


TR 95/17A2 - Addendum - Income tax: employee work-related deductions of the Australian Defence Force

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Addendum No 2

Income tax: employee work-related deductions of employees of the Australian Defence Force

*Paragraph 1 of this document is a public ruling for the purpose of Part IVAAA of the **Taxation Administration Act 1953** and is legally binding on the Commissioner. Taxation Rulings TR 92/1 and TR 97/16 together explain when a Ruling is a public ruling and how it is binding on the Commissioner.*

This Addendum amends Taxation Ruling TR 95/17 as follows:

1. Paragraph 24

Delete all information under the heading ‘**Fitness related expenses:** – *Expenses for sporting activities*’ and substitute:

‘Expenditure incurred in participating in sporting activities is not an allowable deduction unless the ADF member is on duty and is either participating as an official ADF representative or is required to participate as part of the ADF member’s normal income earning activities (paragraphs 126 to 131).’

2. Paragraph 127

Omit the paragraph; substitute:

‘127. A deduction is allowable for expenses incurred by an ADF member in participating in a sporting activity if the member is considered to be on duty while participating in the activity and:

- the member is participating as an official ADF representative at inter service or combined service competitions; or
- the member is required to participate in the activity as part of his/her normal income earning activities.

Note: a member is considered not to be ‘on duty’ once they have been dismissed.’

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3. Paragraph 128

Insert at the start:

‘A deduction is not allowable where the member is required to participate in a particular sporting activity but is not on duty.’

4. Paragraph 129

Omit the paragraph; substitute:

‘129. **Example:** Doug is a soldier in the Army. He is required to participate in rugby football on his weekly sports afternoon and on those occasions he is considered to be on duty. He also plays with the same ADF team in the local civilian competition on weekends. Doug would be allowed a deduction for transport expenses in respect of his sports afternoon but not for his weekend sport.’

Commissioner of Taxation

31 March 1999

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