



GSTA TPP 061W - Goods and services tax: is there an increasing adjustment when an enterprise asset is transferred to a spouse because of a marital breakdown where the acquisition of the asset was a creditable acquisition?

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 This document has changed over time. This is a consolidated version of the ruling which was published on *25 June 2014*



Notice of Withdrawal

Goods and Services Tax Advice

Goods and services tax: is there an increasing adjustment when an enterprise asset is transferred to a spouse because of a marital breakdown where the acquisition of the asset was a creditable acquisition?

Goods and Services Tax Advice GSTA TPP 061 is withdrawn with effect from today.

1. Goods and Services Tax Advice GSTA TPP 061 explains that there is an increasing adjustment required under Division 129 of the *A New Tax System (Goods and Services Tax) Act 1999* when an enterprise asset (and creditable acquisition) is transferred to a spouse who is not registered for GST, or carrying on an enterprise for GST purposes, due to a marital breakdown.
2. GSTA TPP 061 is withdrawn because it is a duplication of an existing ATO view.
3. The Commissioner's view is contained in paragraphs 47 and 48 of Goods and Services Tax Ruling GSTR 2003/6 *Goods and services tax: transfers of enterprise assets as a result of property distributions under the Family Law Act 1975 or in similar circumstances*.

Commissioner of Taxation

25 June 2014

ATO references

NO:	1-5E6F141
ISSN:	1833-0053
ATOlaw topic:	Goods and Services Tax -- General rules and concepts -- entitlement to input tax credits

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