

TD 96/35W - Income tax: capital gains: when does a person, who on or after 21 September 1989 grants to another a right to cut and remove timber from the grantor's land, dispose of the right? Is it when the right is granted or when the trees are felled?

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! TD 96/35 has been withdrawn as part of a project to review public rulings.

! This document has changed over time. This is a consolidated version of the ruling which was published on *31 October 2018*



Notice of Withdrawal

Taxation Determination

Income tax: capital gains: when does a person, who on or after 21 September 1989 grants to another a right to cut and remove timber from the grantor's land, dispose of the right? Is it when the right is granted or when the trees are felled?

Taxation Determination TD 96/35 is withdrawn with effect from today.

1. TD 96/35 provides that the disposal of a right to cut and remove timber from land occurs when the right is granted.
2. TD 96/35 is being withdrawn to form part of a consolidated Determination on the tax treatment of the grant of an easement, profit à prendre or licence over an asset.
3. The issue covered by TD 96/35 is now considered in Taxation Determination TD 2018/15 *Income tax: capital gains: does CGT event D1 happen if a taxpayer grants an easement, profit à prendre or licence over an asset?*

Commissioner of Taxation

31 October 2018

ATO references

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