

***TD 2017/14 - Fringe benefits tax: for the purposes of section 39A of the Fringe Benefits Tax Assessment Act 1986 what is the car parking threshold for the fringe benefits tax year commencing on 1 April 2017?***

 This cover sheet is provided for information only. It does not form part of *TD 2017/14 - Fringe benefits tax: for the purposes of section 39A of the Fringe Benefits Tax Assessment Act 1986 what is the car parking threshold for the fringe benefits tax year commencing on 1 April 2017?*

 This document has changed over time. This is a consolidated version of the ruling which was published on *17 May 2017*



## Taxation Determination

---

Fringe benefits tax: for the purposes of section 39A of the *Fringe Benefits Tax Assessment Act 1986* what is the car parking threshold for the fringe benefits tax year commencing on 1 April 2017?

**ⓘ 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 car parking threshold for the fringe benefits tax (FBT) year commencing on 1 April 2017 is \$8.66. This replaces the amount of \$8.48 that applied in the previous year commencing 1 April 2016.

### Date of effect

2. This Determination applies to the FBT year commencing on 1 April 2017.

---

**Commissioner of Taxation**  
17 May 2017

---

## Appendix 1 – Explanation

---

***1 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 39A of the *Fringe Benefits Tax Assessment Act 1986* sets out a number of conditions that must be met before car parking facilities provided by an employer to an employee will be subject to FBT.

4. Broadly, two of these conditions are that a commercial car parking station is located within a 1 kilometre radius of the employer provided car park, and that the lowest fee charged by the operator of that car park is more than the car parking threshold. Where there is more than one commercial parking station located within 1 kilometre, the condition is satisfied where the lowest fee charged by any of the operators is more than the threshold.

5. For example, if there are 3 commercial parking stations located within 1 kilometre of the employer provided car park and the lowest fee charged by each of the operators on 1 April 2017 is \$7.50, \$8.00 and \$9.00, the condition is satisfied because the lowest fee charged by one of the operators on 1 April 2017 is more than the car parking threshold.

6. The car parking threshold set in this Determination has been ascertained by adjusting the previous year amount \$8.48 by a factor equivalent to the movement in the All Groups Consumer Price Index (2.1 per cent).

## References

---

*Previous draft:*

Not previously issued as a draft

*Legislative references:*

- FBTAA 1986
- FBTAA 1986 39A
- TAA 1953

*Previous Rulings/Determinations:*

TD 2012/9; TD 2013/9; TD 2014/11;  
TD 2015/11; TD 2016/7

---

ATO references

NO: 1-ASAX6ON

ISSN: 2205-6211

BSL: PGH

ATOlaw topic: Fringe benefits tax ~~ Car parking benefits ~~ Car parking facilities ~~ 1km radius  
Fringe benefits tax ~~ Car parking benefits ~~ Car parking facilities ~~ All day parking  
Fringe benefits tax ~~ Car parking benefits ~~ Car parking facilities ~~ Commercial parking station  
Fringe benefits tax ~~ Car parking benefits ~~ Substantiation ~~ Lowest fee

---

**© AUSTRALIAN TAXATION OFFICE FOR THE  
COMMONWEALTH OF AUSTRALIA**

You are free to copy, adapt, modify, transmit and distribute this material as you wish (but not in any way that suggests the ATO or the Commonwealth endorses you or any of your services or products).