

CR 2006/5W - Income tax: capital gains: demerger of AGL Energy Limited by the Australian Gas Light Company

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⚠ This document has changed over time. This is a consolidated version of the ruling which was published on *28 June 2006*

Class Ruling

Income tax: capital gains: demerger of AGL Energy Limited by the Australian Gas Light Company

① This Ruling provides you with the following level of protection:

This publication (excluding appendices) 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 (or in a way that is more favourable for you if we are satisfied that the ruling is incorrect and disadvantages you, and we are not prevented from doing so by a time limit imposed by the law). You will be protected from having to pay any under-paid 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

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 This Class Ruling is withdrawn and ceases to have effect after 30 June 2006.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 tax provisions ruled upon, to all entities within the specified class who entered into the specified scheme during the term of the Ruling, subject to there being no change in the scheme or in the entities involvement in the scheme.

References

Previous draft:

Not previously issued as a draft

Related Rulings/Determinations:

TR 92/20; TR 2003/8

Subject references:

- capital benefit
- capital gains
- cost base adjustments
- demerger
- demerger allocation
- demerger benefit
- demerger dividend
- demerger group
- demerger subsidiary

- return of capital rollover
- schemes to provide certain benefits

Legislative references:

- ITAA 1936 6(1)
- ITAA 1936 6D
- ITAA 1936 44
- ITAA 1936 44(1)
- ITAA 1936 44(2)
- ITAA 1936 44(3)
- ITAA 1936 44(4)
- ITAA 1936 44(5)
- ITAA 1936 45B
- ITAA 1936 45B(2)

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- ITAA 1936 45B(2)(a)
 - ITAA 1936 45B(2)(b)
 - ITAA 1936 45B(2)(c)
 - ITAA 1936 45B(3)
 - 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 45B(9)
 - ITAA 1936 45B(10)
 - ITAA 1936 45BA
 - ITAA 1936 45C
 - ITAA 1936 47
 - ITAA 1936 160ARDM(1)
 - ITAA 1936 177D(b)
 - ITAA 1997 104-135
 - ITAA 1997 104-135(2)
 - ITAA 1997 104-135(3)
 - ITAA 1997 104-135(5)
 - ITAA 1997 109-10
 - ITAA 1997 Div 110
 - ITAA 1997 110-25(7)
 - ITAA 1997 110-25(8)
 - ITAA 1997 Div 114
 - ITAA 1997 115-30(1)
 - ITAA 1997 Div 125
 - ITAA 1997 125-55
 - ITAA 1997 125-55(1)
 - ITAA 1997 125-65(1)
 - ITAA 1997 125-65(3)
 - ITAA 1997 125-65(4)
 - ITAA 1997 125-65(6)
 - ITAA 1997 125-70
 - ITAA 1997 125-70(1)
 - ITAA 1997 125-70(1)(a)
 - ITAA 1997 125-70(1)(b)(i)
 - ITAA 1997 125-70(1)(c)(i)
 - ITAA 1997 125-70(1)(d)
 - ITAA 1997 125-70(1)(e)(i)
 - ITAA 1997 125-70(1)(f)
 - ITAA 1997 125-70(1)(g)
 - ITAA 1997 125-70(2)
 - ITAA 1997 125-70(2)(a)
 - ITAA 1997 125-70(2)(b)
 - ITAA 1997 125-70(3)
 - ITAA 1997 125-70(4)
 - ITAA 1997 125-70(5)
 - ITAA 1997 125-80
 - ITAA 1997 125-80(1)
 - ITAA 1997 125-80(2)
 - ITAA 1997 125-80(3)
 - ITAA 1997 125-80(5)
 - ITAA 1997 125-80(6)
 - ITAA 1997 125-85(1)
 - ITAA 1997 125-85(2)
 - TAA 1953
 - Copyright Act 1968
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ATO references

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ATOlaw topic: Income Tax ~~ Capital Gains Tax ~~ roll-overs - other
Income Tax ~~ Capital Gains Tax ~~ demerger relief
Income Tax ~~ Capital Gains Tax ~~ CGT events G1 to G3 shares