TD 2009/8 - Fringe benefits tax: for the purposes of section 28 of the Fringe Benefits Tax Assessment Act 1986 what are the indexation factors for valuing non-remote housing for the fringe benefits tax year commencing on 1 April 2009?

Taxation Determination

Fringe benefits tax: for the purposes of section 28 of the *Fringe Benefits Tax Assessment Act 1986 w*hat are the indexation factors for valuing non-remote housing for the fringe benefits tax year commencing on 1 April 2009?

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, the Commissioner must apply the law to you in the way set out in the ruling (unless the Commissioner is satisfied that the ruling is incorrect and disadvantages you, in which case the law may be applied to you in a way that is more favourable for you – provided the Commissioner is 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.

Ruling

1. The indexation factors for the purpose of valuing non-remote housing for the fringe benefits tax (FBT) year commencing 1 April 2009 are:

New South Wales	1.072
Victoria	1.062
Queensland	1.096
South Australia	1.053
Western Australia	1.127
Tasmania	1.046
Australian Capital Territory	1.078
Northern Territory	1.100

Date of effect

2. This Determination applies to the FBT year commencing 1 April 2009.

Commissioner of Taxation
18 March 2009

Appendix 1 – Explanation

This Appendix is provided as information to help you understand how the Commissioner's view has been reached. It does not form part of the binding public ruling.

Explanation

3. Section 28 of the *Fringe Benefits Tax Assessment Act 1986* (FBTAA) establishes the indexation factors which are applied in valuing non-remote housing under section 26 of the FBTAA. These factors are based on movements in the rent sub-group of the Consumer Price Index.

References

Previous draft:

Not previously issued as a draft

Previous Rulings/Determinations:

TD 93/40; TD 94/21; TD 95/21; TD 96/27; TD 97/10; TD 98/9; TD 1999/4; TD 2000/30; TD 2001/7; TD 2002/7; TD 2003/4; TD 2004/10; TD 2005/10; TD 2006/14; TD 2007/6; TD 2008/5

Subject references:

- fringe benefits tax
- housing fringe benefits
- housing indexation figures
- non-remote housing

Legislative references:

- FBTAA 1986 26
- FBTAA 1986 28
- TAA 1953

ATO references

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