TR 2003/List - Income tax and other taxes: Determinations, Rulings, notices of withdrawal, addenda and errata issued in 2003

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Taxation Ruling

Income tax and other taxes: Determinations, Rulings, notices of withdrawal, addenda and errata issued in 2003

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Preamble

*This document is not a 'public ruling' in terms of the **Taxation Administration Act 1953** and is not legally binding on the Commissioner. Taxation Rulings TR 92/1 and TR 97/16, Goods and Services Taxation Ruling GSTR 1999/1 and Product Grant and Benefit Ruling PGBR 2003/1 explain when a Ruling is a public ruling and how it is binding on the Commissioner.*

What this Ruling is about

Class of person/arrangement

1. This Ruling lists all draft and final Determinations and Rulings, as well as all notices of withdrawal, addenda and errata to Determinations and Rulings, issued by the Commissioner of Taxation in the 2003 calendar year.

Ruling

2. This Ruling lists the documents that have been issued during 2003 divided by type and series and showing in relation to each action the number of the document, its title and the date the action took place.

Taxation Rulings and Determinations

3. During the 2003 calendar year the Commissioner of Taxation issued:

Draft Taxation Rulings

Ruling	Title	Issue date
TR 2003/D1	Income tax: the interpretation of the General Exemption provision of the Dependent Personal Services Article, or its equivalent, of Australia's Double Tax Agreements	26.02.03
TR 2003/D2	Income tax: application of Section 27CAA and the Foreign Investment Fund measures to the transfer of benefits in a non-resident employer sponsored superannuation fund to an individual pension transfer policy maintained overseas, by an Australian resident	09.04.03
TR 2003/D3	Income tax: distributions of property by companies to shareholders – amount to be included as an assessable dividend	09.04.03
TR 2003/D4	Income tax: deductibility of protective items	11.06.03
TR 2003/D6	Income tax: international transfer pricing – cost contribution arrangements	30.07.03
TR 2003/D7	Income tax: pay as you go (PAYG) withholding – payments made by trustees under the Bankruptcy Act 1966 to former employees	06.08.03
TR 2003/D8	Income tax: deductions for interest incurred prior to the commencement of, or following the cessation of, relevant income earning activities	10.09.03
TR 2003/D9	Income tax: whether expenses incurred obtaining valuations for consolidation are deductible under section 8-1 of the *Income Tax Assessment Act 1997*	08.10.03

Ruling	Title	Issue date
TR 2003/D10	Income tax: taxation of foreign life assurance policies	29.10.03
TR 2003/D13	Income tax: taxation treatment of volume rebates paid to a retailer association	10.12.03

Draft Taxation Rulings – notice of withdrawal

Ruling	Title	Issue date
TR 2000/D17	Income tax: use of a proxy for a company's adjusted unrealised loss at an alteration time under Subdivision 165-CD of the *Income Tax Assessment Act 1997*	22.01.03

Taxation Rulings

Ruling	Title	Issue date
TR 2003/1	Income tax: thin capitalisation – applying the arm's length debt test	05.03.03
TR 2003/2	Income tax: the royalty withholding tax implications of ship chartering arrangements	14.05.03
TR 2003/3	Income tax: non-commercial losses – application of subsections 35-10(2) and 35-10(4) of the *Income Tax Assessment Act 1997* to business activities carried on in partnership	21.05.03
TR 2003/4	Income tax: boat hire arrangements	21.05.03
TR 2003/5	Income tax and fringe benefits tax: public benevolent institutions	04.06.03
TR 2003/6	Income tax: attribution of personal services income	16.07.03
TR 2003/7	Income tax: reasonable allowances amounts for the 2003-2004 income year	02.07.03
TR 2003/8	Income tax: distributions of property by companies to shareholders – amount to be included as an assessable dividend	09.07.03

Ruling	Title	Issue date
TR 2003/9	Income tax: deductibility of interest expenses incurred by trustees on borrowed funds used to pay distributions to beneficiaries	30.07.03
TR 2003/10	Income tax: deductions that relate to personal services income	13.08.03
TR 2003/11	Income tax: the interpretation of the general exclusion provision of the Dependent Personal Services Article, or its equivalent, of Australia's Double Tax Agreements	17.09.03
TR 2003/12	Income tax: application of Section 27CAA and the Foreign Investment Fund measures to the transfer of benefits in a non-resident employer sponsored superannuation fund to an individual pension transfer policy maintained overseas by an Australian resident	01.10.03
TR 2003/13	Income tax: eligible termination payments (ETP): payments made in consequence of the termination of any employment: meaning of the phrase 'in consequence of'	22.10.03
TR 2003/14	Income tax: life insurance companies: the actuarial determination of fees and charges	19.11.03
TR 2003/15	Income tax: pay as you go (PAYG) withholding – payments made by trustees under the Bankruptcy Act 1966 to former employees	26.11.03
TR 2003/16	Income tax: deductibility of protective items	17.12.03

Taxation Rulings – notices of addenda

Ruling	Title	Issue date
TR 2000/18	Income tax: effective life of depreciating assets	25.06.03
TR 2000/9	Income tax: necessitous circumstances funds	27.08.03

Ruling	Title	Issue date
TR 2000/18	Income tax: effective life of depreciating assets	17.12.03

Taxation Rulings – notice of erratum

Ruling	Title	Issue date
TR 2003/8	Income tax: distributions of property by companies to shareholders – amount to be included as an assessable dividend	16.07.03

Taxation Rulings – notice of partial withdrawal

Ruling	Title	Issue date
TR 97/12	Income tax and fringe benefits tax: work related expenses: deductibility of expenses on clothing, uniform and footwear	11.06.03

Taxation Rulings – notices of withdrawal

Ruling	Title	Issue date
TR 93/5	Income tax: foreign tax credit system – taxation of Australian resident members of Lloyd's of London	28.02.03
TR 93/41	Income tax: foreign tax credit system – taxation of Australian resident members of Lloyd's of London	28.02.03
TR 1999/18	Income tax: lease surrender receipts and payments	26.03.03
TR 96/17	Income tax: work-related expenses: deductibility of expenses on rehydrating moisturiser and rehydrating hair conditioner	11.06.03

Draft Taxation Determinations

Ruling	Title	Issue date
TD 2003/D1	Income tax: can Part IVA of the *Income Tax Assessment Act 1936* (the '1936 Act') apply to a 'capital gains tax reduction arrangement' of the type described in this Taxation Determination?	15.01.03
TD 2003/D2	Income tax: does Division 240 of the *Income Tax Assessment Act 1997* ('the Act') apply to a hire purchase agreement if there is a notional buyer but no notional seller that is a party to that agreement?	26.02.03
TD 2003/D3	Income tax: is the addition of a nominal amount to the price of hired goods sufficient to satisfy the requirement in subparagraph (a)(ii) of the definition of 'hire purchase agreement' in subsection 995-1(1) of the *Income Tax Assessment Act 1997* ('the Act') and so bring the hiring arrangement within the treatment under Division 240?	26.02.03
TD 2003/D4	Income tax: in what circumstances can a trustee of a trust estate obtain a deduction for interest expenses incurred on borrowed funds used to pay distributions to beneficiaries when calculating the net income of the trust estate under section 95 of the *Income Tax Assessment Act 1936* ('the Act')?	26.02.03
TD 2003/D5	Income tax: is the parent responsible for payment of school fees assessable on a discount arising from a prepayment of the fees? Can a prepayment be a deductible gift to a school-building fund? Is a school's tax exempt status disturbed if it allows prepayments of fees or offers discounts for prepayments of fees?	05.03.02
TD 2003/D6	Income tax: is a deduction allowable to a reward provider under section 8-1 of the *Income Tax Assessment Act 1997* when points are credited to a member under a 'consumer loyalty program'?	30.04.03

Ruling	Title	Issue date
TD 2003/D7	Income tax: an employee ('A') leases his private residence to his employer ('B'). A agrees to sacrifice an amount of salary and directs B to pay it to him as 'rent'. Are A's expenses relating to the property allowable deductions under paragraph 8-1 (1)(a) of the *Income Tax Assessment Act 1997*?	25.06.03
TD 2003/D8	Fringe benefits tax: an employee ('A') buys a residence in a remote area and leases it to his employer ('B'). A agrees to sacrifice an amount of salary and directs B to pay it to him as 'rent'. A continues to occupy the premises 'rent' free. Is B entitled to the remote area housing exemption?	25.06.03
TD 2003/D9	Income tax: when an additional tax loss is transferred pursuant to Subdivision 170-A of the *Income Tax Assessment Act 1997* ('ITAA 1997') from the same 'loss company' to the same 'income company' in respect of the same income year as a previous loss transfer what is the amount to be specified in the written agreement to be made under paragraph 170-50(2)(b) of the ITAA 1997 for that transfer?	14.05.03
TD 2003/D10	Income tax: Simplified Tax System (STS): what amount is returned as assessable income by an STS taxpayer in relation to an assessable payment to them that has been subject to the pay as you go (PAYG) withholding rules in Division 12 of Schedule 1 to the *Taxation Administration Act 1953* ('TAA 1953')?	18.06.03
TD 2003/D11	Income tax: Simplified Tax System (STS): does paragraph 328-105(1)(a) of the *Income Tax Assessment Act 1997* ('ITAA 1997') apply to an amount received by an STS taxpayer, but not yet derived as ordinary income under the ordinary operation of section 6-5 of the ITAA 1997?	18.06.03

Ruling	Title	Issue date
TD 2003/D12	Income tax: Simplified Tax System (STS): for which income year should an STS taxpayer claim an income tax deduction for an amount withheld under the pay as you go (PAYG) withholding rules in Division 12 of Schedule 1 to the *Taxation Administration Act 1953* ('TAA 1953')?	18.06.03
TD 2003/D13	Income tax: is a dividend paid before 1 July 1987 an unfranked dividend for the purposes of section 705-50 of the *Income Tax Assessment Act 1997* (ITAA 1997)?	25.06.03
TD 2003/D14	Income tax and fringe benefits tax: what types of organisation are charitable institutions whose 'principal activity is to promote the prevention or the control of diseases in human beings' for the purposes of item 1.1.6 in the table in subsection 30-20(1) of the *Income Tax Assessment Act 1997* (ITAA 1997), item 1.1.6 in the table in subsection 78(4) of the *Income Tax Assessment Act 1936* (ITAA 1936), and subsection 57A(5) of the *Fringe Benefits Tax Assessment Act 1986* (FBTAA)?	02.07.03
TD 2003/D15	Income tax: what are the tax consequences for a taxpayer as a result of entering into a scrip loan and call option arrangement as described in Taxpayer Alert 2002/2?	27.08.03
TD 2003/D16	Income tax: where a trustee of a public fund under item 2 of the table in section 30-15 of the *Income Tax Assessment Act 1997* (ITAA 1997) has an obligation or otherwise gives an assurance to apply funds in accordance with requests from a donor, is a separate fund created and, if so, is the separate fund a public fund entitled to be endorsed as a deductible gift recipient?	15.10.03

Ruling	Title	Issue date
TD 2003/D17	Income tax: is a dividend exempt under section 23 AI of the *Income Tax Assessment Act 1936* if paid: • by a Controlled Foreign Company (CFC) to an attributable taxpayer; • out of income or profits derived by the CFC during a statutory accounting period (SAP) that is subject to attribution; and • after the end of that SAP but before the end of the attributable taxpayer's year of income.	13.08.03
TD 2003/D18	Income tax: Simplified Tax System (STS): can an entity that has notified the Commissioner of its choice to stop being an STS taxpayer for an income year, later cancel that choice for that year?	03.09.03
TD 2003/D19	Income tax: Simplified Tax System (STS): can an entity that has notified the Commissioner of its choice to become an STS taxpayer for an income year later revoke that choice in respect of that year?	03.09.03
TD 2003/D20	Income tax: Simplified Tax System (STS): can an entity notify the Commissioner of its choice to become, or stop being, an STS taxpayer for an income year, after it has lodged that year's income tax return?	03.09.03
TD 2003/D21	Income tax: capital gains: does CGT event E2 in section 104-60 of the *Income Tax Assessment Act 1997* (ITAA 1997) happen if a CGT asset is transferred between two trusts and the beneficiaries and terms of both trusts are the same?	22.10.03
TD 2003/D22	Income tax: are the costs of subscriptions to share market information services and investment journals deductible under section 8-1 of the *Income Tax Assessment Act 1997* (ITAA 1997)?	22.10.03

Ruling	Title	Issue date
TD 2003/D23	Income tax: capital gains: does an asset 'pass' to a beneficiary of a deceased estate under section 128-20 of the *Income Tax Assessment Act 1997* (ITAA 1997) if the beneficiary becomes absolutely entitled to the asset as against the trustee of the estate?	26.11.03

Draft Taxation Determinations – notices of withdrawal

Ruling	Title	Issue date
TD 94/D47	Income tax: can a life assurance company claim a deduction or loss for Agency Development Loans it has written off?	15.01.03
TD 2000/D23	Income tax: can the amount of a company's preliminary unrealised net loss in step 4 of section 165-115E of Subdivision 165-CC of the *Income Tax Assessment Act 1997* be determined using a market valuation of the company's CGT assets en globo?	22.01.03
TD 2002/D13	Income tax: what is the method for reducing the capital value of a superannuation pension that has commenced to be paid for reasonable benefit limit purposes under subsection 140ZP(3) of the *Income Tax Assessment Act 1936* if the superannuation pension is split pursuant to an agreement or court order on marriage breakdown?	10.12.03
TD 2002/D14	Income tax: what is the deductible amount under section 27H of the *Income Tax Assessment Act 1936* (ITAA 1936) of a superannuation pension that is taken to have commenced when a superannuation pension is split pursuant to an agreement or court order on marriage breakdown?	10.12.03

Ruling	Title	Issue date
TD 2002/D15	Income tax: what is the method for calculating the capital value of a superannuation pension for reasonable benefit limit purposes under section 140ZO of the *Income Tax Assessment Act 1936* (ITAA 1936) that is taken to have commenced when a superannuation pension is split pursuant to an agreement or court order on marriage breakdown?	10.12.03

Taxation Determinations

Ruling	Title	Issue date
TD 2003/1	Income tax: capital gains: can the first element of the cost base of a CGT asset in subsection 110-25(2) of the *Income Tax Assessment Act 1997* include money or property paid or given to an entity other than the one from which the asset was acquired?	19.02.03
TD 2003/2	Income tax: can a private company be taken to have paid a dividend under either section 109C or section 109D of the *Income Tax Assessment Act 1936* ('the Act') in respect of a payment or loan taken to have been made to a target entity by way of section 109T of the Act where the private company is taken to have made a loan to the interposed entity by way of section 109UB of the Act?	26.02.03
TD 2003/3	Income tax: can Part IVA of the *Income Tax Assessment Act 1936* (the '1936 Act') apply to a 'Capital Gains Tax reduction arrangement' of the type described in this Taxation Determination?	19.03.03
TD 2003/4	Fringe benefits tax: what are the indexation factors for valuing non-remote housing for the fringe benefits tax (FBT) year commencing on 1 April 2003?	09.04.03

Ruling	Title	Issue date
TD 2003/5	Fringe benefits tax: for the purposes of Division 7 of the *Fringe Benefits Tax Assessment Act 1986* (FBTAA), what amount represents a reasonable food component of a living-away-from-home allowance for expatriate employees for the fringe benefits tax year commencing on 1 April 2003?	09.04.03
TD 2003/6	Fringe benefits tax: what are the rates to be applied on a cents per kilometre basis for calculating the taxable value of a fringe benefit arising from the private use of a motor vehicle other than a car for the fringe benefits tax (FBT) year commencing on 1 April 2003?	09.04.03
TD 2003/7	Fringe benefits tax: for the purposes of section 135C of the *Fringe Benefits Tax Assessment Act 1986* (FBTAA) what is the exemption threshold for the fringe benefits tax (FBT) year commencing on 1 April 2003?	09.04.03
TD 2003/8	Fringe benefits tax: what is the benchmark interest rate to be used for the fringe benefits tax (FBT) year commencing on 1 April 2003?	09.04.03
TD 2003/9	Income tax: is a taxpayer entitled to an income tax deduction for purported partnership losses claimed to have been incurred as a result of entering a prepaid service warrant arrangement as described in Taxpayer Alert 2002/5?	16.04.03
TD 2003/10	Income tax: is expenditure incurred by a head company in obtaining valuations in respect of the formation of a consolidated group or entities joining a consolidated group an allowable deduction under section 25-5 of the *Income Tax Assessment Act 1997*?	30.04.03

Ruling	Title	Issue date
TD 2003/11	Income tax: is expenditure incurred by an entity in obtaining valuations for the purposes of either entering into a consolidated group as a subsidiary member or working out the future income tax liability of a consolidated group of which it would be a subsidiary member an allowable deduction to that entity under section 25-5 of the *Income Tax Assessment Act 1997* ('the Act')?	30.04.03
TD 2003/12	Income tax: what activities are 'seasonally dependent agronomic activities' for the purposes of section 82KZMG of the *Income Tax Assessment Act 1936*?	14.05.03
TD 2003/13	Income tax: capital gains: what is the improvement threshold for the 2003-2004 income year under section 108-85 of the *Income Tax Assessment Act 1997*?	21.05.03
TD 2003/14	Fringe benefits tax: for the purposes of section 39A of the *Fringe Benefits Tax Assessment Act 1986* (FBTAA) what is the car parking threshold for the fringe benefits tax (FBT) year commencing on 1 April 2003?	21.05.03
TD 2003/15	Income tax: are the establishment costs incurred by a taxpayer in entering into a sale and leaseback of a capital asset deductible to the taxpayer under section 8-1 of the *Income Tax Assessment Act 1997* ('the 1997 Act')?	28.05.03
TD 2003/16	Income tax: does Division 240 of the *Income Tax Assessment Act 1997* ('the Act') apply to a hire purchase agreement if there is a notional buyer but no notional seller that is a party to that agreement?	28.05.03

Ruling	Title	Issue date
TD 2003/17	Income tax: is the addition of a nominal amount to the price of hired goods sufficient to satisfy the requirement in subparagraph (a)(ii) of the definition of 'hire purchase agreement' in subsection 995-1(1) of the *Income Tax Assessment Act 1997* ('the Act') and so bring the hiring arrangement within the treatment under Division 240?	28.05.03
TD 2003/18	Income tax: what is the car limit to be used for the 2003-2004 financial year?	25.06.03
TD 2003/19	Income tax: what is the benchmark interest rate applicable for the year of income that commenced on 1 July 2003 for the purposes of Division 7A of Part III of the *Income Tax Assessment Act 1936* and how is it used?	02.07.03
TD 2003/20	Income tax: is a deduction allowable to a reward provider under section 8-1 of the *Income Tax Assessment Act* 1997 ('ITAA 1997') when points are credited to a member under a 'consumer loyalty program'?	30.07.03
TD 2003/21	Income tax: what are the thresholds and limits for superannuation amounts in 2003-2004?	04.06.03
TD 2003/22	Income tax: value of goods taken from stock for private use for the 2003-2004 income year	24.09.03
TD 2003/23	Income tax: when an additional tax loss is transferred pursuant to Subdivision 170-A of the *Income Tax Assessment Act 1997* (ITAA 1997) from the same 'loss company' to the same 'income company' in respect of the same income year as a previous loss transfer, what is the amount to be specified in the written agreement to be made under paragraph 170-50(2)(b) of the ITAA 1997 for that transfer?	01.10.03

Ruling	Title	Issue date
TD 2003/24	Income tax: Simplified Tax System (STS): what amount is returned as assessable income by an STS taxpayer in relation to an assessable payment to them that has been subject to the pay as you go (PAYG) withholding rules in Division 12 of Schedule 1 to the *Taxation Administration Act 1953*?	29.10.03
TD 2003/25	Income tax: Simplified Tax System (STS): does paragraph 328-105(1)(a) of the *Income Tax Assessment Act 1997* apply to an amount received by an STS taxpayer, but not yet derived as ordinary income under the ordinary operation of section 6-5 of the ITAA 1997?	29.10.03
TD 2003/26	Income tax: Simplified Tax System (STS): for which income year should an STS taxpayer claim an income tax deduction for an amount withheld under the pay as you go (PAYG) withholding rules in Division 12 of Schedule 1 to the *Taxation Administration Act 1953*?	29.10.03
TD 2003/27	Income tax: how is double taxation avoided in the following situations where a Controlled Foreign Company (CFC) pays a dividend to an attributable taxpayer: (a) Out of income or profits derived by the CFC during a statutory accounting period that are subject to attribution and paid after the end of the CFC's statutory accounting period but before the end of the attributable taxpayer's year of income? (b) Out of income or profits derived by the CFC during a statutory accounting period that are subject to attribution and paid both before the end of the CFC's statutory accounting period and the attributable taxpayer's year of income?	29.10.03

Ruling	Title	Issue date
TD 2003/28	Income tax: capital gains: does CGT event E4 in section 104-70 of the *Income Tax Assessment Act 1997* happen if the trustee of a discretionary trust makes a non-assessable payment to a mere object or default beneficiary?	26.11.03
TD 2003/29	Income tax: Simplified Tax System: can an entity that has notified the Commissioner of its choice to stop being an STS taxpayer for an income year, later cancel that choice for that year?	03.12.03
TD 2003/30	Income tax: Simplified Tax System: can an entity that has notified the Commissioner of its choice to become an STS taxpayer for an income year later revoke that choice in respect of that year?	03.12.03
TD 2003/31	Income tax: Simplified Tax System: can an entity notify the Commissioner of its choice to become, or stop being, an STS taxpayer for an income year, after it has lodged that year's income tax return?	03.12.03
TD 2003/32	Income tax: what are the tax consequences for a taxpayer as a result of entering into a scrip loan and call option arrangement as described in Taxpayer Alert 2002/2?	03.12.03

Taxation Determinations – notice of addendum

Ruling	Title	Issue date
TD 2002/4	Income tax: capital gains: what is the first element of the cost base and reduced cost base of a share in a company you acquire in exchange for a share in another company in a takeover or merger?	17.09.03

Taxation Determinations – notices of withdrawal

Ruling	Title	Issue date
TD 1999/1	Income tax: are deductions under Division 43 of the *Income Tax Assessment Act 1997* ('ITAA 1997') excluded by subsection 82(2) of the *Income Tax Assessment Act 1936* ('ITAA 1936') in calculating any assessable profit or deductible loss from the sale of the property by the person who constructed the building?	26.03.03
TD 92/197	Income tax: is an institution which is established to provide advice and information to disabled pensions a public benevolent institution?	04.06.03
TD 93/11	Fringe benefits tax and income tax: is an organisation whose activities are predominantly charitable in nature always a 'public benevolent institution'?	04.06.03
TD 94/73	Income tax: would a government department or agency qualify for public benevolent institution (PBI) status under item 4.1.1. of table 4 in subsection 78(4) of the *Income Tax Assessment Act 1936*?	04.06.03
TD 92/157	Income tax: is the cost of heavy duty clothing such as jeans, drill trousers and drill shirts claimed to be protective clothing deductible as a work expense?	11.06.03
TD 93/244	Income tax: work-related expenses: is expenditure to purchase items to provide protection from the sun, i.e. sunglasses, hats and sunscreen, deductible under subsection 51(1) of the *Income Tax Assessment Act 1936*?	11.06.03
TD 94/48	Income tax: what types of protective clothing and footwear are shearers entitled to deduct as work related expenses under subsection 51(1) of the *Income Tax Assessment Act 1936*?	11.06.03

Ruling	Title	Issue date
TD 95/15	Income tax: capital gains: if all or part of the final distribution by a liquidator in the course of winding up a company is assessable to a shareholder as a dividend which is franked, is any notional capital gain accruing to the shareholder on the disposal of the shares reduced under subsection 160ZA(4) by the imputation credit included in assessable income by section 160AQT?	05.11.03
TD 97/15	Income tax: capital gains: does section 160ZM of the *Income Tax Assessment Act 1936* apply to a non-assessable payment made by a trustee to a beneficiary of a discretionary trust?	26.11.03

Class Rulings

4. During the 2003 calendar year the Commissioner of Taxation issued:

Class Rulings

Ruling	Title	Issue date
CR 2003/1	Income tax: assessable income: football umpires: Darwin Football Association Inc. receipts	15.01.03
CR 2003/2	Income tax: Approved Early Retirement Scheme – Mackay Sugar Co-operative Association Limited	15.01.03
CR 2003/3	Income tax: Approved Early Retirement Scheme – Blackheath and Thornburgh College	15.01.03
CR 2003/4	Income tax: University of Canberra – Co-operative Research Centre for Freshwater Ecology Summer Student Scholarships in Freshwater Ecology	15.01.03

Ruling	Title	Issue date
CR 2003/5	Income tax: assessable income: football umpires: Northern Tasmanian Football Umpires Association Inc. (NTFUA) receipts	22.01.03
CR 2003/6	Income tax: Approved Early Retirement Scheme – Unilever Australia Limited	05.02.03
CR 2003/7	Income tax: exempt income – Commonwealth Aged Care Nursing Scholarships	05.02.03
CR 2003/8	Income tax: Approved Early Retirement Scheme – Kangan Batman Institute of TAFE	19.02.03
CR 2003/9	Income tax: Approved Early Retirement Scheme – CSR Emoleum Services Pty Ltd	19.02.03
CR 2003/10	Income tax: Special Dividend, Capital Reduction and Related Scheme of Arrangement for the Demerger of Rinker Group Limited from CSR Limited	19.02.03
CR 2003/11	Income tax: interest on Special Purpose Trust Accounts of Regulated Principals	05.03.03
CR 2003/12	Income tax: CSR Limited Demerger – CSR Employee Share Acquisition Plan	26.02.03
CR 2003/13	Income tax: CSR Limited Demerger – CSR Universal Share/Option Plan	26.02.03
CR 2003/14	Income tax: Approved Early Retirement Scheme – NSW Department of Public Works and Services	05.03.03
CR 2003/15	Income tax: Approved Early Retirement Scheme – Kew Residential Services	05.03.03
CR 2003/16	Income tax: Australia and New Zealand Banking Group Limited – Employee Share Plan	12.03.03
CR 2003/17	Income tax: Approved Early Retirement Scheme – Alcoa of Australia Limited	12.03.03
CR 2003/18	Income tax: Share-Buy-Back: Normandy NFM Limited	12.03.03
CR 2003/19	Income tax and fringe benefits tax: GAP Activities Program	12.03.03

Ruling	Title	Issue date
CR 2003/20	Income tax: Approved Early Retirement Scheme – Adult Multicultural Education Services	19.03.03
CR 2003/21	Income tax: Approved Early Retirement Scheme – Brisbane City Council	19.03.03
CR 2003/22	Income tax: Approved Early Retirement Scheme – Queensland Teachers' Union	19.03.03
CR 2003/23	Income tax: Employee Share Scheme: ABB Grain Limited	19.03.03
CR 2003/24	Income tax: assessable income: basketball referees: Western Australian Basketball Federation Inc. receipts	19.03.03
CR 2003/25	Income tax: assessable income: football umpires: North Western Football Association Inc. receipts	26.03.03
CR 2003/26	Income tax: CSIRO funded Studentships and Scholarships	26.03.03
CR 2003/27	Income tax: Approved Early Retirement Scheme – Queensland Performing Arts Trust	26.03.03
CR 2003/28	Income tax: UNiTAB Limited: Employee Share Bonus Plan	26.03.03
CR 2003/29	Income tax: Approved Early Retirement Scheme – RMIT University	09.04.03
CR 2003/30	Income tax: membership interests in the Australian Egg Corporation Limited	16.04.03
CR 2003/31	Income tax: Approved Early Retirement Scheme – Box Hill Institute of TAFE	16.04.03
CR 2003/32	Income tax: Approved Early Retirement Scheme – Swinburne University of Technology (TAFE Division)	16.04.03
CR 2003/33	Income tax: Approved Early Retirement Scheme – State Library of Victoria	16.04.03
CR 2003/34	Income tax: Level 1 private practice arrangements of senior medical practitioners employed by a NSW Public Health Organisation	30.04.03

Ruling	Title	Issue date
CR 2003/35	Income tax: capital gains: compensation receipts – Indigenous Wages and Savings Reparations Process	07.05.03
CR 2003/36	Income tax: employer clients of McMillan Shakespeare Australia Pty Ltd that make use of a Meal Entertainment Payment Card facility	14.05.03
CR 2003/37	Income Tax: Employee Share Scheme: Exempt Employee Share Plan of AlintaGas Limited	14.05.03
CR 2003/38	Income Tax: Employee Share Scheme: Deferred Employee Share Plan of AlintaGas Limited	14.05.03
CR 2003/39	Income tax: Approved Early Retirement Scheme – Museum Victoria	21.05.03
CR 2003/40	Income tax: Approved Early Retirement Scheme – Victoria Police	28.05.03
CR 2003/41	Income tax: Approved Early Retirement Scheme – South Australian Water Corporation (Skill Based Reform)	28.05.03
CR 2003/42	Income tax: Approved Early Retirement Scheme – South Australian Water Corporation (Succession Based Reform)	28.05.03
CR 2003/43	Income tax: Approved Early Retirement Scheme – Central Gippsland Institute of TAFE	11.06.03
CR 2003/44	Income tax: Approved Early Retirement Scheme – Rail Infrastructure Corporation	11.06.03
CR 2003/45	Income tax: Employee Share Scheme: exemption conditions: disposal of shares held under MIM Holdings Limited General Employee Share Plan within three years of acquisition	25.06.03
CR 2003/46	Income tax: capital gains: amendment of trust deed: possibility of resettlement of Trust: Wholesale Australian Property Fund	25.06.03

Ruling	Title	Issue date
CR 2003/47	Income tax: capital gains: amendment of trust deed: possibility of resettlement of Trust: Macquarie Property Securities Fund	25.06.03
CR 2003/48	Income tax: Approved Early Retirement Scheme – James Glen Pty Ltd	25.06.03
CR 2003/49	Income tax: Share Buy-Back: Phosphate Resources Limited	25.06.03
CR 2003/50	Income tax: Brickworks Limited – Exempt Employee Share Plan	09.07.03
CR 2003/51	Income tax: Brickworks Limited – Deferred Employee Share Plan	09.07.03
CR 2003/52	Income tax: compulsory uniform for front office employees of Majestic Hotels	09.07.03
CR 2003/53	Income tax: Saint Gobain Group Savings Plan for Australian employees	23.07.03
CR 2003/54	Income tax: Approved Early Retirement Scheme – Australian Centre for the Moving Image	23.07.03
CR 2003/55	Income tax: subscriptions paid to Prison Officers' Legal Fund	30.07.03
CR 2003/56	Income tax: Approved Early Retirement Scheme – Alinta Limited and subsidiary and related companies	30.07.03
CR 2003/57	Income tax: Approved Early Retirement Scheme – Spencer Street Station Authority	30.07.03
CR 2003/58	Income tax: assessable income: football umpires: Circular Head Football Association Inc. receipts	30.07.03
CR 2003/59	Income tax: Approved Early Retirement Scheme – NSW Police	30.07.03
CR 2003/60	Income tax: Employee Share Scheme: exemption conditions: disposal of shares held under Bank of Western Australia Limited General Employee Share Ownership Plan within three years of acquisition	30.07.03

Ruling	Title	Issue date
CR 2003/61	Income tax: assessability of income: Australian Federal Police (AFP) and Australian Protective Service (APS) employees deployed to the Solomon Islands	30.07.03
CR 2003/62	Income tax: Approved Early Retirement Scheme – Riverina Wool Combing Pty Ltd	06.08.03
CR 2003/63	Income tax: assessable income: cricket umpires: Burnie Cricket League Inc. receipts	06.08.03
CR 2003/64	Income tax: assessable income: football umpires: Goulburn Valley Football Umpires Association Inc. receipts	06.08.03
CR 2003/65	Income tax: overseas travel expenses – employees of National Capital Authority	06.08.03
CR 2003/66	Income tax: capital gains: demerger roll-over relief for shareholders: demerger of Tethyan Copper Company Limited from Mincor Resources NL	13.08.03
CR 2003/67	Income tax: Centennial Coal Company Limited – Exempt Employee Share Plan	13.08.03
CR 2003/68	Income tax: Centennial Coal Company Limited – Deferred Employee Share Plan	13.08.03
CR 2003/69	Income tax: Approved Early Retirement Scheme – Department of Sustainability and Environment of Victoria	20.08.03
CR 2003/70	Income tax: Approved Early Retirement Scheme – Department of Justice of Victoria – Victims Referral and Assistance Service	20.08.03
CR 2003/71	Income tax: Science Prize: The Australian Council of Deans of Science University Science Teaching Prize	27.08.03
CR 2003/72	Income tax: assessable income: school sport officials: Association of Independent Schools of Victoria Incorporated	27.08.03
CR 2003/73	Income tax: assessable income: cricket scorers: Melbourne Cricket Club Inc. receipts	27.08.03

Ruling	Title	Issue date
CR 2003/74	Income tax: Approved Early Retirement Scheme – DaimlerChrysler Australia/Pacific Pty Ltd	27.08.03
CR 2003/75	Income tax: Deferred Salary Payment Agreement for Sabbatical Leave Scheme by teachers at Lutheran Schools and Kindergartens in South Australia	03.09.03
CR 2003/76	Income tax: membership subscriptions paid to Superannuated Commonwealth Officers' Association Inc.	03.09.03
CR 2003/77	Income tax: Jupiters / TABCORP merger – Centrebet Dividend	03.09.03
CR 2003/78	Income tax: Jupiters / TABCORP merger – Special Dividend	03.09.03
CR 2003/79	Income tax: Approved Early Retirement Scheme – Loy Yang Power Management Pty Ltd	03.09.03
CR 2003/80	Income tax: Approved Early Retirement Scheme – Visy Industries	17.09.03
CR 2003/81	Income tax: exchange of shares in Connect Credit Union of Tasmania Limited for ordinary shares in Connect Group Limited	24.09.03
CR 2003/82	Income tax: Employee Share Scheme: exempt conditions: disposal of shares held under Jupiters Limited Exempt Employee Share Plan within three years of acquisition	24.09.03
CR 2003/83	Income tax: exempt foreign employment income: Papua New Guinea Health Services Support Program (PNG HSSP) employees based in Papua New Guinea and administered by the Australian Agency for International Development (AusAID)	01.10.03
CR 2003/84	Income tax: Bond University – Student PhD Research Scholarships	01.10.03
CR 2003/85	Income tax: treatment of receipts from Business Exit Assistance Scheme: Western Australian Timber Industry Structural Adjustment Program	01.10.03

Ruling	Title	Issue date
CR 2003/86	Income tax: scrip for scrip roll-over: exchange of: units in Colonial First State Development Trust, Colonial First State Industrial Property Trust and Colonial First State Commercial Property Trust for units in Commonwealth Property Office Fund, and units in Colonial First State Retail Property Trust for units in the Gandel Retail Trust	01.10.03
CR 2003/87	Income tax: preference Share Buy-Back: Village Roadshow Limited	08.10.03
CR 2003/88	Income tax: assessability of income: Department of Finance and Administration employees deployed to the Solomon Islands	08.10.03
CR 2003/89	Income tax: scrip for scrip roll-over: merger of Jupiters Limited and TABCORP Holdings Limited	08.10.03
CR 2003/90	Income tax: capital gains: scrip for scrip roll-over: exchange of units in AMP Diversified Property Trust for units in Stockland Trust	15.10.03
CR 2003/91	Income tax: Thales SA 'World Classic 2002' Employee Share Offer	22.10.03
CR 2003/92	Income tax: Thales SA 'World Leverage 2002' Employee Share Offer	22.10.03
CR 2003/93	Income tax: assessable income: football umpires: Peel Football League Inc. receipts	22.10.03
CR 2003/94	Income tax: assessability of income: Members of the Australian Defence Forces (ADF) and Australian Public Service (APS) employees of the Department of Defence working in the Solomon Islands as part of operation ANODE	22.10.03
CR 2003/95	Income tax: capital gains: scrip for scrip roll over: exchange of shares in GPG (UK) Holdings plc (GPG Holdings) known formerly as Guinness Peat Group plc for shares in the Guinness Peat Group plc (GPG) known formerly as Brunel Holdings plc	29.10.03

Ruling	Title	Issue date
CR 2003/96	Income tax: AusBulk Ltd – 0:90:10 Extended Barley Pool	29.10.03
CR 2003/97	Income tax: AusBulk Ltd – 0:100 Grain Pool	29.10.03
CR 2003/98	Income tax: capital reduction: Australand Holdings Limited	05.11.03
CR 2003/99	Income tax: Approved Early Retirement Scheme – Department of Innovation, Industry and Regional Development	05.11.03
CR 2003/100	Income tax: Employee Share Scheme: Record Investments Limited	12.11.03
CR 2003/101	Income tax: Approved Early Retirement Scheme – Department of Education & Training	19.11.03
CR 2003/102	Income tax: assessable income: cricket umpires: Dandenong District Cricket Umpires Association receipts	19.11.03
CR 2003/103	Income tax: Share Buy-Back: Woolworths Limited	26.11.03
CR 2003/104	Income tax: assessable income: payments received for out of pocket expenses of companions to Disability Services Commission (WA) clients	26.11.03
CR 2003/105	Income tax: return of capital – Wesfarmers Limited	26.11.03
CR 2003/106	Income tax: Approved Early Retirement Scheme – Feltex Australia Pty Ltd	03.12.03
CR 2003/107	Income tax: AMP Limited: Demerger, Capital Adjustment and Scheme of Arrangement	03.12.03
CR 2003/108	Income tax: Approved Early Retirement Scheme – Victorian Electoral Commission	10.12.03
CR 2003/109	Income tax: The General Sir John Monash Awards – Post Graduate Scholarships	17.12.03

Ruling	Title	Issue date
CR 2003/110	Income tax: capital gains: amendment of trust deed: possibility of resettlement of Trust: Macquarie Australian Enhanced Equities Fund	17.12.03
CR 2003/111	Fringe benefits tax: employer clients of McMillan Shakespeare Australia Pty Ltd that make use of a Salary Packaging Payment Card facility	17.12.03
CR 2003/112	Income tax: assessable income: distributions made by ClubBIZ to NSW registered clubs	17.12.03

Class Rulings – notices of addenda

Ruling	Title	Issue date
CR 2002/59	Income tax: compensation payments to Holocaust survivors and their relatives – Remembrance, Responsibility and Future Foundation	30.04.03
CR 2002/75	Income tax: travel allowance paid to New South Wales judges	14.05.03
CR 2003/41	Income tax: Approved Early Retirement Scheme – South Australian Water Corporation (Skill Based Reform)	20.08.03
CR 2003/42	Income tax: Approved Early Retirement Scheme – South Australian Water Corporation (Succession Based Reform)	20.08.03
CR 2003/87	Income tax: preference Share Buy-Back: Village Roadshow Limited	03.12.03

Class Rulings – notices of errata

Ruling	Title	Issue date
CR 2003/36	Income tax: employer clients of McMillan Shakespeare Australia Pty Ltd that make use of a Meal Entertainment Payment Card facility	21.05.03

CR 2003/90	Income tax: capital gains: scrip for scrip roll-over: exchange of units in AMP Diversified Property Trust for units in Stockland Trust	29.10.03
CR 2003/94	Income tax: assessability of income: Members of the Australian Defence Forces (ADF) and Australian Public Service (APS) employees of the Department of Defence working in the Solomon Islands as part of operation ANODE	05.11.03

Class Ruling – notice of withdrawal

Ruling	Title	Issue date
CR 2003/106	Income tax: Approved Early Retirement Scheme – Feltex Australia Pty Ltd	17.12.03

Product Rulings

5. During the 2003 calendar year the Commissioner of Taxation issued:

Product Rulings

Ruling	Title	Issue date
PR 2003/1	Income tax: Rewards Group Tropical Fruits Project 2	19.03.03
PR 2003/2	Income tax: 2003 Timbercorp Almond Project (revised arrangement)	29.01.03
PR 2003/3	Income tax: Margaret River Watershed Premium Wine Project – 2003 Growers	05.02.03
PR 2003/4	Income tax: Brooklyn Park Olive Groves (revised arrangement)	19.02.03
PR 2003/5	Income tax: Australian Growth – Timber 2002/2003	19.02.03
PR 2003/6	Income tax: Equity Margins Limited Protected Equity Investment Loan	12.03.03

Ruling	Title	Issue date
PR 2003/7	Income tax: Sylvatech Tropical Timbers 2003	26.03.03
PR 2003/8	Income tax: Tanunda Hill Vineyard Project Stage II	02.04.03
PR 2003/9	Income tax: Rewards Group Tropical Fruits Project 3	09.04.03
PR 2003/10	Income tax: ITC Pulpwood Project 2003	09.04.03
PR 2003/11	Income tax: Environinvest Eucalypt Project No. 6	09.04.03
PR 2003/12	Income tax: Forest Enterprises Plantation Project 2003	09.04.03
PR 2003/13	Income tax: Wholesale Forestry	16.04.03
PR 2003/14	Income tax: tax consequences for employees under the Toyota Financial Services Vehicle Leasing and Novation Arrangement	16.04.03
PR 2003/15	Income tax: ITC Solidwood Project 2003	16.04.03
PR 2003/16	Income tax: ITC Sandalwood Project 2003	16.04.03
PR 2003/17	Income tax: Film Investment – Macquarie Nine Film & Television Fund 2003	16.04.03
PR 2003/18	Income tax: Film Investment – 'The Backstreet General'	30.04.03
PR 2003/19	Income tax: Rosedale Vines Project No. 3	30.04.03
PR 2003/20	Income tax: Frankland River Olives Stage 5	07.05.03
PR 2003/21	Income tax: Gunns Plantations Woodlot Project 2003	07.05.03
PR 2003/22	Income tax: Western Tiers Truffiere Project	14.05.03
PR 2003/23	Income tax: Guilderton Olives Stage 2	14.05.03
PR 2003/24	Income tax: 2003 Timbercorp Olive Project	14.05.03
PR 2003/25	Income tax: TFS Sandalwood Project 2003	14.05.03
PR 2003/26	Income tax: Australian Olives Project No. 5	14.05.03
PR 2003/27	Income tax: Rewards Group Sandalwood Project 4	21.05.03

Ruling	Title	Issue date
PR 2003/28	Income tax: Loddon Olive Project – 2003 Growers	21.05.03
PR 2003/29	Income tax: TFS Gold Card Sandalwood Project 2003	28.05.03
PR 2003/30	Income tax: Brooklyn Park Organic Olive Groves Project No. 3	28.05.03
PR 2003/31	Income tax: Rewards Group Teak Project 3	28.05.03
PR 2003/32	Income tax: Treviso Table Grape Project – Replacement Product Disclosure Statement	28.05.03
PR 2003/33	Income tax: Tasmanian Truffle Project No. 2	28.05.03
PR 2003/34	Income tax: Northern Rivers Coffee Project No. 3	28.05.03
PR 2003/35	Income tax: Film Investment – 'Whitman's Vengeance'	04.06.03
PR 2003/36	Income tax: Frankland River Olives Stage 5	04.06.03
PR 2003/37	Income tax: W.A. Blue Gum Project 2003	04.06.03
PR 2003/38	Income tax: Film Investment – 'Beyond Group Television Investment Fund'	04.06.03
PR 2003/39	Income tax: Queensland Paulownia Forests Project No. 7	04.06.03
PR 2003/40	Income tax: Macquarie Forestry Investment	04.06.03
PR 2003/41	Income tax: West Coast Hardwood – Resale Offer	11.06.03
PR 2003/42	Income tax: Mediterranean Olives Project 2003	11.06.03
PR 2003/43	Income tax: Slag Film Fund	18.06.03
PR 2003/44	Income tax: tax consequences of investing in the UBS Protected Geared Investment Product	18.06.03
PR 2003/45	Income tax: BioForest Wholesale Project No. 1	18.06.03
PR 2003/46	Income tax: Loddon Olive Project – 2004 Growers	25.06.03

Ruling	Title	Issue date
PR 2003/47	Income tax: Margaret River Watershed Premium Wine Project – Supplementary Prospectus	25.06.03
PR 2003/48	Income tax: WRF Kangaroo Island Plantations 2002	25.06.03
PR 2003/49	Income tax: deductibility of interest incurred on borrowings under the Leveraged Equities Share Protection Plan	09.07.03
PR 2003/50	Income tax: Victorian Olive Oil Project II	23.07.03
PR 2003/51	Income tax: deductibility of interest incurred on borrowings under the St. George Protected Loan	30.07.03
PR 2003/52	Income tax: tax consequences of investing in UBS Warburg Moderately Geared 'ISG' Series Instalment Warrants – cash applicants and secondary market purchasers	20.08.03
PR 2003/53	Income tax: tax consequences of rebalancing, contributing to an investment and partially redeeming a unit in the Credit Suisse Asset Management Select Investment Flexible International Share Fund	27.08.03
PR 2003/54	Income tax: tax consequences of rebalancing, contributing to an investment and partially redeeming a unit in the Credit Suisse Asset Management Private Investment Flexible International Share Fund	27.08.03
PR 2003/55	Income tax: Tasmanian Truffle Project No. 2 (Supplementary Product Disclosure Statement)	10.09.03
PR 2003/56	Income tax: tax consequences of investing in ABN AMRO High Leverage Instalment Warrants IZJ Series – cash applicants and secondary market purchasers	01.10.03
PR 2003/57	Income tax: Northern Rivers Coffee Project No. 3 (Supplementary Product Disclosure Statement)	01.10.03

Ruling	Title	Issue date
PR 2003/58	Income tax: tax consequences of investing in Westpac High Yield 'IWF' Series Instalment Warrants – cash applicants and secondary market purchasers	08.10.03
PR 2003/59	Income tax: tax consequences of investing in Westpac Standard 'IWE' Series Instalment Warrants – cash applicants and secondary market purchasers	08.10.03
PR 2003/60	Income tax: Norfolk Ridge Vineyards	15.10.03
PR 2003/61	Income tax: Norfolk Ridge Vineyards Prospectus Number 2	15.10.03
PR 2003/62	Income tax: Norfolk Ridge Vineyards Prospectus Number 2 (post-30 June 1999 investors)	15.10.03
PR 2003/63	Income tax: Norfolk Ridge Vineyards Project	15.10.03
PR 2003/64	Income tax: tax consequences of investing in equities using the Investment Protected Loan provided under the Smith Barney Flexible Investment Facility	22.10.03
PR 2003/65	Income tax: deductibility of interest incurred on borrowings in relation to the Macquarie Fusion Funds – December 2003 Offer	05.11.03
PR 2003/66	Income tax: Forest Rewards Premium Vineyard Project 1	12.11.03
PR 2003/67	Income tax: NTT Mahogany Project	12.11.03
PR 2003/68	Income tax: tax consequences of investing in Next Financial Instalments Series NF 300	19.11.03
PR 2003/69	Income tax: Rewards Group Premium Vineyards Project 2	26.11.03
PR 2003/70	Income tax: tax consequences of investing in Macquarie Regular Instalment Warrants IMC Series 2003 Offering Circular – cash applicants and on-market purchasers	03.12.03

Ruling	Title	Issue date
PR 2003/71	Income tax: tax consequences of investing in Macquarie Hot Instalment Warrants IMD Series 2003 Offering Circular – cash applicants and on-market purchasers	03.12.03
PR 2003/72	Income tax: New World 2020 Project	17.12.03
PR 2003/73	Income tax: The Woods & Forests Management Trust Prospectus June 1992	17.12.03
PR 2003/74	Income tax: The Woods & Forests Management Trust Prospectus No. 2 – March 1993	17.12.03
PR 2003/75	Income tax: The Woods & Forests Management Trust Prospectus No. 3 – June 1993	17.12.03
PR 2003/76	Income tax: The Woods & Forests Management Trust Prospectus No. 4 – March 1994	17.12.03
PR 2003/77	Income tax: The Woods & Forests Management Trust Prospectus No. 5 – June 1994	17.12.03
PR 2003/78	Income tax: The Woods & Forests Management Trust Prospectus No. 6 – March 1995	17.12.03
PR 2003/79	Income tax: The Woods & Forests Management Trust Prospectus No. 7 – April 1996	17.12.03
PR 2003/80	Income tax: The Woods & Forests Management Trust Prospectus No. 8 – May 1997	17.12.03
PR 2003/81	Income tax: The Woods & Forests Management Trust Prospectus No. 9 – June 1998	17.12.03
PR 2003/82	Income tax: The Woods & Forests Management Trust Prospectus No. 10 – June 1993	17.12.03

Product Rulings – notices of addenda

Ruling	Title	Issue date
PR 2002/97	Income tax: Heydon Park Ginseng Project No. 1	02.04.03
PR 2003/1	Income tax: Rewards Group Tropical Project 2	04.06.03
PR 2003/23	Income tax: Guilderton Olives Stage 2	11.06.03
PR 2002/132	Income tax: the Larenta Olive Project	25.06.03
PR 2003/12	Income tax: Forest Enterprises Plantation Project 2003	25.06.03
PR 2002/90	Income tax: tax consequences of investing in Macquarie Instalment Warrants – cash applicants and on-market purchasers	02.07.03
PR 2002/109	Income tax: tax consequences of investing in Macquarie Hot Instalment IMD Series – cash applicants and on-market purchasers	02.07.03
PR 2002/111	Income tax: tax consequences of investing in UBS Warburg Highly Geared 'ISO' Series Instalment Warrants – cash applicants and secondary market purchasers	02.07.03
PR 2002/135	Income tax: tax consequences of investing in UBS Warburg Highly Geared 'ISS' Series Instalment Warrants – cash applicants and secondary market purchasers	02.07.03
PR 2002/137	Income tax: tax consequences of investing in Macquarie Instalment 'IMF' Series – cash applicants and on-market purchasers	02.07.03
PR 2002/138	Income tax: tax consequences of investing in Macquarie Hot Instalments IMG Series – cash applicants and on-market purchasers	02.07.03
PR 2002/139	Income tax: tax consequences of investing in UBS Warburg Highly Geared 'ISQ' Series Instalment Warrants – cash applicants and secondary market purchasers	02.07.03
PR 2003/21	Income tax: Gunns Plantations Woodlot Project 2003	27.08.03
PR 2003/40	Income tax: Macquarie Forestry Investment	08.10.03

Ruling	Title	Issue date
PR 2002/122	Income tax: deductibility of interest incurred on borrowings under the Westpac Protected Equity Loan	26.11.03
PR 2003/22	Income tax: Western Tiers Truffiere Project	17.12.03
PR 2003/44 (x2)	Income tax: tax consequences of investing in the UBS Protected Geared Investment Product	17.12.03
PR 2003/49	Income tax: deductibility of interest incurred on borrowings under the Leveraged Equities Share Protection Plan	17.12.03
PR 2003/51	Income tax: deductibility of interest incurred on borrowings under the St George Protected Loan	17.12.03
PR 2003/52 (x2)	Income tax: tax consequences of investing in UBS Warburg Moderately Geared 'ISG' Series Instalment Warrants – cash applicants and secondary market purchasers	17.12.03
PR 2003/58	Income tax: tax consequences of investing in Westpac Standard 'IWE' Series Instalment Warrants – cash applicants and secondary market purchasers	17.12.03
PR 2003/59	Income tax: tax consequences of investing in Westpac Standard 'IWF' Series Instalment Warrants – cash applicants and secondary market purchasers	17.12.03
PR 2003/64	Income tax: tax consequences of equities using the Investment Protected Loan provided under the Smith Barney Flexible Investment Facility	17.12.03
PR 2003/68	Income tax: tax consequences of investing in Next Financial Instalments Series NF 300	17.12.03
PR 2003/70	Income tax: tax consequences on investing in Macquarie Regular Instalment Warrants IMC Series 2003 Offering Circular – cash applicants and on-market purchasers	17.12.03
PR 2003/71	Income tax: tax consequences on investing in Macquarie Regular Instalment Warrants IMD Series 2003 Offering Circular – cash applicants and on-market purchasers	17.12.03

Ruling	Title	Issue date
PR 2001/163	Income tax: deductibility of interest incurred on borrowings under the UBS Warburg Protected Equity Product	17.12.03
PR 2002/79	Income tax: deductibility of interest incurred on borrowings under the UBS Warburg Protected Equity Product	17.12.03
PR 2002/92	Income tax: deductibility of interest incurred on borrowings under the UBS Protected Equity Product	17.12.03
PR 2002/111	Income tax: tax consequences of investing in UBS Warburg Highly Geared 'ISO' Series Instalment Warrants – cash applicants and secondary market purchasers	17.12.03
PR 2002/135	Income tax: tax consequences of investing in UBS Warburg Highly Geared 'ISS' Series Instalment Warrants – cash applicants and secondary market purchasers	17.12.03
PR 2002/139	Income tax: tax consequences of investing in UBS Warburg Highly Geared 'ISQ' Series Instalment Warrants – cash applicants and secondary market purchasers	17.12.03

Product Rulings – notices of errata

Ruling	Title	Issue date
PR 2003/39	Income tax: Queensland Paulownia Forests Project No. 7	11.06.03
PR 2003/40	Income tax: Macquarie Forestry Investment	11.06.03

Product Rulings – notices of withdrawal

Ruling	Title	Issue date
PR 2002/143	Income tax: 2003 Timbercorp Almond Project	29.01.03
PR 2002/141	Income tax: Forest Rewards Tropical Fruits Project 2	29.01.03

Ruling	Title	Issue date
PR 2003/6	Income tax: Equity Margins Limited Protected Equity Investment Loan	30.04.03
PR 2001/24	Income tax: Ginkgo Australia Project	14.05.03
PR 2001/96	Income tax: 'Whitman's Vengeance' – Film Investment	04.06.03
PR 2003/20	Income tax: Frankland River Olives Stage 5	04.06.03
PR 2001/92	Income tax: Grampians Olive Project 2001	18.06.03
PR 2002/73	Income tax: Mary Valley Paulownia Project – Revised Arrangement	18.06.03
PR 2001/142	Income tax: WRF Kangaroo Island Plantations 2002	25.06.03
PR 2002/64	Income tax: WRF Kangaroo Island Plantations 2002 – Second Prospectus	25.06.03
PR 2002/106	Income tax: Margaret River Watershed Premium Wine Project - Supplementary Prospectus	25.06.03
PR 2002/89	Income tax: deductibility of interest incurred on borrowings under the Leveraged Equities Share Protection Plan	09.07.03
PR 2001/88	Income tax: Mount Bellarine Vineyard Project	23.07.03
PR 2002/8	Income tax: Settlers Rise Premium Vineyard Project	23.07.03
PR 2002/69	Income tax: Brothers At War Film Project	23.07.03
PR 2002/71	Income tax: Campbells River Project (2002 planting)	23.07.03
PR 2003/28	Income tax: Loddon Olive Project – 2003 Growers	13.08.03
PR 2002/110	Income tax: Kailis Organic Olive Groves	20.08.03
PR 2002/74	Income tax: Mediterranean Olives Project 2002	10.09.03
PR 2001/90	Income tax: Exotic Timbers of Australia NT3 Project	08.10.03
PR 2002/40	Income tax: 'Lost World 3' television series	22.10.03

Ruling	Title	Issue date
PR 2002/133	Income tax: Forest Rewards Premium Vineyard Project 1	12.11.03
PR 2001/38	Income tax: Paulownia Timber Plantation Project No. 1	19.11.03

Product Grant and Benefit Rulings

6. During the 2003 calendar year the Commissioner of Taxation issued:

Product Grant and Benefit Rulings

Ruling	Title	Issue date
PGBR 2003/1	Product grants and benefits: public rulings	10.12.03
PGBR 2003/2	Product grants and benefits: private rulings	10.12.03
PGBR 2003/3	Energy grants: off-road credits for mining operations	10.12.03

Old Series Rulings

7. During the 2003 calendar year the Commissioner of Taxation withdrew:

Income Tax (IT) Rulings – notices of withdrawal

Ruling	Title	Issue date
IT 2610	Income tax: foreign tax credit system – taxation of Australian resident members of Lloyd's of London	28.02.03
IT 2638	Income tax: foreign tax credit system – taxation of Australian resident members of Lloyd's of London	28.02.03

Ruling	Title	Issue date
IT 340	Income tax: accumulation of income by charitable funds	04.06.03
IT 2345	Income tax: sales tax: bank account debits tax: public benevolent institutions: community legal aid centres	04.06.03
IT 2386	Income tax: gift to public benevolent institutions	04.06.03
IT 2438	Income tax: interpretation of the term 'public benevolent institution' for gift deduction purposes	04.06.03
IT 2455	Income tax: applications to treat late objections and requests for reference as duly lodged	30.07.03

Goods and Services Tax Rulings, Determinations and Bulletins

8. During the 2003 calendar year the Commissioner of Taxation issued:

Draft Goods and Services Tax Rulings

Ruling	Title	Issue date
GSTR 2003/D1	Goods and services tax: what is 'precious metal' for the purposes of GST?	05.02.03
GSTR 2003/D2	Goods and services tax: payment on early termination of a lease of goods	19.03.03
GSTR 2003/D3	Goods and services tax: reduced credit acquisitions	09.07.03
GSTR 2003/D4	Goods and services tax: general law partnerships	02.04.03
GSTR 2003/D5	Goods and services tax: tax law partnerships	16.04.03
GSTR 2003/D6	Goods and services tax: assignment of income streams including under a securitisation arrangement	19.11.03

Ruling	Title	Issue date
GSTR 2003/D7	Goods and services tax: the scope of subsection 38-190(3) and its application to supplies of things (other than goods or real property) made to non-residents that are otherwise GST-free under item 2 of the table in subsection 38-190(1)	19.12.03
GSTR 2003/D8	Goods and services tax: what is a joint venture for GST purposes?	26.11.03
GSTR 2003/D9	Goods and services tax: in the application of items 2, 3 and paragraph (b) of item 4 in the table in subsection 38-190(1) of the *A New Tax System (Goods and Services Tax) Act 1999*, when is a 'non-resident' or other 'recipient' of a supply 'not in Australia when the thing supplied is done'? When is 'an entity that is not an Australian resident' 'outside Australia' when the thing supplied is done?	19.12.03

Draft Goods and Services Tax Rulings – notice of erratum

Ruling	Title	Issue date
GSTR 2003/D2	Goods and services tax: payment on early termination of a lease of goods	26.03.03

Draft Goods and Services Tax Rulings – notice of withdrawal

Ruling	Title	Issue date
GSTR 2003/D8	Goods and services tax: when is a non-resident 'not in Australia when the thing supplied is done' for the purposes of item 2 of the table in subsection 38-190(1) of the *A New Tax System (Goods and Services Tax) Act 1999*?	19.12.03

Goods and Services Tax Rulings

Ruling	Title	Issue date
GSTR 2003/1	Goods and services tax: supplies that are GST-free as professional or trade courses	26.02.03
GSTR 2003/2	Goods and services tax: supplies of goods and services in the repair, renovation, modification or treatment of goods from outside Australia whose destination is outside Australia	28.02.03
GSTR 2003/3	Goods and services tax: when is a sale of real property a sale of new residential premises?	05.03.03
GSTR 2003/4	Goods and services tax: stores and spare parts for international flights and voyages	26.03.03
GSTR 2003/5	Goods and services tax: vouchers	28.05.03
GSTR 2003/6	Goods and services tax: transfers of enterprise assets as a result of property distributions under the *Family Law Act 1975* or in similar circumstances	26.03.03
GSTR 2003/7	Goods and services tax: what do the expressions 'directly connected with goods or real property' and 'a supply of work physically performed on goods' mean for the purposes of subsection 38-190(1) of the *A New Tax System (Goods and Services Tax) Act 1999*?	09.04.03
GSTR 2003/8	Goods and services tax: supply of rights for use outside Australia – subsection 38-190(1), item 4, paragraph (a) and subsection 38-190(2)	30.04.03
GSTR 2003/9	Goods and services tax: financial acquisitions threshold	14.05.03
GSTR 2003/10	Goods and services tax: what is 'precious metal' for the purposes of GST?	18.06.03
GSTR 2003/11	Goods and services tax: payment on early termination of a lease of goods	03.09.03

Ruling	Title	Issue date
GSTR 2003/12	Goods and services tax: when consideration is provided and received for various payment instruments and other methods of payment	08.10.03
GSTR 2003/13	Goods and services tax: general law partnerships	29.10.03
GSTR 2003/14	Goods and services tax: the GST implications of transactions between members of a barter scheme conducted by a trade exchange	12.11.03
GSTR 2003/15	Goods and services tax: importation of goods into Australia	10.12.03
GSTR 2003/16	Goods and services tax: inducements to enter into a lease of commercial premises	17.12.03

Goods and Services Tax Rulings – notices of addenda

Ruling	Title	Issue date
GSTR 2000/37	Goods and services tax: agency relationships and the application of the law	26.03.03
GSTR 1999/1	Goods and services tax: the GST rulings system	15.10.03
GSTR 2000/30	Goods and services tax: supplies that are GST-free for pre-school, primary and secondary education courses	15.10.03
GSTR 2001/1	Goods and services tax: supplies that are GST-free for tertiary education courses	15.10.03
GSTR 2001/8	Goods and services tax: apportioning the consideration for a supply that includes taxable and non-taxable parts	15.10.03
GSTR 2000/19	Goods and services tax: making adjustments under Division 19 for adjustment events	17.12.03

Goods and Services Tax Rulings – notices of errata

Ruling	Title	Issue date
GSTR 2003/3	Goods and services tax: when is a sale of real property a sale of new residential premises?	18.06.03
GSTR 2000/37	Goods and services tax: agency relationships and the application of the law	28.03.03

Goods and Services Tax Rulings – notice of withdrawal

Ruling	Title	Issue date
GSTR 2000/23	Goods and services tax: when consideration is provided and received for various payment instruments	08.10.03

Draft Goods and Services Tax Determinations

Ruling	Title	Issue date
GSTD 2003/D1	Goods and services tax: are acquisitions made by a company in obtaining valuations in respect of forming a consolidated group, or in respect of a subsidiary joining a consolidated group, made in carrying on the company's enterprise?	21.05.03
GSTD 2003/D2	Goods and services tax: are all supplies made by the joint venture operator to participants in a GST joint venture to be treated as if they are not taxable supplies?	26.11.03
GSTD 2003/D3	Goods and services tax: if the joint venture operator of a GST joint venture set up to design, build or maintain residential or commercial premises transfers completed premises to a joint venture participant, is that supply treated as if it were not a taxable supply?	26.11.03
GSTD 2003/D4	Goods and services tax: when will the requirement to hold a tax invoice or adjustment note be waived as a result of a court or tribunal decision?	10.12.03

Ruling	Title	Issue date
GSTD 2003/D5	Goods and services tax: can the sale of an interest in leased commercial property be the supply of a going concern?	10.12.03

Draft Goods and Services Tax Determinations – notice of errata

Ruling	Title	Issue date
GSTD 2003/D5	Goods and services tax: can the sale of an interest in leased commercial property be the supply of a going concern?	17.12.03

Goods and Services Tax Determinations

Ruling	Title	Issue date
GSTD 2003/1	Goods and services tax: is the payment of judgment interest consideration for a supply?	26.02.03
GSTD 2003/2	Goods and services tax: are there GST consequences when a partner in a partnership takes goods held as trading stock for private or domestic use?	26.03.03
GSTD 2003/3	Goods and services tax: are acquisitions made by a head company, or by a subsidiary member, in obtaining valuations in respect of forming or joining a consolidated group, made in carrying on the entity's enterprise?	15.10.03

Goods and Services Tax Determinations – notice of withdrawal

Ruling	Title	Issue date
GSTD 2002/4	Goods and services tax: what are the requirements for a particular document to be treated as an adjustment note when an adjustment arises from a payment made by a third party?	17.12.03

Goods and Services Tax Bulletins

Ruling	Title	Issue date
GSTB 2003/1	How to calculate input tax credits and bad debt adjustments when a dividend is paid to creditors	19.02.03
GSTB 2003/2	Goods and services tax: long-term accommodation at marinas	18.06.03

Goods and Services Tax Bulletins – notices of addenda

Ruling	Title	Issue date
GSTB 2003/1	How to calculate input tax credits and bad debt adjustments when a dividend is paid to creditors	12.03.03
GSTB 2000/2	How to claim input tax credits for car expenses	15.10.03
GSTB 2003/1	How to calculate input tax credits and bad debt adjustments when a dividend is paid to creditors	15.10.03

Luxury Car Tax Determinations

9. During the 2003 calendar year the Commissioner of Taxation issued:

Luxury Car Tax Determinations

Ruling	Title	Issue date
LCTD 2003/1	Luxury car tax: what is the car limit to be used for the 2003-2004 financial year?	25.06.03

Superannuation Contributions Determinations

10. During the 2003 calendar year the Commissioner of Taxation issued:

Superannuation Contributions Determinations

Ruling	Title	Issue date
SCD 2003/1	Superannuation contributions: what is the surcharge threshold for the 2003-2004 financial year under the *Superannuation Contributions Tax (Assessment and Collection) Act 1997*?	04.06.03
SCD 2003/2	Superannuation contributions: what are the indexable amounts for the 2003-2004 financial year under the *Termination Payments Tax Imposition Act 1997*?	04.06.03
SCD 2003/3	Superannuation contributions: what is the surcharge threshold for the 2003-2004 financial year under the *Termination Payments Tax Imposition Act 1997*?	04.06.03
SCD 2003/4	Superannuation contributions: what are the surchargeable contributions threshold and the indexable amounts for the 2003-2004 financial year under the *Superannuation Contributions Tax Imposition Act 1997*?	04.06.03

Superannuation Guarantee Rulings and Determinations

11. During the 2003 calendar year the Commissioner of Taxation issued:

Superannuation Guarantee Rulings – notices of addenda

Ruling	Title	Issue date
SGR 94/4	Superannuation guarantee: ordinary time earnings	26.11.03

Ruling	Title	Issue date
SGR 94/5	Superannuation guarantee: salary or wages	26.11.03

Superannuation Guarantee Determinations

Ruling	Title	Issue date
SGD 2003/1	Superannuation guarantee: what is the maximum contribution base for each contribution period in 2003-2004?	04.06.03
SGD 2003/2	Superannuation guarantee: if the last day for making superannuation contributions, lodging a superannuation guarantee statement and paying the superannuation guarantee charge, or reporting to employees falls on a Saturday, Sunday, public holiday or bank holiday, can an employer make the contributions, lodge the statement and pay the charge, or report to employees on the next working day?	01.10.03
SGD 2003/3	Superannuation guarantee: method of calculating the notional employer contribution rate in accordance with Regulation 4 of the Superannuation Guarantee (Administration) Regulations	01.10.03
SGD 2003/4	Superannuation guarantee: method of preparing a benefit certificate for superannuation funds which are 'deemed' defined benefit superannuation schemes under subsection 6A(2) of the *Superannuation Guarantee (Administration) Act 1992*	01.10.03
SGD 2003/5	Superannuation guarantee: how do the exclusions under sections 27 and 28 of the Superannuation Guarantee (Administration) Act 1992 interact?	01.10.03
SGD 2003/6	Superannuation guarantee: how is an advance payment allocated to a particular quarter?	01.10.03

Ruling	Title	Issue date
SGD 2003/7	Superannuation guarantee: if a contribution to a fund is made by cheque, when is the contribution made?	01.10.03

Superannuation Guarantee Determinations – notices of withdrawal

Ruling	Title	Issue date
SGD 93/2	Superannuation guarantee: when calculating the base year annual national payroll for an employer, are all the businesses of an individual or non-incorporated entity treated as separate employers?	01.10.03
SGD 93/3	Superannuation guarantee: when calculating annual national payroll for an employer, are related companies treated as one employer?	01.10.03
SGD 93/8	Superannuation guarantee: method of calculating the notional employer contribution rate in accordance with Regulation 4 of the Superannuation Guarantee (Administration) Regulations	01.10.03
SGD 93/9	Superannuation guarantee: method of preparing a benefit certificate for superannuation funds which are 'deemed' defined benefit superannuation schemes under subsection 6A(2) of the *Superannuation Guarantee (Administration) Act 1992*	01.10.03
SGD 93/12	Superannuation guarantee: are allowances and sitting or meeting fees paid to local government councillors salary or wages for the purposes of the *Superannuation Guarantee (Administration) Act 1992*?	01.10.03
SGD 93/13	Superannuation guarantee: is a racing club a jockey's employer for superannuation guarantee purposes?	01.10.03

Ruling	Title	Issue date
SGD 94/1	Superannuation guarantee: how do exemptions under sections 27 and 28 interact?	01.10.03
SGD 94/2	Superannuation guarantee: how is an advance payment allocated to each of the contribution periods?	01.10.03
SGD 94/5	Superannuation guarantee: if a contribution to a fund is made by cheque, when is the contribution made?	01.10.03
SGD 95/3	Superannuation guarantee: if the last day for making superannuation contributions or lodging a superannuation guarantee statement and paying the superannuation guarantee charge falls on a Saturday, Sunday, public holiday or bank holiday, can an employer make the contributions or lodge the statement and pay the charge on the next working day?	01.10.03

Last Ruling

This is the last Ruling for the 2003 calendar year. The next Ruling will be TR 2004/1.

Commissioner of Taxation

19 December 2003

Previous draft:

Not previously issued in draft form

Related Rulings/Determinations:

TR 96/List; TR 97/List; TR 98/List; TR 99/List; TR 2000/List; TR 2001/List; TR 2002/List

Subject references:

- public rulings
- rulings issued in 2001
- rulings issued in 2002
- rulings issued in 2003

ATO references:

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