


***TD 2004/D73W - Withdrawal - Income tax:
consolidation: capital gains: which entity acquires a
CGT asset, and when, if a contract to acquire the
asset is entered into by a subsidiary member of a
consolidated group and the contract settles after the
subsidiary has left the group?***

 This cover sheet is provided for information only. It does not form part of *TD 2004/D73W - Withdrawal - Income tax: consolidation: capital gains: which entity acquires a CGT asset, and when, if a contract to acquire the asset is entered into by a subsidiary member of a consolidated group and the contract settles after the subsidiary has left the group?*



Notice of Withdrawal

Taxation Determination

Income tax: consolidation: capital gains: which entity acquires a CGT asset, and when, if a contract to acquire the asset is entered into by a subsidiary member of a consolidated group and the contract settles after the subsidiary has left the group?

Taxation Determination TD 2004/D73 is withdrawn with effect from today.

1. TD 2004/D73 expresses the view that for CGT purposes, the subsidiary acquires the asset when the acquisition contract was entered into.
2. The issue covered in this Determination is now dealt with in Taxation Determination TD 2005/D27, which issued today.
3. Accordingly, this Determination is no longer necessary.

Commissioner of Taxation

17 August 2005

ATO references

NO: 2003/11684
ISSN: 1038-8982
ATOlaw topic: Income Tax ~- Consolidation ~- capital gains tax