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Your monthly tax update

Income

Companies resident of Australia, liable to tax on profits from share sales: *Bywater Investments Ltd v FCT*

Pilot held to be Australian resident for tax purposes: *Hughes v FCT*

Deductions

ATO view on R&D case - *Desalination Technology Pty Limited*

No core R&D activities: lack of documentary evidence: *Docklands Science Pty Ltd v Innovation Australia*

Losses in forestry MIS investment: *Kocharyan v FCT*

Taxpayer fails burden of proof; interest not incurred: *Sandbach v FCT*

CGT

Related entity debt to be included in MNAV test - not statute-barred: *Breakwell v FCT*

Taxpayer fails turnover test - amounts for fuel disbursements included: *PFGG v FCT*

FBT

ATO view on employee "fly-in fly-out" costs & ODR: *John Holland Group case*

Indirect taxes

Property managers acted as agents; no ITCs: *Crown Estates (Sales) Pty Ltd v FCT*

ATO settlement offer re GST for in-bound tour operators

Tax administration

High Court: No duty on liquidators to retain funds to pay CGT until assessment issued: *FCT v Australian Building Systems Pty Ltd (in Liq)*

ATO may ask for security for GST payments: *Keris Pty Ltd v DCT*

Cloud-based tax preparation services: *TPB(I) D30/2015*

Confidentiality of client information: financial advisers: *TPB(I) D31/2015*

Foreign investor agricultural land registration deadline extended: ATO announcement

Tax agent re-registration denied - not a fit & proper person: *Gylman v TPB*

Payments from overseas company to resident companies were loans, not shams: *Normandy Finance v FCT*

Tax avoidance

ATO chasing advisers who facilitate offshore tax evasion

ATO data matching pre-CGT property transactions



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