


MT 2019A - Fringe benefits tax: shareholder employees of family private companies and directors of corporate trustees

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Addendum

Miscellaneous Taxation Ruling

Fringe benefits tax: shareholder employees of family private companies and directors of corporate trustees

Miscellaneous Taxation Ruling MT 2019 is amended to clarify the circumstances under which section 137 of the *Fringe Benefits Tax Assessment Act 1986* extends the definition of 'employee' and what is the taxation treatment of 'deemed dividends'.

MT 2019 is amended as follows:

1. Paragraph 3

Omit the second and third sentences; and substitute: 'The term 'employee' is defined in the legislation to mean a current employee, a future employee or a former employee with the term 'current employee' further defined in the legislation to mean a person who is entitled to receive salary or wages.'

2. Paragraph 4

Omit 'PAYE definition of employee', substitute 'subsection 136(1) definition of 'current employee''.

3. Paragraph 19

After 'section 108' insert 'and Division 7A'.

After 'Income Tax Assessment Act' insert '(1936)'.

Commissioner of Taxation

4 October 2006

ATO references

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ATOlaw Topic Fringe Benefits Tax ~~ Interpretation - including meaning of 'fringe benefits'