

# ***CR 2006/116W - Income tax: return of capital: Altera Capital Limited***

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 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2006*

# Class Ruling

## Income tax: return of capital: Altera Capital Limited

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### This publication provides you with the following level of protection:

This publication (excluding appendixes) is a public ruling for the purposes of the *Taxation Administration Act 1953*.

A public ruling is an expression of the Commissioner's opinion about the way in which a relevant provision applies, or would apply, to entities generally or to a class of entities in relation to a particular scheme or a class of schemes.

If you rely on this ruling, we must apply the law to you in the way set out in the ruling (unless we are satisfied that the ruling is incorrect and disadvantages you, in which case we may apply the law in a way that is more favourable for you – provided we are not prevented from doing so by a time limit imposed by the law). You will be protected from having to pay any underpaid tax, penalty or interest in respect of the matters covered by this ruling if it turns out that it does not correctly state how the relevant provision applies to you.

## Withdrawal

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1. This Class Ruling is withdrawn and ceases to have effect after 30 June 2006. However, the Ruling continues to apply after its withdrawal in respect of the relevant provisions ruled upon, to all persons within the specified class who enter into the specified scheme during the term of the Ruling, subject to there being no change in the scheme or in the person's involvement in the scheme.

## References

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### *Previous draft:*

Not previously issued as a draft

### *Subject references:*

- return of capital on shares
- share capital

### *Legislative references:*

- TAA 1953
- TAA 1953 Sch 1 357-75(1)
- Copyright Act 1968
- ITAA 1936 6(1)
- ITAA 1936 44(1)
- ITAA 1936 45A

- ITAA 1936 45A(2)
- ITAA 1936 45A(3)(b)
- ITAA 1936 45B
- ITAA 1936 45B(2)(a)
- ITAA 1936 45B(2)(b)
- ITAA 1936 45B(2)(c)
- ITAA 1936 45B(3)
- ITAA 1936 45B(5)
- ITAA 1936 45B(8)
- ITAA 1936 45C
- ITAA 1936 47
- ITAA 1936 160ARDM
- ITAA 1936 Pt IVA
- ITAA 1997 104-25
- ITAA 1997 104-135

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|--------------------------|-----------------------|
| - ITAA 1997 104-135(1)   | - ITAA 1997 116-20(1) |
| - ITAA 1997 104-135(2)   | - ITAA 1997 Div 136   |
| - ITAA 1997 104-135(3)   | - ITAA 1997 136-10    |
| - ITAA 1997 104-135(4)   | - ITAA 1997 136-25    |
| - ITAA 1997 110-25       | - ITAA 1997 995-1(1)  |
| - ITAA 1997 Subdiv 115-A |                       |
| - ITAA 1997 115-25(1)    |                       |
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## ATO references

NO: 2006/20640

ISSN: 1445-2014

ATOlaw topic: Income Tax ~~ Return of capital  
Income Tax ~~ Capital Gains Tax ~~ CGT events G1 to  
G3 - shares  
Income Tax ~~ Capital Gains Tax ~~ CGT events C1 to  
C3 - end of a CGT asset