



FTR 2006/2W - Fuel tax: fuel tax credits for taxable fuel acquired or manufactured in, or imported into Australia for use in carrying on an enterprise involving 'mining operations' as defined in section 11 of the Energy Grants (Credit) Scheme Act 2003

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 This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2012*



Fuel Tax Ruling

Fuel tax: fuel tax credits for taxable fuel acquired or manufactured in, or imported into Australia for use in carrying on an enterprise involving 'mining operations' as defined in section 11 of the *Energy Grants (Credit) Scheme Act 2003*

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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

1. 1 July 2012. The Ruling continues to apply, in respect of the fuel tax law ruled upon, to all taxpayers within the specified class who acquire, manufacture in, or import into Australia, taxable fuel before 1 July 2012. Thus, the Ruling continues to apply to those taxpayers, even following its withdrawal, who acquire taxable fuel prior to the withdrawal of the Ruling (see paragraph 46 of TR 2006/10).

Commissioner of Taxation
4 October 2006

References

Previous draft:

Not previously issued as a draft

Related Rulings/Determinations:

FTD 2006/2; FTD 2006/3;
GSTR 2006/3; GSTR 2006/4;
MT 2006/1; PGBR 2004/1;
PGBR 2005/1; PGBR 2005/2;
PGBR 2005/3; TR 2006/10

Subject references:

- acquire
- acquire, or manufacture in, or import into, Australia
- attribution
- apportionment
- apportionment of fuel
- BAS
- beneficiation
- business
- business activity statement
- business purposes
- carrying on your enterprise
- cash
- credit
- decreasing fuel tax adjustment
- diesel fuel
- early payment
- election
- eligible use
- energy grant
- Energy Grants Scheme
- exclusion of certain substances
- exploration
- grants
- half credit
- in
- increasing fuel tax adjustment
- fuel tax adjustment
- fuel tax credit
- fuel tax credit system
- minerals
- mining for minerals
- mining operations
- mining construction activity
- mining transport activity
- mining vehicle activity
- mining waste activity
- mining water activity
- net fuel amount
- off-road diesel fuel
- ore
- place

- place adjacent to that place
- private access road
- private road
- prospecting
- public road
- quarrying or dredging operations
- removal of overburden
- solely
- sundry mining activity
- tax period
- taxable fuel
- transport
- use
- use in a mining operation

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- ANTS(GST)A 1999 9-20
- ANTS(GST)A 1999 Div 23
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- EGCSA 2003 11(1)(f)
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- Attorney-General for the Northern Territory v. Minister for Aboriginal Affairs (NSW G235 of 1988) unreported 3 August 1988
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- Australian National Railways Commission v. Collector of Customs (SA) (1985) 8 FCR 264; (1985) 69 ALR 367
- Barker v. R (1983) 153 CLR 338; (1983) 47 ALR 1; (1983) 57 ALJR 426
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- BHP Billiton Petroleum Pty Ltd v. Chief Executive Officer of Customs [2003] FCAFC 61; (2003) 52 ATR 491
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