

CR 2005/83W - Income tax: demerger of Mayne Pharma Limited by Mayne Group Limited

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 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2006*



Class Ruling

Income tax: demerger of Mayne Pharma Limited by Mayne Group Limited

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 IVA 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 This Class Ruling is withdrawn and ceases to have effect after 30 June 2006. However, the Ruling continues to apply after its withdrawal 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, subject to there being no change in the arrangement or in the person's involvement in the arrangement.

Commissioner of Taxation

12 October 2005

Previous draft:

Not previously issued as a draft

Related Rulings/Determinations:

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

Subject references:

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

Legislative references:

- ITAA 1936 6(1)
- ITAA 1936 6(1)(d)
- ITAA 1936 6D
- ITAA 1936 6D(3)
- ITAA 1936 44
- ITAA 1936 44(1)
- ITAA 1936 44(2)
- ITAA 1936 44(3)
- ITAA 1936 44(4)
- ITAA 1936 44(5)
- ITAA 1936 45A
- ITAA 1936 45A(2)
- ITAA 1936 45B
- ITAA 1936 45B(2)
- ITAA 1936 45B(2)(a)
- ITAA 1936 45B(2)(b)
- ITAA 1936 45B(2)(c)
- ITAA 1936 45B(3)
- ITAA 1936 45B(3)(a)
- ITAA 1936 45B(3)(b)

CR 2005/83

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| - ITAA 1936 45B(4) | - ITAA 1997 125-70(1)(b)(iii) |
| - ITAA 1936 45B(5) | - ITAA 1997 125-70(1)(c)(i) |
| - ITAA 1936 45B(8) | - ITAA 1997 125-70(1)(d) |
| - ITAA 1936 45BA | - ITAA 1997 125-70(1)(e)(i) |
| - ITAA 1936 45BA(1) | - ITAA 1997 125-70(1)(f) |
| - ITAA 1936 45C | - ITAA 1997 125-70(1)(g) |
| - ITAA 1936 47 | - ITAA 1997 125-70(2) |
| - ITAA 1936 128B | - ITAA 1997 125-70(2)(a) |
| - ITAA 1936 128B(3D) | - ITAA 1997 125-70(2)(b) |
| - ITAA 1936 Pt IIIAA Div 7B | - ITAA 1997 125-70(3) |
| - ITAA 1936 160ARDM | - ITAA 1997 125-70(4) |
| - ITAA 1997 103-5 | - ITAA 1997 125-70(5) |
| - ITAA 1997 104-135 | - ITAA 1997 125-75(4) |
| - ITAA 1997 109-10 | - ITAA 1997 125-75(5) |
| - ITAA 1997 Div 110 | - ITAA 1997 125-80 |
| - ITAA 1997 Div 115 | - ITAA 1997 125-80(1) |
| - ITAA 1997 115-25(1) | - ITAA 1997 125-80(2) |
| - ITAA 1997 115-30(1) | - ITAA 1997 125-80(3) |
| - ITAA 1997 Div 125 | - ITAA 1997 125-80(6) |
| - ITAA 1997 125-55(1) | - ITAA 1997 125-85(1) |
| - ITAA 1997 125-65(1) | - ITAA 1997 125-85(2) |
| - ITAA 1997 125-65(3) | - ITAA 1997 202-45 |
| - ITAA 1997 125-65(4) | - ITAA 1997 202-45(i) |
| - ITAA 1997 125-65(6) | - TAA 1953 Pt IVAAA |
| - ITAA 1997 125-70 | - Copyright Act 1968 |
| - ITAA 1997 125-70(1) | |
| - ITAA 1997 125-70(1)(a) | |
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ATO references

NO:

ISSN: 1445-2014

ATOlaw topic: Income Tax ~~ Capital Gains Tax ~~ roll-overs – other
Income Tax ~~ Capital Gains Tax ~~ demerger relief
Income Tax ~~ Capital Gains Tax ~~ CGT events G1 to G3
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