



# ***CR 2005/2W - Income tax: Warrnambool Cheese and Butter Factory Holdings Company LTD - Heritage Participation Shares***

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 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: Warrnambool Cheese and Butter Factory Holdings Company LTD – Heritage Participation Shares

### *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 This Class Ruling is withdrawn and ceases to have effect after 30 June 2005. The Ruling continues to apply, in respect of the tax laws ruled upon, to all persons within the 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 the persons' involvement in the arrangement.

### **Commissioner of Taxation**

19 January 2005

<i>Previous draft:</i>	- ITAA 1936 21A
Not previously issued as a draft	- ITAA 1936 21A(1)
	- ITAA 1936 21A(2)
	- ITAA 1936 21A(2)(b)
<i>Related Rulings/Determinations:</i>	- ITAA 1936 21A(5)
CR 2001/1; TR 92/1; TR 92/20;	- ITAA 1936 26(e)
TR 97/16	- ITAA 1936 Pt III Div 13A
	- ITAA 1936 139C
	- ITAA 1936 139C(1)
<i>Subject references:</i>	- ITAA 1936 139C(2)
- capital gains tax	- ITAA 1997 6-5
- cost base	- ITAA 1997 10-5
- employee share scheme	- ITAA 1997 104-10
- non cash business benefits	- ITAA 1997 104-25
- ordinary income	- ITAA 1997 Div 109
	- ITAA 1997 109-10
<i>Legislative references:</i>	- ITAA 1997 110-25
	- ITAA 1997 110-25(1)

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- ITAA 1997 110-25(2)
- ITAA 1997 112-20
- ITAA 1997 112-20(1)
- ITAA 1997 112-20(3)
- ITAA 1997 118-20
- ITAA 1997 Subdiv 130-A
- ITAA 1997 974-75(1)
- Copyright Act 1968
- TAA 1953 Pt IVAAA
- Wool Realisation (Distribution of Profits) Act 1948
- FC of T v. Cooling 90 ATC 4472
- FC of T v. Myer Emporium Ltd 87 ATC 4363
- FC of T v. Squatting Investment Co Ltd (1954) 10 ATD 361
- Revesby Credit Union Co-operative Ltd v. FC of T (1965) 112 CLR 564
- Richie v. Trustees Executors & Agency Co Ltd (1951) 84 CLR 553
- Tennant v. Smith (1892) 3 TC 158

*Case references:*

- FC of T v. Cooke and Sherden (1980) 29 ALR 202; 80 ATC 4140; (1980) 10 ATR 696
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ATO references

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