

# ***CR 2002/81W - Income tax: capital gains: demerger roll-over relief for shareholders: demerger of WMC Ltd***

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 This document has changed over time. This is a consolidated version of the ruling which was published on 30 June 2003

## Class Ruling

Income tax: capital gains: demerger roll-over relief for shareholders: demerger of WMC Ltd

### *Preamble*

*The number, subject heading, and the What this Class Ruling is about (including Tax law(s), Class of persons and Qualifications sections), Date of effect, Withdrawal, Arrangement and Ruling parts of this document are a 'public ruling' in terms of Part IVAAA of the Taxation Administration Act 1953. CR 2001/1 explains Class Rulings and 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.*

## Withdrawal

1. The Ruling is withdrawn from 30 June 2003.

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### Commissioner of Taxation

13 November 2002

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*Previous draft:*

Not previously released in draft form.

- schemes to provide certain benefits tax benefit

*Related Rulings/Determinations:*

CR 2001/1; CR 2002/78; TR 92/1;  
TR92/20; TR97/16

*Legislative references:*

- ITAA 1936 Pt IVA
- ITAA 1936 6(1)
- ITAA 1936 44
- ITAA 1936 44(1)
- ITAA 1936 44(3)
- ITAA 1936 44(4)
- ITAA 1936 44(5)
- ITAA 1936 45B
- ITAA 1936 45B(2)(a)
- ITAA 1936 45B(2)(b)
- ITAA 1936 45B(2)(c)
- ITAA 1936 45B(3)(a)
- ITAA 1936 45B(3)(b)
- ITAA 1936 45B(4)
- ITAA 1936 45B(5)
- ITAA 1936 45B(6)
- ITAA 1936 45B(8)
- ITAA 1936 45B(8)(c)
- ITAA 1936 45B(8)(d)
- ITAA 1936 45B(8)(e)

*Subject references:*

- capital benefit
- capital gains
- cost base adjustments
- demerger
- demerger allocation
- demerger benefit
- demerger dividend
- demerger subsidiary
- demerger group
- enabling distribution
- employee share acquisition scheme
- non-resident shareholders
- return of capital
- roll-over

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- ITAA 1936 45B(8)(f) - ITAA 1997 125-70(1)(3)
  - ITAA 1936 45B(8)(g) - ITAA 1997 125-70(2)
  - ITAA 1936 45BA - ITAA 1997 125-70(2)(a)
  - ITAA 1936 45C - ITAA 1997 125-70(2)(b)
  - ITAA 1936 128B - ITAA 1997 125-70(4)
  - TAA 1953 Pt IVAAA - ITAA 1997 125-70(5)
  - ITAA 1936 128B(3D) - ITAA 1997 125-75
  - ITAA 1997 104-135 - ITAA 1997 125-75(1)
  - ITAA 1997 115-30(1) - ITAA 1997 125-80(1)
  - ITAA 1997 125 - ITAA 1997 125-80(2)
  - ITAA 1997 125-55(1) - ITAA 1997 125-80(3)
  - ITAA 1997 125-55(2) - ITAA 1997 125-80(4)
  - ITAA 1997 125-55(2)(b) - ITAA 1997 125-80(5)
  - ITAA 1997 125-65(1) - ITAA 1997 125-80(6)
  - ITAA 1997 125-65(3) - ITAA 1997 125-80(7)
  - ITAA 1997 125-65(4) - ITAA 1997 125-80(8)
  - ITAA 1997 125-65(6) - ITAA 1997 125-85(1)
  - ITAA 1997 125-70 - ITAA 1997 125-85(2)
  - ITAA 1997 125-70(1) - ITAA 1997 136-10
  - ITAA 1997 125-70(1)(a) - ITAA 1997 136-25
  - ITAA 1997 125-70(1)(b)(i) - Copyright Act 1968
  - ITAA 1997 125-70(1)(c)(i) - Corporations Act 1989
  - ITAA 1997 125-70(1)(d) - New Business Tax System  
(Consolidation, Value Shifting,  
Demergers and Other Measures)
  - ITAA 1997 125-70(1)(e)(i)
  - ITAA 1997 125-70(1)(f)
  - ITAA 1997 125-70(1)(g) No 90 of Act 2002
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**ATO References**

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