



# ***CR 2004/66W - Income tax: Demerger of Australian Co-Operative Foods Limited***

 This cover sheet is provided for information only. It does not form part of *CR 2004/66W - Income tax: Demerger of Australian Co-Operative Foods Limited*

 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2005*



## Class Ruling

### Income tax: Demerger of Australian Co-Operative Foods Limited

---

#### **Preamble**

The number, subject heading, **What this Class Ruling is about** (including **Tax law(s)**, **Class of persons** and **Qualifications** sections), **Date of effect**, **Withdrawal**, **Arrangement** and **Ruling** parts of this document are a 'public ruling' in terms of Part IVAAA of the **Taxation Administration Act 1953**. CR 2001/1 explains Class Rulings and Taxation Rulings TR 92/1 and TR 97/16 together explain when a Ruling is a 'public ruling' and how it is binding on the Commissioner.

#### **Withdrawal**

---

1. This Ruling is withdrawn and ceases to have effect for income years after 30 June 2005 or substituted accounting periods. The Ruling continues to apply, in respect of the tax laws ruled upon to all persons within the specified class who enter into a specified arrangement during the term of the Ruling. Thus the Ruling continues to apply to those persons, even following its withdrawal, for arrangements entered into prior to the withdrawal of the Ruling. This is subject to there being no change in the arrangement or in the persons' involvement in the arrangement.

---

#### **Commissioner of Taxation**

23 June 2004

---

#### *Previous draft:*

Not previously issued as a draft

#### *Related Rulings/Determinations:*

CR 2001/1; TR 92/1; TR 92/20;  
TR 97/16

#### *Subject references:*

- capital benefit
- demerger
- demerger allocation
- demerger benefit
- schemes to provide certain benefits

#### *Legislative references:*

- ITAA 1936 45B
- ITAA 1936 45B(2)(a)
- ITAA 1936 45B(2)(b)
- ITAA 1936 45B(2)(c)
- ITAA 1936 45B(3)(a)
- ITAA 1936 45B(3)(b)
- ITAA 1936 45B(4)
- ITAA 1936 45B(5)
- ITAA 1936 45B(6)
- ITAA 1936 45B(8)
- ITAA 1936 45B(8)(k)
- ITAA 1936 45BA
- ITAA 1936 45C
- ITAA 1936 177D(b)(i)
- ITAA 1936 177D(b)(ii)

# CR 2004/66

- ITAA 1936 177D(b)(iii)
  - ITAA 1936 177D(b)(iv)
  - ITAA 1936 177D(b)(v)
  - ITAA 1936 177D(b)(vi)
  - ITAA 1936 177D(b)(vii)
  - ITAA 1936 177D(b)(viii)
  - Co-operatives Act 1992 (NSW)
  - Copyright Act 1968
  - Corporations Act 2001
  - TAA 1953 Pt IVA
- 

## ATO references

NO: 2004/8302

ISSN: 1445-2014