


# ***PR 2001/40W - Income tax: Mount Bellarine Vineyard Project***

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 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2004*



# Product Ruling

## Income tax: Mount Bellarine Vineyard Project

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### Preamble

The number, subject heading, and the *What this Product 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 IVAAA of the *Taxation Administration Act 1953*. Product Ruling PR 1999/95 explains Product 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 This Product Ruling is withdrawn and ceases to have effect after 30 June 2004. The Ruling continues to apply, in respect of the tax law(s) ruled upon, to all persons within the specified class who enter into the specified arrangement during the term of the Ruling. Thus, the Ruling continues to apply to those persons, even following its withdrawal, who entered into the specified arrangement prior to withdrawal of the Ruling. This is subject to there being no change in the arrangement or in the persons' involvement in the arrangement.

Potential investors may wish to refer to the ATO's Internet site at <http://www.ato.gov.au> or contact the ATO directly to confirm the currency of this Product Ruling or any other Product Ruling that the ATO has issued.

### Commissioner of Taxation

2 May 2001

#### Previous draft:

Not previously issued in draft form

#### Related Rulings/Determinations:

TR 97/11; TR 97/16; PR 1999/95;  
TR 92/1; TR 92/20; TD 93/34;  
TR 98/22; IT 175

#### Subject references:

- carrying on a business
- commencement of business
- fee expenses
- horticulture
- irrigation expenses
- management fees expenses
- primary production
- primary production expenses
- primary production income
- producing assessable income

- product rulings
  - public rulings
  - schemes and shams
  - tax administration
  - tax avoidance
  - tax benefits under tax avoidance schemes
  - tax shelters
  - tax shelters project
- Legislative references:*

- ITAA 1997 6-5
- ITAA 1997 8-1
- ITAA 1997 17-5
- ITAA 1997 Div 27
- ITAA 1997 Div 35
- ITAA 1997 35-10
- ITAA 1997 35-10(2)
- ITAA 1997 35-10(3)
- ITAA 1997 35-10(4)

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- ITAA 1997 35-30
  - ITAA 1997 35-35
  - ITAA 1997 35-40
  - ITAA 1997 35-45
  - ITAA 1997 35-55
  - ITAA 1997 35-55(1)
  - ITAA 1997 35-55(1)(a)
  - ITAA 1997 35-55(1)(b)
  - ITAA 1997 Subdiv 42-C
  - ITAA 1997 42-15
  - ITAA 1997 42-118
  - ITAA 1997 42-125
  - ITAA 1997 42-160
  - ITAA 1997 42-160(1)
  - ITAA 1997 42-160(3)
  - ITAA 1997 42-165(1)
  - ITAA 1997 42-165(2A)
  - ITAA 1997 42-167
  - ITAA 1997 42-345
  - ITAA 1997 42-455(1)
  - ITAA 1997 42-460(1)
  - ITAA 1997 Subdiv 387-B
  - ITAA 1997 Subdiv 387-C
  - ITAA 1997 387-55
  - ITAA 1997 387-125
  - ITAA 1997 387-165
  - ITAA 1997 387-185
  - ITAA 1997 387-210
  - ITAA 1997 388-55
  - ITAA 1997 960-335
  - ITAA 1997 960-340
  - ITAA 1997 960-345
  - ITAA 1997 960-350
  - ITAA 1936 82KH(1)
  - ITAA 1936 82KH(1F)(b)
  - ITAA 1936 82KL
  - ITAA 1936 82KL(1)
  - ITAA 1936 82KZL
  - ITAA 1936 82KZL(1)
  - ITAA 1936 82KZM(1)
  - ITAA 1936 82KZM(1)(b)(ii)
  - ITAA 1936 82KZMA(4)
  - ITAA 1936 82KZMD(2)
  - ITAA 1936 82KZME
  - ITAA 1936 82KZME(1)
  - ITAA 1936 82KZME(1)(b)
  - ITAA 1936 82KZME(2)
  - ITAA 1997 960-345
  - ITAA 1936 82KZME(3)
  - ITAA 1936 82KZME(4)
  - ITAA 1936 82KZME(7)
  - ITAA 1936 82KZMF
  - ITAA 1936 82KZMF(1)
  - ITAA 1936 177A
  - ITAA 1936 177C
  - ITAA 1936 177D
  - ITAA 1936 177D(b)
  - ITAA 1936 Part IVA
  - Corporations Law 708(1)
  - Corporations Law 708(2)
  - Corporations Law 708(3)
  - Corporations Law 708(4)
  - Corporations Law 708(5)
  - Corporations Law 708(6)
  - Corporations Law 708(7)
  - Corporations Law 708(8)
  - Corporations Law 708(9)
  - Corporations Law 708(10)
  - Corporations Law 708(11)
  - Corporations Law 708(11)(a)
  - Corporations Law 708(11)(b)
  - Corporations Law 708(11)(h)
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## ATO references:

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