

# ***TR 2006/13A - Addendum - Income tax: sale and leasebacks***

⚠ This cover sheet is provided for information only. It does not form part of *TR 2006/13A - Addendum - Income tax: sale and leasebacks*

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



## Addendum

---

### Taxation Ruling

### Income tax: sale and leasebacks

This Addendum amends Taxation Ruling TR 2006/13 to confirm that the Ruling does not apply to arrangements which are subject to Division 42A of Schedule 2E of the *Income Tax Assessment Act 1936*.

#### **Taxation Ruling TR 2006/13 is amended as follows:**

**1. Paragraph 7**

After the paragraph, insert:

7A. Similarly, this Ruling does not apply to arrangements that include luxury car leases. Such arrangements give rise to special tax consequences under Division 42A of Schedule 2E of the *Income Tax Assessment Act 1936* (ITAA 1936).

**2. Paragraph 8**

Omit the paragraph; substitute:

8. Sale and leasebacks are recognised in the ITAA 1936 and the ITAA 1997 as transactions capable of having a tax effect: subsection 82AB(7) and Division 16D of Part III (note also section 51AD and subsection 57AM(33)) of the ITAA 1936; subsection 40-65(3) of the ITAA 1997.

This Addendum applies on and from 1 November 2006.

ATO references

NO: 2006/20258

ISSN: 1039-0731

ATOlaw topic: Income Tax ~~ Capital allowances ~~ balancing adjustments - balancing adjustment amount  
Income Tax ~~ Capital allowances ~~ balancing adjustments - balancing adjustment event  
Income Tax ~~ Capital allowances ~~ holder of a depreciating asset  
Income Tax ~~ Capital allowances ~~ cost of depreciating assets  
Income Tax ~~ Deductions ~~ lease expenses  
Income Tax ~~ Project financing ~~ hire purchase agreements  
Income Tax ~~ Project financing ~~ leasing arrangements  
Income Tax ~~ Tax integrity measures ~~ schemes