

CR 2004/108W - Income tax: capital gains: demerger of Austin Engineering Ltd by West Australian Metals Ltd

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 This document has changed over time. This is a consolidated version of the ruling which was published on 1 July 2004



Class Ruling

Income tax: capital gains: demerger of Austin Engineering Ltd by West Australian Metals Ltd

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

1. This Ruling is withdrawn from 1 July 2004. The Ruling continues to apply to those members of the class of persons who participated in the demerger which happened on 8 December 2003.

Commissioner of Taxation

6 October 2004

Previous draft:

Not previously issued as a draft

- 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(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 Pt IVA

- ITAA 1936 177D

- ITAA 1997 104-135

Related Rulings/Determinations:
CR 2001/1; TR 92/1; TR 92/20;
TR 97/16

Subject references:

- capital benefit
- capital gains
- cost base adjustments
- demerger
- demerger allocation
- demerger benefit
- demerger dividend
- demerger subsidiary
- demerger group
- return of capital
- roll-over
- schemes to provide certain benefits

Legislative references:

- ITAA 1997 115-30(1)
 - ITAA 1997 Div 125
 - ITAA 1997 125-55(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)(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 125-80
 - ITAA 1997 125-80(1)
 - ITAA 1997 125-80(2)
 - ITAA 1997 125-80(3)
 - ITAA 1997 125-85(1)
 - ITAA 1997 125-85(2)
 - Copyright Act 1968
 - TAA 1953 Pt IVAAA
 - TAA 1953 14ZAAF
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ATO references

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