


***TD 92/145 - Income tax: insurance: does the date of commencement of risk of a policy of life assurance recommence as a result of a Court approved merger or takeover of a life assurance company where the policy holder is issued with a replacement policy by the merged or acquiring life assurance company?***

 This cover sheet is provided for information only. It does not form part of *TD 92/145 - Income tax: insurance: does the date of commencement of risk of a policy of life assurance recommence as a result of a Court approved merger or takeover of a life assurance company where the policy holder is issued with a replacement policy by the merged or acquiring life assurance company?*

 This Ruling has been reviewed as part of a project to review public rulings. The ATO view expressed in this Ruling is current as of 8 January 2018.

This Determination, to the extent that it is capable of being a 'public ruling' in terms of Part 4VAAA of the *Taxation Administration Act 1953*, is a public ruling for the purposes of that Part. Taxation Ruling TR 92/1 explains when a Determination is a public ruling and how it is binding on the Commissioner. Unless otherwise stated, the Determination applies to transactions entered into both before and after its date of issue.

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## Taxation Determination

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**Income tax: insurance: does the date of commencement of risk of a policy of life assurance recommence as a result of a Court approved merger or takeover of a life assurance company where the policy holder is issued with a replacement policy by the merged or acquiring life assurance company?**



This Ruling has been reviewed as part of a [project](#) to review public rulings. The ATO view expressed in this Ruling is current as of 8 January 2018.

1. No. Providing the replacement policy merely reflects the change of name of the life assurance company liable under the policy, and the original contractual terms are otherwise unaltered, the 'date of commencement of risk' of the policy (as defined in subsection 26AH(1)), does not recommence.

**Commissioner of Taxation**

20/08/92

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FOI INDEX DETAIL: Reference No. I 1213152

Related Determinations: TD 92/144

Related Rulings: IT 2346

Subject Ref: Life assurance companies, definition: date of commencement of risk of a policy

Legislative ref. ITAA 26AH(1)

ATO Ref: Insurance Industry Cell

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