



# ***CR 2002/89W - Income Tax: Dividend, capital reduction and related schemes of arrangement for the demerger of SciGen Limited from Sonic Healthcare Limited***

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 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2003*



## **Class Ruling**

### **Income Tax: Dividend, capital reduction and related schemes of arrangement for the demerger of SciGen Limited from Sonic Healthcare Limited**

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#### ***Preamble***

*The number, subject heading, and the **What this Class Ruling is about** (including **Tax law(s)**, **Class of persons and Qualifications sections**), **Date of effect**, **Withdrawal**, **Arrangement** and **Ruling** parts of this document are a 'public ruling' in terms of Part IVAAA of the **Taxation Administration Act 1953**. CR 2001/1 explains Class Rulings and Taxation Rulings TR 92/1 and TR 97/16 together explain when a Ruling is a public ruling and how it is binding on the Commissioner.*

## **Withdrawal**

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1. This Class Ruling is withdrawn and ceases to have effect for the years after 30 June 2003 or any applicable substituted accounting period. The Ruling continues to apply, in respect of the tax laws ruled upon, to all persons within the specified class who entered into a specified arrangement during the term of the Ruling. Thus the Ruling continues to apply to those persons, even following its withdrawal, for the arrangements entered into prior to the withdrawal of the Ruling. This is subject to there being no change in the arrangement or in the persons' involvement in the arrangement.

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#### **Commissioner of Taxation**

18 December 2002

#### *Previous draft:*

Not previously released in draft form

#### *Related Rulings/Determinations:*

CR 2001/1; TR 92/1; TR 92/20;  
TR 97/16; PS 2001/4

#### *Subject references:*

- acquisition of securities
- acquisition of shares
- capital benefit
- capital gains
- cost base adjustments
- demerger

- demerger allocation
- demerger benefit
- demerger dividend
- demerger subsidiary
- demerger group
- non-resident shareholders
- return of capital
- roll-over
- shares
- schemes to provide certain benefits
- securities rights and options
- tax benefit

#### *Legislative references:*

- ITAA 1936 6(1)

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- ITAA 1936 44
  - ITAA 1936 44(1)
  - ITAA 1936 44(2)
  - ITAA 1936 44(3)
  - ITAA 1936 44(4)
  - ITAA 1936 45B
  - ITAA 1936 45B(2)(a)
  - ITAA 1936 45B(2)(b)
  - ITAA 1936 45B(2)(c)
  - ITAA 1936 45B (3)
  - ITAA 1936 45B(3)(a)
  - ITAA 1936 45B(3)(b)
  - ITAA 1936 45B(4)
  - ITAA 1936 45B(5)
  - ITAA 1936 45B(6)
  - ITAA 1936 45B(8)
  - ITAA 1936 45BA
  - ITAA 1936 45C
  - ITAA 1936 128B(3D)
  - ITAA 1997 104-35
  - ITAA 1997 104-135
  - ITAA 1997 104-155
  - ITAA 1997 125
  - ITAA 1997 125-55(1)
  - ITAA 1997 125-55(2)
  - ITAA 1997 125-65(3)
  - ITAA 1997 125-65(6)
  - ITAA 1997 125-70 (1)(a)
  - ITAA 1997 125-70 (1)(b)
  - ITAA 1997 125-70(1)(c)
  - ITAA 1997 125-70(1)(d)
  - ITAA 1997 125-70(1)(e)
  - ITAA 1997 125-70(1)(f)
  - ITAA 1997 125-70(1)(g)
  - ITAA 1997 125-70(1)(h)
  - ITAA 1997 125-70(2)
  - ITAA 1997 125-70(5)
  - ITAA 1997 125-70(6)
  - ITAA 1997 125-70(7)
  - ITAA 1997 125-80
  - ITAA 1997 125-80(2)
  - ITAA 1997 125-85
  - ITAA 1997 136-25
  - ITAA 1997 202-45
  - Copyright Act 1968
  - TAA 1953 Pt IVAAA
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## ATO References

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