


CR 2006/123W - Income tax: Henderson Group plc - return of capital

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 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2007*

Class Ruling

Income tax: Henderson Group plc – return of capital

This publication provides you with the following level of protection:

This publication (excluding appendixes) is a public ruling for the purposes of the *Taxation Administration Act 1953*.

A public ruling is an expression of the Commissioner's opinion about the way in which a relevant provision applies, or would apply, to entities generally or to a class of entities in relation to a particular scheme or a class of schemes.

If you rely on this ruling, we must apply the law to you in the way set out in the ruling (unless we are satisfied that the ruling is incorrect and disadvantages you, in which case we may apply the law in a way that is more favourable for you – provided we are not prevented from doing so by a time limit imposed by the law). You will be protected from having to pay any underpaid tax, penalty or interest in respect of the matters covered by this ruling if it turns out that it does not correctly state how the relevant provision applies to you.

Withdrawal

1. This Ruling is withdrawn and ceases to have effect after 30 June 2007. The Ruling continues to apply after its withdrawal, in respect of the relevant provisions ruled upon, to all entities within the specified class who enter into the specified scheme during the term of the Ruling, subject to there being no change in the scheme or in the entities' involvement in the scheme.

References

Previous draft:

Not previously issued as a draft

Related Rulings/Determinations:

CR 2005/66

Subject references:

- capital reduction
- CGT event
- dividend
- return of capital on shares
- share cancellation

Legislative references:

- ITAA 1936 6(1)
- ITAA 1936 6(4)
- ITAA 1936 44
- ITAA 1936 44(1)
- ITAA 1936 45A
- ITAA 1936 45A(2)
- ITAA 1936 45A(3)
- ITAA 1936 45A(3)(b)
- 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(8)

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|--------------------------|-------------------------------|
| - ITAA 1936 45B(8)(a) | - ITAA 1936 177D(b)(vi) |
| - ITAA 1936 45B(8)(b) | - ITAA 1936 177D(b)(vii) |
| - ITAA 1936 45B(8)(c) | - ITAA 1936 177D(b)(viii) |
| - ITAA 1936 45B(8)(d) | - ITAA 1936 318 |
| - ITAA 1936 45B(8)(e) | - ITAA 1997 104-25 |
| - ITAA 1936 45B(8)(f) | - ITAA 1997 104-25(3) |
| - ITAA 1936 45B(8)(g) | - ITAA 1997 Subdiv 115-A |
| - ITAA 1936 45B(8)(h) | - ITAA 1997 115-25(1) |
| - ITAA 1936 45B(8)(i) | - ITAA 1997 116-20 |
| - ITAA 1936 45B(8)(j) | - ITAA 1997 116-30 |
| - ITAA 1936 45B(8)(k) | - ITAA 1997 116-30(2) |
| - ITAA 1936 45B(9) | - ITAA 1997 995-1(1) |
| - ITAA 1936 45C | - TAA 1953 |
| - ITAA 1936 177D(b)(i) | - TAA 1953 Sch 1 357-75(1) |
| - ITAA 1936 177D(b)(ii) | - Taxation Laws Amendment |
| - ITAA 1936 177D(b)(iii) | (Company Law Review) Act 1998 |
| - ITAA 1936 177D(b)(iv) | - Copyright Act 1968 |
| - ITAA 1936 177D(b)(v) | |
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ATO references

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Income Tax ~~ Capital Gains Tax ~~ CGT events C1 to
C3 - end of a CGT asset