

GSTR 2006/9A8 - Addendum - Goods and services tax: supplies

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Addendum

Goods and Services Tax Ruling

Goods and services tax: supplies

This Addendum is a public ruling for the purposes of the *Taxation Administration Act 1953*. It amends Goods and Services Tax Ruling GSTR 2006/9 to reflect amendments made to the *A New Tax System (Goods and Services Tax) Act 1999* in relation to the GST treatment of digital currency.

GSTR 2006/9 is amended as follows:

1. Preamble

Omit the Note; substitute:

[Note: This is a consolidated version of this document. Refer to the ATO Legal database (ato.gov.au/law) to check its currency and to view the details of all changes.]

2. Paragraph 8

After the last dot point; insert:

- The Addendum to this Ruling that issued on 12 December 2018 explains the Commissioner's view of the law as it applied from 1 July 2017. You can rely on this Addendum from its date of effect for the purposes of section 357-60 of Schedule 1 to the *Taxation Administration Act 1953*.

3. Paragraph 32

Omit subparagraph 4 of the quoted text; substitute:

- (4) However, **supply** does not include:
 - (i) a supply of money unless the money is provided as consideration for a supply that is a supply of money or digital currency; or
 - (ii) a supply of digital currency unless the digital currency is provided as consideration for a supply that is a supply of digital currency or money.

4. Paragraph 45

Omit the paragraph (excluding footnote 18); substitute:

- 45. Subsection 9-10(4) provides that a supply does not include a supply of money or digital currency unless the money or digital currency is provided as consideration for a supply that is a supply of money or digital currency.¹⁸

5. Paragraph 46

After the paragraph; insert:

46A. Digital currency is defined by section 195-1 to mean digital units of value that:

- (a) are designed to be fungible; and
- (b) can be provided as consideration for a supply; and
- (c) are generally available to members of the public without any substantial restrictions on their use as consideration; and
- (d) are not denominated in any country's currency; and
- (e) do not have a value that depends on, or is derived from, the value of anything else; and
- (f) do not give an entitlement to receive, or to direct the supply of, a particular thing or things, unless the entitlement is incidental to:
 - (i) holding the digital units of value; or
 - (ii) using the digital units of value as consideration;

but does not include:

- (g) money; or
- (h) a thing that, if supplied, would be a financial supply for a reason other than being a supply of one or more digital units of value to which paragraphs (a) to (f) apply.

6. Paragraph 67

Omit the paragraph (excluding footnote 24); substitute:

67. In a straight forward commercial transaction, a supply is made to a recipient, who provides consideration in the form of money or digital currency to the supplier. As the payment of money or digital currency in these circumstances is not a supply²⁴, the recipient's payment of money or digital currency is not a supply.

This Addendum applies on and from 1 July 2017.

ATO references

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