


TD 94/23 - Fringe benefits tax: what is the reasonable food component for expatriate employees for the purposes of Division 7 (Living-Away-From-Home Allowance Fringe Benefits) of the Fringe Benefits Tax Assessment Act 1986 ?

 This cover sheet is provided for information only. It does not form part of *TD 94/23 - Fringe benefits tax: what is the reasonable food component for expatriate employees for the purposes of Division 7 (Living-Away-From-Home Allowance Fringe Benefits) of the Fringe Benefits Tax Assessment Act 1986 ?*

 This document has changed over time. This is a consolidated version of the ruling which was published on *31 March 1994*

This Determination, to the extent that it is capable of being a 'public ruling' in terms of Part IVAAA of the *Taxation Administration Act 1953*, is a public ruling for the purposes of that Part. Taxation Ruling TR 92/1 explains when a Determination is a public ruling and how it is binding on the Commissioner. Unless otherwise stated, this Determination applies to years commencing both before and after its date of issue. However, this Determination 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 the Determination (see paragraphs 21 and 22 of Taxation Ruling TR 92/20).

Taxation Determination

Fringe benefits tax: what is the reasonable food component for expatriate employees for the purposes of Division 7 (Living-Away-From-Home Allowance Fringe Benefits) of the *Fringe Benefits Tax Assessment Act 1986*?

1. The reasonable food component for the fringe benefits tax year ended 31 March 1995, as shown below, has been indexed to reflect movements in the food sub-group of the Consumer Price Index:

| | <u>per week</u> |
|-------------------------------|-----------------|
| One adult | \$123 |
| Two adults | \$197 |
| Three adults | \$221 |
| Two adults and one child | \$221 |
| Two adults and two children | \$221 |
| Two adults and three children | \$259 |
| Three adults and one child | \$259 |
| Three adults and two children | \$295 |
| Four adults | \$295 |

('Adults' for this purpose are persons aged 12 years or more).

2. In relation to larger family groupings, we accept a food component based on the above figures plus \$72 for each additional adult and \$36 for each additional child.

3. This Determination is intended to be read in conjunction with Taxation Ruling MT 2040. Updates of MT 2040 were issued for the years ended 31 March 1989 (MT 2043), 31 March 1990

(MT 2045), 31 March 1991 (MT 2047), 31 March 1992 (MT 2051), 31 March 1993 and 31 March 1994 (TD 93/41).

Example:

A family consists of two adults and four children. The reasonable food component for the year ended 31 March 1995 would be \$295, that is, \$259 plus \$36. A family of five adults would have a reasonable food component for the year ended 31 March 1995 of \$367, that is \$295 plus \$72.

Commissioner of Taxation

31/3/94

FOI INDEX DETAIL: Reference No. I 1217150

Not previously issued as a draft TD

Related Determinations: TD 93/41

Related Rulings: MT 2030 MT 2040 MT 2043 MT 2045 MT 2047 MT 2051

Subject Ref: fringe benefits tax; living away from home allowances; food component

Legislative Ref: FBTA 30; FBTA 31; FBTA 136

Case Ref:

ATO Ref: NAT 87/1500-9, FBT Cell 30/93c

ISSN 1038 - 8982