



# ***CR 2003/66W - Income tax: capital gains: demerger roll-over relief for shareholders: demerger of Tethyan Copper Company Limited from Mincor Resources NL***

 This cover sheet is provided for information only. It does not form part of *CR 2003/66W - Income tax: capital gains: demerger roll-over relief for shareholders: demerger of Tethyan Copper Company Limited from Mincor Resources NL*

 This document has changed over time. This is a consolidated version of the ruling which was published on *30 June 2004*



## **Class Ruling**

### **Income tax: capital gains: demerger roll-over relief for shareholders: demerger of Tethyan Copper Company Limited from Mincor Resources NL**

---

#### ***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. This Ruling is withdrawn from 30 June 2004.

---

### **Commissioner of Taxation**

13 August 2003

#### *Previous draft:*

Not previously released in draft form.

#### *Related Rulings/Determinations:*

TR 92/1; TR 92/20; TR 97/16;  
CR 2001/1

#### *Subject references:*

- capital benefit
- capital gains
- cost base adjustments
- demerger
- demerger allocation
- demerger benefit
- demerger dividend
- demerger subsidiary
- demerger group
- employee share acquisition scheme
- non-resident shareholders
- return of capital
- roll-over
- schemes to provide certain benefits

#### *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)
- ITAA 1936 45B(8)(f)
- ITAA 1936 45B(8)(g)

- ITAA 1936 45BA
- ITAA 1936 45C
- ITAA 1936 128B
- ITAA 1936 128B(3D)
- TAA 1953 Pt IVAAA
- TAA 1953 14ZAAF
- ITAA 1997 104-135
- ITAA 1997 115-30(1)
- ITAA 1997 125
- ITAA 1997 125-55(1)
- ITAA 1997 125-55(2)
- ITAA 1997 125-55(2)(b)
- ITAA 1997 125-60(1)
- ITAA 1997 125-65(1)
- ITAA 1997 125-65(3)
- ITAA 1997 125-65(4)
- ITAA 1997 125-65(6)
- ITAA 1997 125-70
- ITAA 1997 125-70(1)
- ITAA 1997 125-70(1)(a)
- ITAA 1997 125-70(1)(b)(i)
- ITAA 1997 125-70(1)(c)(i)
- ITAA 1997 125-70(1)(c)(ii)
- ITAA 1997 125-70(1)(d)
- ITAA 1997 125-70(1)(e)(i)
- ITAA 1997 125-70(1)(f)
- ITAA 1997 125-70(1)(g)
- ITAA 1997 125-70(2)
- ITAA 1997 125-70(2)(a)
- ITAA 1997 125-70(2)(b)
- ITAA 1997 125-70(3)
- ITAA 1997 125-70(4)
- ITAA 1997 125-70(5)
- ITAA 1997 125-75
- ITAA 1997 125-75(1)
- ITAA 1997 125-80(1)
- ITAA 1997 125-80(2)
- ITAA 1997 125-80(3)
- ITAA 1997 125-80(4)
- ITAA 1997 125-80(5)
- ITAA 1997 125-80(6)
- ITAA 1997 125-80(7)
- ITAA 1997 125-80(8)
- ITAA 1997 125-85(1)
- ITAA 1997 125-85(2)
- ITAA 1997 125-90(1)
- ITAA 1997 125-90(2)
- ITAA 1997 136-10
- ITAA 1997 136-25
- Copyright Act 1968
- Corporations Act 1989
- New Business Tax System  
Consolidation, Value Shifting,  
Demergers and Other Measures) No  
90 of Act 2002

---

ATO references

NO: 2003/10151

ISSN: 1445-2014