



# ***CR 2006/54W - Income tax: Shell Group Restructure - Employee Option Plans - discount not assessed at time of restructure***

 This cover sheet is provided for information only. It does not form part of *CR 2006/54W - Income tax: Shell Group Restructure - Employee Option Plans - discount not assessed at time of restructure*

 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: Shell Group Restructure – Employee Option Plans – discount not assessed at time of restructure

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### **❶ 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 (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 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 This Ruling is withdrawn on and ceases to have effect after 30 June 2006. The Ruling continues to apply in respect of the relevant provisions ruled upon to all entities within the specified class who entered into the specified scheme during the term of the Ruling. Thus the Ruling continues to apply to those entities, even following its withdrawal, for the scheme entered into prior to the withdrawal of the Ruling. This is subject to there being no change in the scheme or in the entities' involvement in the scheme.

## References

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### *Previous draft:*

Not previously issued as a draft

### *Related Rulings/Determinations:*

CR 2006/53; CR 2006/55;  
CR 2006/56

### *Subject references:*

- capital gains tax  
- election

- employee share scheme  
- no election  
- options  
- restructure

### *Legislative references*

- ITAA 1936 Pt III Div 13A  
- ITAA 1936 139B  
- ITAA 1936 139B(1)  
- ITAA 1936 139B(3)  
- ITAA 1936 139CA

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- ITAA 1936 139CB
- ITAA 1936 139CB(1)
- ITAA 1936 139CB(2)
- ITAA 1936 139CC
- ITAA 1936 139CD
- ITAA 1936 Pt III Div 13A Subdiv DA
- ITAA 1936 139DQ
- ITAA 1936 139DQ(1)
- ITAA 1936 139DQ(1)(a)(ii)
- ITAA 1936 139DR
- ITAA 1936 139E
- ITAA 1936 139G
- ITAA 1936 139GCC
- ITAA 1997 Subdiv 130-D

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- ITAA 1997 130-83
- ITAA 1997 130-83(1A)
- Copyright Act 1968
- TAA 1953
- TAA 1953 Sch 1 357-75(1)
- Companies Act 1985 (UK)

*Other references:*

- Explanatory Memorandum to the  
Tax Laws Amendment (2004  
Measures No. 7) Bill 2004

ATO references

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ATOlaw topic: Income Tax ~~ Assessable income ~~ employee share  
schemes