


# ***PR 2002/44W - Income tax: Clearstream Olive Project No. 5***

 This cover sheet is provided for information only. It does not form part of *PR 2002/44W - Income tax: Clearstream Olive Project No. 5*

 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: Clearstream Olive Project No 5

---

#### *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 This Product Ruling is withdrawn and ceases to have effect after 30 June 2004.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 arrangement specified below. 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 person's involvement in the arrangement.

---

#### **Commissioner of Taxation**

24 April 2002

##### *Previous draft:*

Not previously released in draft form

##### *Related Rulings/Determinations:*

IT 360; PR 1999/95; TR 92/1;  
TR 92/20; TR 97/11; TR 97/16;  
TD 93/34; TR 98/22; TR 2000/8

##### *Subject references:*

- carrying on a business
- commencement of business
- fee expenses
- interest expenses
- management fees
- producing assessable income
- product rulings
- public rulings
- taxation administration
- tax avoidance

- tax benefits under tax avoidance schemes

- tax shelters

- tax shelters project

##### *Legislative references:*

- TAA 1953 Part IVAAA
- ITAA 1936 Div 3 of Part III
- ITAA 1936 82KL
- ITAA 1936 82KZL
- ITAA 1936 82KZL(1)
- ITAA 1936 82KZME
- ITAA 1936 82KZME(1)
- ITAA 1936 82KZME(2)
- ITAA 1936 82KZME(3)
- ITAA 1936 82KZME(4)
- ITAA 1936 82KZME(7)
- ITAA 1936 82KZMF
- ITAA 1936 82KZMF(1)
- ITAA 1936 Pt IVA

- 
- |                         |                                    |
|-------------------------|------------------------------------|
| - ITAA 1936 177A        | - ITAA 1997 70-35                  |
| - ITAA 1936 177C        | - ITAA 1997 108-5                  |
| - ITAA 1936 177D        | - ITAA 1997 110-25(2)              |
| - ITAA 1936 177D(b)     | - ITAA 1997 Div 328                |
| - ITAA 1997 6-5         | - ITAA 1997 328-105                |
| - ITAA 1997 8-1         | - ITAA 1997 328-105(1)(a)          |
| - ITAA 1997 17-5        | - ITAA 1997 328-285                |
| - ITAA 1997 Div 27      | - ITAA 1997 328-285(1)             |
| - ITAA 1997 Div 35      | - ITAA 1997 328-285(2)             |
| - ITAA 1997 35-10       | - ITAA 1997 Subdiv 328-F           |
| - ITAA 1997 35-10(2)    | - ITAA 1997 Subdiv 328-G           |
| - ITAA 1997 35-10(3)    | - Corporations Act 2001 761G       |
| - ITAA 1997 35-10(4)    | - Corporations Act 2001 761G(7)(a) |
| - ITAA 1997 35-30       | - Corporations Act 2001 761G(7)(c) |
| - ITAA 1997 35-35       | - Corporations Act 2001 761G(7)(d) |
| - ITAA 1997 35-40       | - Corporations Act 2001 1012E      |
| - ITAA 1997 35-45       | - Corporations Act 2001 1012E(2)   |
| - ITAA 1997 35-55       | - Corporations Act 2001 1012E(5)   |
| - ITAA 1997 35-55(1)    | - Copyright Act 1968               |
| - ITAA 1997 35-55(1)(a) |                                    |
| - ITAA 1997 35-55(1)(b) |                                    |
| - ITAA 1997 35-55(2)    |                                    |
| - ITAA 1997 40-535      |                                    |
| - ITAA 1997 Div 70      |                                    |
- 

*Case references:*

- FCT v. Lau 84 ATC 4929

## ATO references:

NO T2001/010406

ISSN: 1441 1172