

***TD 2019/9 - 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 2019?***

! This cover sheet is provided for information only. It does not form part of *TD 2019/9 - 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 2019?*

! For information on the exemption threshold for future fringe benefits tax years, refer to [Fringe benefits tax - rates and thresholds](#).



## Taxation Determination

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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 2019?

### **Relying on this Ruling**

This publication (excluding appendixes) is a public ruling for the purposes of the *Taxation Administration Act 1953*.

If this Ruling applies to you, and you correctly rely on it, we will apply the law to you in the way set out in this Ruling. That is, you will not pay any more tax or penalties or interest in respect of the matters covered by this Ruling.

Further, if we think that this Ruling disadvantages you, we may apply the law in a way that is more favourable to you.

### **Ruling**

1. The car parking threshold for the fringe benefits tax (FBT) year commencing on 1 April 2019 is \$8.95. This replaces the amount of \$8.83 that applied in the previous year commencing 1 April 2018.

### **Date of effect**

2. This Determination applies to the FBT year commencing on 1 April 2019.

## Appendix 1 – Explanation

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**❶** *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 three 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 2019 is \$7.50, \$8.00 and \$10.00, the condition is satisfied because the lowest fee charged by one of the operators on 1 April 2019 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 \$8.83 by a factor equivalent to the movement in the Consumer Price Index (1.3%).

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## References

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*Previous draft:*

Not previously issued as a draft

*Legislative references:*

- FBTA
- FBTA 39A
- TA 1953

*Previous Rulings/Determinations:*

TD 2014/11; TD 2015/11; TD 2016/7;  
TD 2017/14; TD2018/7

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ATO references

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