



# ***CR 2004/102W - Income tax: employee share scheme - Allocation Share Plan: NRMA Insurance Group Limited***

 This cover sheet is provided for information only. It does not form part of *CR 2004/102W - Income tax: employee share scheme - Allocation Share Plan: NRMA Insurance Group Limited*

 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2001*



## Class Ruling

### Income tax: employee share scheme – Allocation Share Plan: NRMA Insurance Group Limited

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#### **Preamble**

The number, subject heading, **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

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1. This Ruling is withdrawn and ceases to have effect from 1 July 2001. The Ruling continues to apply, in respect of the tax laws ruled upon to all persons within the specified class who entered into the specified arrangement during the term of the Ruling. Thus the Ruling continues to apply to those persons, even following its withdrawal, for arrangements entered into prior to the withdrawal of the Ruling. This is subject to there being no change in the arrangement or in the persons' involvement in the arrangement.

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#### **Commissioner of Taxation**

22 September 2004

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#### *Previous draft:*

Not previously issued as a draft

#### *Previous Rulings/Determinations:*

CR 2001/1; TR 92/1; TR 92/20;  
TR 97/16; TD 97/23

#### *Subject references:*

- absolute entitlement
- acquisition of shares
- capital gains tax
- CGT cost base
- CGT discount
- CGT event
- CGT event A1
- CGT event C2
- CGT event E1

- CGT event E2
- CGT event E5
- cost base
- dismissal of employees
- disposal of shares
- employee related issues
- employee share ownership
- employee share schemes & options
- employees
- employer/employee relationship issues
- forfeiture of rights & entitlements
- franked dividends
- franking rebates
- imputation credits
- imputation system
- income

- resignation of employees
- share discounts on employee share schemes
- shareholders
- shares
- trust distributions
- trustees
- trusts

*Legislative references:*

- Copyright Act 1968
- TAA 1953 Pt IVAAA
- ITAA 1936 Pt III Div 6
- ITAA 1936 97
- ITAA 1936 100
- ITAA 1936 Pt III Div 13A
- ITAA 1936 Pt III Div 13A Subdiv B
- ITAA 1936 139B
- ITAA 1936 139B(2)
- ITAA 1936 139B(3)
- ITAA 1936 139BA
- ITAA 1936 Pt III Div 13A Subdiv C
- ITAA 1936 139C
- ITAA 1936 139C(1)
- ITAA 1936 139C(3)
- ITAA 1936 139CA
- ITAA 1936 139CA(2)
- ITAA 1936 139CA(2)(d)
- ITAA 1936 139CA(3)
- ITAA 1936 139CC
- ITAA 1936 139CC(2)
- ITAA 1936 139CC(3)
- ITAA 1936 139CC(4)
- ITAA 1936 139CD
- ITAA 1936 139CE
- ITAA 1936 139E
- ITAA 1936 139FA
- ITAA 1936 139FA(1)(a)
- ITAA 1936 139FA(1)(b)(i)
- ITAA 1936 139FA(1)(b)(ii)
- ITAA 1936 139FB(1)
- ITAA 1936 139G
- ITAA 1936 139GB(1)
- ITAA 1936 Pt IIIAA
- ITAA 1936 Pt IIIAA Div 1A
- ITAA 1936 160AQT
- ITAA 1936 160AQW
- ITAA 1936 160AQX
- ITAA 1997 104-10
- ITAA 1997 104-10(4)
- ITAA 1997 104-25
- ITAA 1997 104-25(3)
- ITAA 1997 Div 109
- ITAA 1997 109-5
- ITAA 1997 109-5(2)
- ITAA 1997 109-55
- ITAA 1997 Div 115
- ITAA 1997 115-5
- ITAA 1997 115-10
- ITAA 1997 115-15
- ITAA 1997 115-20
- ITAA 1997 115-25
- ITAA 1997 115-30(1)
- ITAA 1997 115-100(a)
- ITAA 1997 Div 116
- ITAA 1997 116-30
- ITAA 1997 Subdiv 130-D
- ITAA 1997 130-80
- ITAA 1997 130-80(3)
- ITAA 1997 130-83
- ITAA 1997 130-83(1)
- ITAA 1997 130-83(2)
- ITAA 1997 130-83(3)
- ITAA 1997 Pt 3-6
- ITAA 1997 207-40(2)
- ITAA 1997 207-45(1)
- ITAA 1997 207-50

*Case references:*

- Collis v. FC of T 96 ATC 4831; (1996) 33 ATR 438
- FC of T v. Wade (1951) 84 CLR 105; (1951) 5 AITR 214; (1951) 9 ATD 337
- Granby v. FC of T (1995) 129 ALR 503; 95 ATC 4240; (1995) 30 ATR 400
- Henty House Pty Ltd (in liq) v. FC of T (1953) 88 CLR 141; (1953) 5 AITR 557; (1953) 10 ATD 231
- Mosaic Oil NL v. Angari Pty Ltd (No. 2) and Another (1990) 8 ACLC 780; (1990) 20 NSWLR 280
- Pontifex Jewellers (Wholesale) Pty Ltd v. FC of T [1999] FCA 1822; 99 ATC 5324; (1999) 43 ATR 643
- Re Mal Bower's Macquarie Electrical Centre Pty Ltd (in liq) (1974) CLC 27,771; [1974] 1 NSWLR 254
- Spencer v. The Commonwealth (1907) 5 CLR 418; (1907) 14 ALR 253

*Other references:*

- Explanatory Memorandum to the Taxation Laws Amendment Act (No. 2) 1995



ATO references

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