

# ***TR 94/10A - Addendum - Income tax: valuing unidentifiable shares at cost***

⚠ This cover sheet is provided for information only. It does not form part of *TR 94/10A - Addendum - Income tax: valuing unidentifiable shares at cost*

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



*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.*

## Addendum

---

1. We have decided to accept a limited exception to our view that average cost is not acceptable for capital gains tax purposes (see paragraph 44 of the Ruling). We will accept average cost to work out the acquisition cost of shares provided that the shares satisfy all of the following requirements:

- (a) they are in the same company; and
- (b) they are acquired on the same day; and
- (c) they confer identical rights and impose identical obligations.

Any shares for which subsection 160ZH(9) deems a market value cost of acquisition need to be excluded from the average cost calculation.

## Date of effect

---

2. The changes to this Ruling apply to years commencing both before and after its date of issue. However, this Addendum does not apply to taxpayers to the extent that it conflicts with the terms of a settlement of a dispute agreed to before the date of issue of this Addendum (see paragraphs 21 and 22 of Taxation Ruling TR 92/20).

---

**Commissioner of Taxation**

29 September 1994

---

ATO Ref: NAT 94/33-1

ISSN 1039 - 0731