


# ***PR 2002/97W - Income tax: Heydon Park Ginseng Project No. 1***

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 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2005*



## Product Ruling

### Income tax: Heydon Park Ginseng Project No. 1

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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

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1. This Product Ruling is withdrawn and ceases to have effect after 30 June 2005. 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.

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#### **Commissioner of Taxation** 26 June 2002

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*Previous draft:*

Not previously issued in draft form

*Related Rulings/Determinations:*

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

*Subject references:*

- carrying on a business
- commencement of business
- crops as trading stock
- fee expenses
- horticulture
- irrigation expenses
- Management Fees expenses
- plantation forestry
- 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
- trading stock

*Legislative references:*

- TAA 1953 Part IVAAA
- ITAA 1936 Div 3 of Part III
- ITAA 1936 82KL

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- 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(7)
  - ITAA 1936 82KZMF
  - ITAA 1936 82KZMF(1)
  - ITAA 1936 Pt IVA
  - ITAA 1936 177A
  - ITAA 1936 177C
  - ITAA 1936 177D
  - ITAA 1936 177D(b)
  - Copyright Act 1968
  - 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)
  - 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 Div 40
  - ITAA 1997 Subdiv 40-F
  - ITAA 1997 Subdiv 40-G
  - ITAA 1997 40-25
  - ITAA 1997 40-425(2)
  - ITAA 1997 40-440
  - ITAA 1997 40-515
  - ITAA 1997 40-515(1)(a)
  - ITAA 1997 40-520(1)
  - ITAA 1997 40-535
  - ITAA 1997 40-540
  - ITAA 1997 40-630
  - ITAA 1997 40-635
  - ITAA 1997 Div 328
  - ITAA 1997 Subdiv 328-D
  - ITAA 1997 Subdiv 328-F
  - ITAA 1997 Subdiv 328-G
  - ITAA 1997 328-105
  - ITAA 1997 328-105(1)(a)
  - ITAA 1997 328-180

*Case references:*

- FCT v. Lau (1984) 16 ATR 55;  
84 ATC 4929

*ATO references:*

NO: 2002/000884

ISSN: 1441-1172

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