 September 1985?**

### Determination

1. No. Roll-over relief is only available if there is a capital gain (subsection 160ZZK(6) and paragraph 160ZZL(1)(c)).

COMMISSIONER OF TAXATION

31 October 1991

FOI INDEX DETAIL: Reference No. CGT 15

Subject Ref: Roll-over

Capital loss

Involuntary disposal

Legislative Ref: 160ZZK(6), 160ZZL(1)(c)

ATO Ref: CGT Cell

