



CR 2005/37W - Income tax: trust restructure and transfer of assets - Estate of the Late George Adams/Tattersall's Limited

 This cover sheet is provided for information only. It does not form part of *CR 2005/37W - Income tax: trust restructure and transfer of assets - Estate of the Late George Adams/Tattersall's Limited*

 This document has changed over time. This is a consolidated version of the ruling which was published on *30 June 2006*



Class Ruling

Income tax: trust restructure and transfer of assets – Estate of the Late George Adams/Tattersall’s 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 This Ruling is withdrawn from 30 June 2006.

Commissioner of Taxation

18 May 2005

| | |
|--|--------------------------|
| | - ITAA 1936 97 |
| | - ITAA 1936 98A |
| <i>Previous draft:</i> | - ITAA 1997 Div 40 |
| Not previously issued as a draft | - ITAA 1997 40-30 |
| | - ITAA 1997 40-30(1) |
| <i>Related Rulings/Determinations:</i> | - ITAA 1997 40-30(1)(c) |
| CR 2001/1; TR 92/1; TR92/20; | - ITAA 1997 40-30(2) |
| TR 97/16; | - ITAA 1997 40-30(2)(c) |
| | - ITAA 1997 40-285 |
| <i>Subject references:</i> | |
| - absolute entitlement | - ITAA 1997 104-70 |
| - balancing adjustment | - ITAA 1997 104-75 |
| - CGT event | - ITAA 1997 104-75(3) |
| - capital gains tax | - ITAA 1997 104-80 |
| - capital proceeds | - ITAA 1997 104-80(3) |
| - cost base | - ITAA 1997 104-85 |
| - depreciating asset | - ITAA 1997 104-85(3) |
| - estate | - ITAA 1997 104-195 |
| - rollover relief | - ITAA 1997 104-195(2) |
| - shares | - ITAA 1997 106-50 |
| - trust | - ITAA 1997 108-5 |
| - uniform capital allowances | - ITAA 1997 108-5(1) |
| | - ITAA 1997 Subdiv 124-N |
| <i>Legislative references:</i> | - ITAA 1997 124-850(1) |
| - ITAA 1936 Pt IIIA | - ITAA 1997 124-855 |

CR 2005/37

- ITAA 1997 124-855(1)
- ITAA 1997 124-860
- ITAA 1997 124-870
- ITAA 1997 124-870(3)
- ITAA 1997 124-875
- ITAA 1997 Div 128
- TAA 1953 Pt IVA
- Copyright Act 1968

Case references:

- Hornsby v. Playoust [2004] VSC 472
- Playoust v. Hornsby [2005] VSCA 73
- Saunders v. Vautier [1841] 41 ER 282

ATO references

NO: 2005/6793

ISSN: 1445-2014

ATOLaw topic: Income Tax ~ Capital Gains Tax ~ roll-overs – trust to company
Income Tax ~ Capital Gains Tax ~ CGT events E1 to E9 – trusts
Income Tax ~ Capital Gains Tax ~ CGT events J1 to J4 – CGT events relating to roll-overs