TD 93/D37 - Income tax: employee share acquisition schemes: can a resident taxpayer participating in a foreign employee share acquisition scheme take advantage of a reduction in discount under subsection 26AAC(4F) of the Income Tax Assessment Act 1936?

⚠ This cover sheet is provided for information only. It does not form part of *TD 93/D37 - Income tax: employee share acquisition schemes: can a resident taxpayer participating in a foreign employee share acquisition scheme take advantage of a reduction in discount under subsection 26AAC(4F) of the Income Tax Assessment Act 1936?*

This document has been finalised by TD 93/60.

Draft Taxation Determination

Income tax: employee share acquisition schemes: can a resident taxpayer participating in a foreign employee share acquisition scheme take advantage of a reduction in discount under subsection 26AAC(4F) of the *Income Tax Assessment Act 1936*?

1.   Australian employees who receive shares in a foreign company under a scheme for the acquisition of shares by employees will be subject to provisions of section 26AAC.

2.   If the Commissioner is satisfied that the "acquisition scheme" complies with **all** the requirements set out in subsection 26AAC(4A) at the time shares are issued or rights to acquire shares are granted, the employees will be able to take advantage of a reduction in discount.

3.   The requirements of subsection 26AAC(4A) are set out in detail in Taxation Ruling IT 2516.

Commissioner of Taxation
18/2/93