


TR 93/33A - Addendum - Income tax: gold mining: tailing dumps as trading stock of gold tailings processors and gold mining operators

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Addendum: Income tax: gold mining: tailing dumps as trading stock of gold tailings processors and gold mining operators

*This Addendum forms part of the Ruling and, to the extent that it is capable of being a 'public ruling' in terms of Part IVAAA of the **Taxation Administration Act 1953**, it is a public ruling for the purposes of that Part. Taxation Ruling TR 92/1 explains when a Ruling is a public ruling and how it is binding on the Commissioner.*

The Tax Law Improvement Project is restructuring, renumbering and rewriting the income tax law in plain language. The Parliament is amending the income tax law progressively to reflect these aims. As new laws come into effect, Taxation Rulings about old laws are being brought into line with them.

This Addendum amends Taxation Ruling TR 93/33, in relation to the 1997-98 or a later income year, as follows:

1. Paragraph 2

Omit 'subsection 6(1) and section 28 of the *Income Tax Assessment Act 1936*'; substitute 'sections 70-10 and 70-35 of the *Income Tax Assessment Act 1997*'.

2. Paragraph 5

Omit 'section 28'; substitute 'section 70-35'.

3. Paragraph 12

(a) Omit, from the definition of gold mining operator, 'prescribed mining operations' and 'Subdivision A of Division 10 of Part III of the ITAA'; substitute 'eligible mining operation' and 'section 330-30 of the new Act', respectively.

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(b) Omit, from the definition of trading stock, 'subsection 6(1) and 'acquired or purchased'; substitute 'section 70-10' and 'or acquired', respectively.

4. After paragraph 24

Insert:

Cross reference of provisions

25. Sections 70-10 and 70-35 and the definition of 'eligible mining operation' in section 330-30 of the ITAA, to which this Ruling refers, express the same ideas as subsection 6(1), section 28 and the definition of 'prescribed mining operations' in subsection 122(1), respectively, of the *Income Tax Assessment Act 1936*.

Commissioner of Taxation

20 August 1997

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