


TD 2021/1 - Income tax: value of goods taken from stock for private use for the 2020-21 income year

 This cover sheet is provided for information only. It does not form part of *TD 2021/1 - Income tax: value of goods taken from stock for private use for the 2020-21 income year*



Status: **legally binding**

Taxation Determination

Income tax: value of goods taken from stock for private use for the 2020–21 income year

Relying on this Determination

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

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

Table of Contents	Paragraph
Ruling	1
Schedule for the value of goods taken from trading stock	2
Date of effect	3
Appendix – Explanation	4
Methodology	7
<i>Selection of industries</i>	7
<i>Determination of amounts</i>	9
Updating the Schedule	12

Ruling

1. This Determination provides an update of amounts that the Commissioner will accept as estimates of the value of goods taken from trading stock for private use by taxpayers in named industries. The updated amounts are contained in the Schedule for the value of goods taken from trading stock (the Schedule) at paragraph 2 of this Determination.

Schedule for the value of goods taken from trading stock

2. The Schedule for the value of goods taken from trading stock for private use in the 2020–21 income year is:

TYPE OF BUSINESS	AMOUNT (EXCLUDING GST) FOR ADULT/CHILD OVER 16 YEARS	AMOUNT (EXCLUDING GST) FOR CHILD 4 to 16 YEARS OLD
Bakery	\$1,350	\$675
Butcher	\$900	\$450
Restaurant/cafe (licensed)	\$4,640	\$1,810

Taxation Determination

TD 2021/1

Status: **legally binding**

TYPE OF BUSINESS	AMOUNT (EXCLUDING GST) FOR ADULT/CHILD OVER 16 YEARS	AMOUNT (EXCLUDING GST) FOR CHILD 4 to 16 YEARS OLD
Restaurant/cafe (unlicensed)	\$3,620	\$1,810
Caterer	\$3,830	\$1,915
Delicatessen	\$3,620	\$1,810
Fruiterer/greengrocer	\$930	\$465
Takeaway food shop	\$3,670	\$1,835
Mixed business (includes milk bar, general store and convenience store)	\$4,460	\$2,230

Date of effect

3. This Determination applies to the 2020–21 income year. However, this Determination will not apply to taxpayers to the extent that it conflicts with the terms of a settlement of a dispute agreed to before the date of issue of this Determination (see paragraphs 75 and 76 of Taxation Ruling TR 2006/10 *Public Rulings*).

Commissioner of Taxation
13 January 2021

Status: **not legally binding**

Appendix – Explanation

❶ *This Explanation 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.*

4. In the context of self-assessment, each taxpayer should be able to demonstrate that the value attributed to goods taken from stock for private use was fair and reasonable. Taxpayers should always have regard to their own circumstances when determining the appropriate value.

5. The Commissioner has previously issued 'goods own use' (GOU) amounts for a range of industries in recognition of the fact that in many cases it is difficult for accurate records to be kept of transactions involving goods taken from stock for private use. These amounts are estimates of the value of goods taken from trading stock for private use by taxpayers in named industries.

6. It is also recognised that greater or lesser values may be appropriate in particular cases. Taxpayers may be able to justify a lower value for goods taken from stock than that shown in the Schedule. In that case the lower amount should be used. Where the value of goods ex-stock would be significantly greater, the actual amount should be used.

Methodology

Selection of industries

7. Industries suitable for inclusion in the Schedule should:

- exhibit a transformation process of trading stock items (for example, baking)
- have as trading stock a range of small items or ingredients, usually of low value
- not be suited to inventory systems, and
- have a high turnover of items, often for cash.

8. Industries included in the Schedule are:

Bakery
Butcher
Restaurant/cafe (licensed)
Restaurant/cafe (unlicensed)
Caterer
Delicatessen
Fruiterer/greengrocer
Takeaway food shop
Mixed business (incorporating milk bar, general store and convenience store)

Determination of amounts

11. The main assumption in calculating GOU amounts is that if a business has an item in stock then the taxpayer would take the item from stock for own use rather than purchase the item elsewhere. However, the GOU amounts represent amounts that the Commissioner deems acceptable. Where a taxpayer considers the values provided in the Schedule do not reflect their particular circumstances, they may elect to maintain suitable records⁵ of items taken from trading stock for personal use.

12. It is intended to adjust the values annually to reflect either the most recent HES data or the HES data uplifted for CPI movements and reissue the Schedule at the commencement of each income year.

⁵ See section 262A of the *Income Tax Assessment Act 1936* and Taxation Ruling TR 96/7 *Income tax: record keeping – section 262A – general principles*. Law Administration Practice Statement PS LA 2004/3 (GA) *Trading stock: valuation of goods taken from trading stock for private use by sole traders or partners in a partnership* sets out the approach the Commissioner will accept for valuing trading stock that is taken for private use by sole traders or partners in a partnership.

Status: **not legally binding**

References

Previous draft:

Not previously issued as a draft

Related Rulings/Determinations:

TR 96/7; TR 2006/10; TD 2017/9; TD 2018/10;
TD 2019/2; TD 2020/1

Legislative references:

- ITAA 1936 262A

- TAA 1953

Other references:

- PS LA 2004/3 (GA)
- Australian Bureau of Statistics
(2018) Household Expenditure
Survey, Australia: Summary of
Results - 2015–16 financial year,
abs.gov.au

ATO references

NO: 1-NXZ10GY

ISSN: 2205-6211

BSL: IAI

ATOlaw topic: Income tax ~~ Assessable income ~~ Trading stock ~~ Disposal of trading stock

© 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).