



Taxation Determination

Fringe benefits tax: for the purposes of section 135C of the *Fringe Benefits Tax Assessment Act 1986*, what is the exemption threshold for the fringe benefits tax year commencing on 1 April 2009?

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Ruling

1. The exemption threshold for the fringe benefits tax (FBT) year commencing 1 April 2009 is \$7,063. This replaces the amount of \$6,766 that applied in the previous year commencing 1 April 2008.

Date of effect

2. This Determination applies to the FBT year commencing 1 April 2009.

Appendix 1 – Explanation

❶ *This Appendix is provided as information to help you understand how the Commissioner's view has been reached. It does not form part of the binding public ruling.*

Explanation

3. Two conditions must be satisfied for the record keeping exemption arrangements to apply to an employer for an FBT year:

- (i) a base year needs to be established; and
- (ii) during the FBT year immediately before the current year the employer has not received a notice from the Commissioner requiring the employer to resume record keeping.

4. Section 135C of the *Fringe Benefits Tax Assessment Act 1986* sets out a number of conditions that must be met before an FBT year is a base year of an employer. One of the conditions is that the employer's aggregate fringe benefits amount in the base year does not exceed the exemption threshold.

5. The exemption threshold set in this Determination has been ascertained by applying an indexation factor of 1.044 (reflecting the movement in the All Groups Consumer Price Index for the eight capital cities for the year ending 31 December 2008) to the previous year's threshold.

References

Previous draft:

Not previously issued as a draft

Previous Rulings/Determinations:

TD 1999/44; TD 2000/22; TD 2001/6;
TD 2002/8; TD 2003/7; TD 2004/11;
TD 2005/11; TD 2006/15; TD 2007/7;
TD 2008/6

Subject references:

- base year
 - exemption threshold
-

- FBT
- fringe benefits tax
- record keeping exemption arrangements
- record keeping requirements
- RKEA

Legislative references:

- FBTA 1986 135C
- TAA 1953

ATO references

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