



TD 2017/26A1 - Addendum - Income tax: employee share schemes - when a dividend equivalent payment is assessable to an employee as remuneration

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Addendum

Taxation Determination

Income tax: employee share schemes – when a dividend equivalent payment is assessable to an employee as remuneration

This Addendum is a public ruling for the purposes of the *Taxation Administration Act 1953*. It amends Taxation Determination TD 2017/26 to clarify its interaction with the employee share trust requirements in subsection 130-85(4) of the *Income Tax Assessment Act 1997* and the associated Taxation Determination TD 2019/13 *Income tax: what is an ‘employee share trust’?*.

TD 2017/26 is amended as follows:

1. Paragraph 1

At the end of footnote 3, insert:

This Determination does not deal with whether such a trust is an employee share trust under subsection 130-85(4), refer to Taxation Determination TD 2019/13 *Income tax: what is an ‘employee share trust’?*.

2. Paragraph 11

In the first sentence, after the words ‘the trust deed’, insert new footnote 5A:

^{5A} Note that if a trustee exercises its power in this way, it will not meet the requirements for an employee share trust under subsection 130-85(4), refer to TD 2019/13.

This Addendum applies on and from 1 January 2018.

TD 2017/26

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ATO references

NO: 1-IDF45NM

ISSN: 2205-6211

BSL: PW

ATOlaw topic: Income tax ~~ Assessable income ~~ Employee share schemes ~~ Other
Income tax ~~ Assessable income ~~ Employment related ~~ Employee benefits

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