


***TD 2002/3A2 - Addendum - Income tax: capital gains: can a shareholder in HIH Insurance Limited choose to make a capital loss on a share in that company under CGT event G3 (about a liquidator declaring shares worthless) in section 104-145 of the Income Tax Assessment Act 1997 ?***

 This cover sheet is provided for information only. It does not form part of *TD 2002/3A2 - Addendum - Income tax: capital gains: can a shareholder in HIH Insurance Limited choose to make a capital loss on a share in that company under CGT event G3 (about a liquidator declaring shares worthless) in section 104-145 of the Income Tax Assessment Act 1997 ?*

 View the [consolidated version](#) for this notice.



---

## Addendum

---

### Taxation Determination

Income tax: capital gains: can a shareholder in HIH Insurance Limited choose to make a capital loss on a share in that company under CGT event G3 (about a liquidator declaring shares worthless) in section 104-145 of the *Income Tax Assessment Act 1997*?

This Addendum amends Taxation Determination TD 2002/3 to reflect changes that were made to section 104-145 of the *Income Tax Assessment Act 1997* by the *Taxation Laws Amendment (2004 Measures No. 6) Act 2005*.

The changes do not affect the answer to the issue raised in this Determination.

#### TD 2002/3 is amended as follows:

**1. Paragraph 9:**

Insert after the paragraph:

**Note 1:** The scope of CGT event G3 in section 104-145 was extended with effect from 22 March 2005. That event now happens if a liquidator or an administrator makes an appropriate written declaration in respect of valueless shares or financial instruments.

This Addendum applies on and from 22 March 2005.

---

**Commissioner of Taxation**

11 January 2006

---

ATO references

NO: 2005/18404

ISSN: 1038-8982

ATOlaw topic: Income Tax~~Capital Gains Tax~~CGT events G1 to G3 - shares