



# ***CR 2003/53W - Income tax: Saint Gobain Group Savings Plan for Australian Employees***

 This cover sheet is provided for information only. It does not form part of *CR 2003/53W - Income tax: Saint Gobain Group Savings Plan for Australian Employees*

 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: Saint Gobain Group Savings Plan for Australian Employees**

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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 This Class Ruling is withdrawn and ceases to have effect on and after 1 July 2003. The Ruling continues to apply, in respect of the tax law(s) ruled upon, even following its withdrawal, for arrangements entered into prior to the withdrawal of the Ruling. This is subject to there being no material change in the arrangement or in the class of persons involved in the arrangement.

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#### **Commissioner of Taxation**

23 July 2003

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#### *Previous draft:*

Not previously released in draft form

#### *Related Rulings/Determinations:*

TR 92/1; TR 92/20; TR 97/16;  
TD 2000/32; CR 2001/1

#### *Subject references:*

- acquisition of share or right
- capital gains tax
- CGT event A1
- CGT event C2
- cost base
- chose-in-action
- derivation of income
- discount capital gains
- dividends

- employee savings plan
- employee share schemes
- exempt income
- external property fringe benefit
- Fonds Commun De Placement D'Enterprise
- fringe benefit
- fringe benefits tax
- reduced cost base
- reinvested income

#### *Legislative references:*

- Copyright Act 1968
- TAA 1953 Part IVAAA
- ITAA 1936 6
- ITAA 1936 Div 13A
- ITAA 1936 Div 13A Part III
- ITAA 1936 23L

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- ITAA 1936 26(e)
- ITAA 1936 139G
- ITAA 1936 139G(a)
- ITAA 1936 139G(b)
- ITAA 1936 139G(c)
- ITAA 1936 139G(d)
- ITAA 1936 139G(e)
- ITAA 1997 6-5
- ITAA 1997 6-5(4)
- ITAA 1997 6-10(3)
- ITAA 1997 Part 3-1
- ITAA 1997 104-10
- ITAA 1997 104-25
- ITAA 1997 Div 110
- ITAA 1997 110-25
- ITAA 1997 112-20(1)
- ITAA 1997 Div 115

- ITAA 1997 116-20(1)
- FBTA 1986 43
- FBTA 1986 136(1)

*Case references:*

- IRC v. Blott [1920] 1 KB 114
- Clarke v. FC of TT (1992) 23 ATR 102; 92 ATC 4136
- Constable v. FC of T (1952) 86 CLR 402.
- FC of T v. Everett (1980) 143 CLR 440; 10 ATR 608; 80 ATC 4076
- Gibb v. FC of T (1966) 118 CLR 628
- Read v. Commonwealth of Australia (1987) 167 CLR 57

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ATO references

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