



# ***CR 2006/44W - Income tax: Approved Early Retirement Scheme - Nissan Motor Co (Australia) Pty Ltd***

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 This document has changed over time. This is a consolidated version of the ruling which was published on *13 July 2006*

# Class Ruling

## Income tax: Approved Early Retirement Scheme – Nissan Motor Co (Australia) Pty Ltd

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### **① This publication provides you with the following level of protection:**

This publication (excluding appendixes) is a public ruling for the purposes of the *Taxation Administration Act 1953*.

A public ruling is an expression of the Commissioner's opinion about the way in which a relevant provision applies, or would apply, to entities generally or to a class of entities in relation to a particular scheme or a class of schemes.

If you rely on this ruling, we must apply the law to you in the way set out in the ruling (or in a way that is more favourable for you if we are satisfied that the ruling is incorrect and disadvantages you, and we are not prevented from doing so by a time limit imposed by the law). You will be protected from having to pay any underpaid tax, penalty or interest in respect of the matters covered by this ruling if it turns out that it does not correctly state how the relevant provision applies to you.

## Withdrawal

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1. This Ruling is withdrawn and ceases to have effect after 12 July 2006. The Ruling continues to apply, in respect of the relevant provisions ruled upon, to all entities within the specified class who enter into the specified scheme during the term of the Ruling. Thus, the Ruling continues to apply to those entities, even following its withdrawal, for schemes entered into prior to withdrawal of the Ruling. This is subject to there being no change in the scheme or in the entities' involvement in the scheme.

## References

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### *Previous draft:*

Not previously issued as a draft

### *Related Rulings/Determinations:*

TR 94/12

### *Previous Rulings/Determinations:*

CR 2004/58

### *Subject references:*

- approved early retirement scheme payments

- eligible termination payments

- eligible termination payments components

### *Legislative references:*

- TAA 1953

- TAA 1953 Sch 1 357-75(1)

- ITAA 1936 27A

- ITAA 1936 27A(1)

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|----------------------------|----------------------------|
| - ITAA 1936 27A(19)        | - ITAA 1936 27E(1)(b)(i)   |
| - ITAA 1936 27A(20)        | - ITAA 1936 27E(1)(b)(ii)  |
| - ITAA 1936 27CB           | - ITAA 1936 27E(1)(b)(iii) |
| - ITAA 1936 27E            | - ITAA 1936 27E(1)(b)(iv)  |
| - ITAA 1936 27E(1)(a)      | - ITAA 1936 27E(1)(b)(v)   |
| - ITAA 1936 27E(1)(a)(i)   | - ITAA 1936 27E(1)(b)(vi)  |
| - ITAA 1936 27E(1)(a)(ii)  | - ITAA 1936 27E(1)(c)      |
| - ITAA 1936 27E(1)(a)(iii) | - ITAA 1936 27E(4)         |
| - ITAA 1936 27E(1)(a)(iv)  | - ITAA 1936 27E(5)         |
| - ITAA 1936 27E(1)(a)(v)   | - Copyright Act 1968       |
| - ITAA 1936 27E(1)(b)      |                            |
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#### ATO references

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