TD 43W - Capital gains: will an asset deemed by the CGT provisions to have been acquired by a transferee company before 20 September 1985 be included as part of the underlying property for the purposes of the tests in section 160ZZT?

This cover sheet is provided for information only. It does not form part of *TD 43W - Capital gains: will an asset deemed by the CGT provisions to have been acquired by a transferee company before 20 September 1985 be included as part of the underlying property for the purposes of the tests in section 160ZZT?*

This document has changed over time. This is a consolidated version of the ruling which was published on *23 June 2004*

Notice of Withdrawal

CGT Determination Number 43

Capital gains: will an asset deemed by the CGT provisions to have been acquired by a transferee company before 20 September 1985 be included as part of the underlying property for the purposes of the tests in section 160ZZT?

CGT Determination TD 43 is withdrawn with effect from today. It continues to apply to the happening of CGT event K6 before the withdrawal but does not apply to the happening of CGT event K6 after the withdrawal.

TD 43 states that an asset deemed to be acquired before 20 September 1985 will also be treated as having been acquired before that date for the purposes of applying section 160ZZT of the *Income Tax Assessment Act 1936*. This issue is now dealt with in draft Taxation Ruling TR 2004/D6 which issues today.

Commissioner of Taxation
23 June 2004

ATO references
NO: 2003/11684
ISSN: 1038-8982