



TECHNICAL ANALYSIS REPORT

CGT Rollover Relief - Compulsory Acquisition

and Trust Replacement Asset

Prepared for:	Instructing Accountant / Client
Date:	March 2026
Reference:	TA-BRV-2026-0319-CGT-Rollover-Compulsory-Acquisition
Subject:	Compulsory acquisition CGT rollover - early acquisition agreement and replacement asset through trust structure
Classification:	Confidential

Client Query

Background

The client has owned a commercial property since 2016 and has rented it out as a sole trader. In the 2025 financial year, the Queensland Government initiated a compulsory acquisition of the property under an early acquisition arrangement and acquired it for \$1,000,000.

The client intends to use the proceeds from the acquisition to purchase a residential block of units within 12 months of the sale as a replacement.

Given the high-value nature of the replacement property, the client wishes to acquire it through a trust structure with a corporate trustee. The client will hold 100% of the shares in the corporate trustee to retain 100% control and will act as the sole director. The client will also be the appointor, with her husband as the backup appointor. The primary beneficiaries of the trust will be the client and her husband under the trust deed.

Specific Queries

Questions

1. Can the client still access the CGT rollover relief available under the compulsory acquisition provisions, even though the property was acquired by the government under an early acquisition agreement?
2. Can the client still access the CGT rollover relief for a compulsory acquisition, given that the replacement property will be purchased under a trust structure rather than in the client's personal name?

1. Summary

Query 1: Early Acquisition - ROLLOVER AVAILABLE

Query 1 - Early Acquisition: Yes. The Subdivision 124-B rollover is available where the client disposed of the property following a notice that it would be compulsorily acquired if negotiations were unsuccessful. Paragraph 124-70(1)(c) ITAA 1997 specifically covers this scenario. The Queensland Acquisition of Land Act 1967 is an "Australian law" for the purposes of s 124-70(1A). The fact that the property was acquired by negotiated agreement (rather than by gazetted resumption) does not disqualify the rollover - paragraph (c) specifically contemplates disposals by agreement in the shadow of compulsory acquisition powers.

Query 2: Trust Replacement - ROLLOVER DENIED Under Subdiv 124-B

Query 2 - Trust as Replacement Asset Holder: No. The Subdivision 124-B rollover requires that "you" - the same taxpayer whose asset was compulsorily acquired - incur the expenditure to acquire the replacement asset (s 124-75(2) ITAA 1997). If the trust acquires the replacement property, the trust is a separate entity for CGT purposes. The individual does not "incur expenditure in acquiring" the property; the trustee does, in its capacity as trustee. The rollover would be denied.

However, if the client qualifies as a CGT small business entity (aggregated turnover < \$2M or net assets <= \$6M), the Subdivision 152-E small business rollover is available as an alternative. Critically, Subdivision 152-E permits the replacement asset to be an interest in a trust - making it the only rollover pathway that accommodates the trust structure.

2. Facts & Assumptions

Facts Provided

Client is an individual (sole trader) who has owned a commercial property since 2016.

The property was rented out (commercial lease) as part of the client's rental business.

In the 2025 financial year (1 July 2024 - 30 June 2025), the Queensland Government initiated a compulsory acquisition under an early acquisition arrangement.

The acquisition price was \$1,000,000.

The client intends to use the proceeds to purchase a residential block of units within 12 months.

The client wishes to acquire the replacement property through a new discretionary trust with a corporate trustee.

The client will hold 100% of shares in the corporate trustee, act as sole director, and be the appointor.

The client's husband will be the backup appointor. Both will be primary beneficiaries.

Assumptions Made

Assumption [ASSUMED]	Affects
The property was acquired post-CGT (after 20 September 1985). [ASSUMED]	CGT discount eligibility and rollover provisions applicable. If pre-CGT, there is no capital gain to roll over.
The Queensland Government served a Notice of Intention to Resume (or equivalent notice) under the Acquisition of Land Act 1967 (Qld) prior to the disposal. [ASSUMED]	Whether s 124-70(1)(c) threshold condition is met. This is the critical factual question for Query 1.
The early acquisition was by negotiated agreement following the service of such notice. [ASSUMED]	Applicability of s 124-70(1)(c) - the disposal must take place "after" the notice was served.
The client has not used the property as a main residence at any time. [ASSUMED]	Main residence exemption (Subdiv 118-B) is not relevant. If it were a main residence, different (and potentially more favourable) rules would apply.
The client is an Australian resident for tax purposes. [ASSUMED]	General CGT provisions apply without foreign resident modifications (which have restricted certain concessions since 9 May 2017).
No part of the compensation relates to depreciating assets, trading stock, or revenue amounts. [ASSUMED]	Entire \$1M proceeds relate to a single CGT asset (the land and building). If depreciating assets are included, Div 40 balancing adjustments apply separately.
The client does not have any other CGT events or capital losses in the 2025 income year. [ASSUMED]	Simplifies the worked example. If other gains or losses exist, they interact with the rollover and discount calculations.

Information Needed

Missing Information [NEEDED]	Impact if Different
Original cost base of the property (including all five elements under Div 110 ITAA 1997). [NEEDED]	Required to calculate the actual capital gain and assess the quantum of rollover

Missing Information [NEEDED]	Impact if Different
	benefit. The worked example assumes \$400,000.
Exact date of the CGT event (contract date or gazette date). [NEEDED]	Determines the income year for the CGT event and the 1-year timeframe for acquiring the replacement asset under s 124-75(3). Also determines which income year the gain falls into if the rollover is not available.
Whether a formal Notice of Intention to Resume was served under the Acquisition of Land Act 1967 (Qld). [NEEDED]	If no formal notice was served, s 124-70(1)(c) may not be satisfied - this is the single most critical factual question. The actual notice documentation must be sighted and reviewed.
Whether the client is a CGT small business entity (aggregated turnover < \$2M or net assets <= \$6M). [NEEDED]	If yes, Subdivision 152-E small business rollover is available as an alternative pathway that accommodates the trust structure. This is the recommended pathway for Query 2.
Client's current total superannuation balance. [NEEDED]	Relevant if considering retirement exemption under Subdiv 152-D as an alternative or complementary concession.
Whether the replacement property (residential block of units) will be used for income-producing purposes (rental). [NEEDED]	Affects the "same or similar purpose" test in s 124-75(4). If the units are for personal use rather than rental, the rollover may fail even if acquired in the client's own name.

3. Related Areas & Cross-Over Analysis

Area	Relevance	Key Provision	Impact
CGT - Compulsory acquisition rollover	Primary query - both questions.	Subdiv 124-B, ss 124-70, 124-75 ITAA 1997	Potential deferral of entire capital gain if conditions met.
CGT - Small business concessions	Alternative/complementary relief for Query 2.	Div 152 ITAA 1997 (esp. Subdiv 152-E)	If SBE conditions met, provides more flexible rollover that allows trust interests as replacement asset.
CGT - 50% Discount	50% CGT discount for individuals.	s 115-25 ITAA 1997	Asset held since 2016 (>12 months) - discount available if gain not rolled over. Reduces taxable gain by 50%.
GST	Sale of commercial property to government.	s 9-5, Subdiv 75-B GST Act	Compulsory acquisition of commercial property is a taxable supply. Margin scheme may apply. Consider GST on the \$1M proceeds.
Stamp Duty (QLD)	Acquisition of replacement property by trust.	Duties Act 2001 (Qld)	Full transfer duty payable on acquisition by trust. No compulsory acquisition concession applies to the replacement purchase.
Trust Taxation	New trust structure for replacement asset.	Div 6 ITAA 1936	Future rental income/gains assessed to beneficiaries or trustee per Div 6 rules. Streaming available for CGT and franked distributions.
Asset Protection	Trust vs individual ownership.	Bankruptcy Act 1966 s 120, s 121	Trust structure provides better asset protection - but does not assist with the Subdiv 124-B rollover.
State Trust Law	New trust establishment in Queensland.	Trusts Act 1973 (Qld) / Trusts Act 2025 (Qld)	Trust deed must be properly executed, stamped, and settled before acquiring the replacement property.

4. Analysis

4.1 Query 1: Early Acquisition and Subdivision 124-B Rollover Eligibility

Relevant Law

Subdivision 124-B ITAA 1997 provides CGT rollover relief where a CGT asset is compulsorily acquired, lost, or destroyed. The threshold conditions are set out in s 124-70(1).

Section 124-70(1) provides that rollover may be available where one of several events occurs to a CGT asset. The relevant paragraphs are:

Paragraph 124-70(1)(a): The asset is compulsorily acquired by an Australian government agency.

Paragraph 124-70(1)(c): The key provision for early acquisition scenarios. The rollover is available where:

- (i) the disposal takes place after a notice was served on the taxpayer by or on behalf of the entity;
- (ii) the notice invited the taxpayer to negotiate with the entity with a view to the entity acquiring the asset by agreement;
- (iii) the notice informed the taxpayer that if the negotiations were unsuccessful, the asset would be compulsorily acquired by the entity; and
- (iv) the compulsory acquisition would have been under a power of compulsory acquisition conferred by an Australian law (s 124-70(1A)).

Section 124-70(1A) requires that the compulsory acquisition power arises under an Australian law. The Acquisition of Land Act 1967 (Qld) is an Act of the Queensland Parliament and therefore satisfies this requirement.

Application to Facts

In Queensland, the compulsory acquisition process under the Acquisition of Land Act 1967 (ALA) typically involves:

- A Notice of Intention to Resume (NIR) being served on the landowner (s 7 ALA);
- An opportunity for the landowner to object (s 8 ALA);
- If the landowner and the constructing authority agree, a "resumption agreement" may be entered into under s 15C ALA, shortening the process.

An "early acquisition" in Queensland occurs where the government acquires the property by negotiated agreement, but in circumstances where compulsory acquisition powers exist and would be exercised if agreement could not be reached. The Department of Transport and Main Roads' Early Acquisition Policy specifically contemplates this scenario.

This falls squarely within s 124-70(1)(c): the client disposed of the property to a government agency following a notice that invited negotiation and informed of compulsory acquisition if negotiations failed. The fact that the property was acquired by agreement (rather than by gazetted resumption) does not disqualify the rollover. Paragraph 124-70(1)(c) specifically contemplates disposals by agreement in the shadow of compulsory acquisition powers.

ATO Guidance

TD 2000/37 (binding Tax Determination) confirms that the replacement asset can even be purchased before the formal notice is given - paragraph 124-70(1)(c) requires only that the disposal takes place after the notice, not that the replacement asset be acquired after it. This provides additional timing flexibility.

Conclusion on Query 1

Provided the Queensland Government served a notice (such as a Notice of Intention to Resume or equivalent) that invited negotiation and informed of compulsory acquisition powers under the Acquisition of Land Act 1967, the client's disposal satisfies s 124-70(1)(c) ITAA 1997 and is eligible for the Subdivision 124-B rollover. The "early acquisition" by agreement does not prevent access to the rollover.

4.2 Query 2: Replacement Asset Acquired by a Trust

Relevant Law

If the client receives money (rather than a direct replacement asset), additional requirements under s 124-75 ITAA 1997 must be met:

Subsection 124-75(2): Requires that "you" incur expenditure in acquiring another CGT asset (the replacement asset). The word "you" refers to the same entity whose original asset was compulsorily acquired - in this case, the individual client.

Subsection 124-75(3): Requires that at least some of the expenditure be incurred no earlier than one year before the CGT event and no later than one year after the end of the income year in which the CGT event happens.

Subsection 124-75(4): Requires that if the original asset was used in a business or for a purpose, the replacement asset must be used in the same business (or for the same or similar purpose) for a reasonable time.

Application to Facts

The original CGT asset was owned by the individual client as sole trader. The "you" in Subdivision 124-B is therefore the individual.

If the replacement property is acquired by a discretionary trust, it is the trustee of the trust (a separate legal entity) that incurs the expenditure and acquires the CGT asset - not the individual. The trust is a distinct entity for CGT purposes (FCT v Bamford (2010) 240 CLR 481). The individual does not "incur expenditure in acquiring" the property; the trustee does, in its fiduciary capacity.

Subdivision 124-B contains no provision that allows a related entity, associate, or connected entity to acquire the replacement asset on behalf of the original owner. This is in deliberate contrast to other CGT concessions:

Provision	Allows Different Entity?	Detail
Subdiv 124-B (compulsory acquisition rollover)	NO	"You" must acquire the replacement asset. No related entity provision. Strictly entity-specific.
Subdiv 152-E (SB CGT rollover)	YES	Replacement asset can be a share in a company or an interest in a trust where the taxpayer is a CGT concession stakeholder (s 104-185(1)(c), s 104-197(2)).
Subdiv 152-D (retirement exemption)	YES (partial)	If under 55, the exempt amount must be paid into superannuation. Entity flexibility exists for the direction of the exempt amount.

The absence of any such provision in Subdivision 124-B is a deliberate legislative choice. The rollover is entity-specific: the same taxpayer must own both the original and replacement asset. The client's proposed trust - regardless of her control over it through the corporate trustee, appointor role, and beneficial interest - is a separate entity.

Conclusion on Query 2

The client cannot access the Subdivision 124-B rollover if the replacement property is acquired by the trust. The rollover requires that the same entity ("you") that owned the compulsorily acquired asset must incur the expenditure to acquire the replacement asset. The trust is a separate entity for CGT purposes and does not satisfy s 124-75(2).

4.3 Alternative Pathway: Subdivision 152-E Small Business CGT Rollover

Relevant Law

If the client qualifies as a CGT small business entity or passes the \$6M maximum net asset value (MNAV) test, the Subdivision 152-E small business rollover provides an alternative that accommodates the trust structure.

Under Subdivision 152-E:

- The replacement asset can be shares in a company or an interest in a trust where the taxpayer is a CGT concession stakeholder (s 104-185(1)(c), s 104-197(2));
- The replacement asset period is broader: 1 year before to 2 years after the CGT event (s 104-190), extendable by the Commissioner;
- The taxpayer must satisfy the basic conditions in Subdivision 152-A (s 152-10): either the CGT small business entity turnover test (aggregated turnover < \$2M) or the \$6M MNAV test (s 152-15), plus the active asset test (s 152-35);
- If the original asset satisfies the active asset test (used in a business - commercial rental property may qualify if the client carried on a rental business), the concession is available.

Application to Facts

The client's commercial rental property may satisfy the active asset test if the client carried on a business of renting the property (not merely passive investment). The ATO's view is that whether a rental activity constitutes a "business" depends on the scale, regularity, and commercial nature of the activity. A single commercial property let under a standard lease is often characterised as passive investment rather than a business - this requires careful analysis of the specific facts.

If the active asset test and basic conditions are satisfied, the client could:

- (a) Acquire an interest in the trust (e.g., as a capital beneficiary) as the "replacement asset";
- (b) The trust acquires the residential block of units using the \$1M proceeds (contributed by the client);
- (c) The capital gain is rolled over into the trust interest under Subdivision 152-E.

ATO ID 2009/147 (non-binding Interpretive Decision) confirms that where both Subdivision 124-B and Subdivision 152-E rollovers are available, the taxpayer may choose which to apply. This supports the use of Subdivision 152-E as an alternative.

Subdivision 152-E as Alternative Pathway

If the client meets the small business CGT basic conditions (Subdivision 152-A), the Subdivision 152-E rollover should be strongly considered. It is the only rollover that accommodates acquiring the replacement asset through a trust structure.

Confirming the client's eligibility for the small business concessions (particularly the active asset test and MNAV/turnover test) before proceeding should be recommended.

5. Worked Example Tables

5.1 CGT Impact: Rollover vs No Rollover

Assumes original cost base of \$400,000 and the client has no other capital gains or losses in the 2025 income year.

Step	Rollover Available (individual acquires replacement)	No Rollover (trust acquires replacement)
Capital proceeds (s 116-20)	\$1,000,000	\$1,000,000
Less: Cost base (Div 110)	(\$400,000)	(\$400,000)
Gross capital gain	\$600,000	\$600,000
Less: 50% CGT discount (held >12 months, s 115-25)	N/A - gain deferred	(\$300,000)
Net capital gain	\$0 (deferred)	\$300,000
Estimated tax payable (at 47% + 2% ML = 49%)	\$0	~\$141,000
Cost base of replacement asset	\$400,000 (rolled-over cost base)	N/A (trust holds new asset at purchase cost)

Key Observation

If the client acquires the replacement property in her own name, the \$600,000 capital gain is fully deferred under Subdivision 124-B. If the trust acquires it, the client faces an estimated tax liability of approximately \$141,000 in the 2025 income year.

The deferred gain is not eliminated - it is embedded in the reduced cost base of the replacement asset (\$400,000 instead of the market value). The gain will crystallise when the replacement asset is eventually sold.

The exact tax amount depends on the client's other income and deductions for the year.

5.2 Timing - Replacement Asset Deadline

Item	Detail
CGT event date (assumed)	During 2024-25 income year (1 July 2024 - 30 June 2025)
Income year of CGT event	2024-25
End of income year	30 June 2025
s 124-75(3) deadline: 1 year after end of income year	30 June 2026
Commissioner extension	Available in special circumstances (s 124-75(5))
Subdiv 152-E deadline (if applicable)	2 years after CGT event - more generous than Subdiv 124-B

5.3 Stamp Duty on Trust Acquisition (QLD)

If the replacement property is acquired by the trust in Queensland, full transfer duty applies under the Duties Act 2001 (Qld). There is no compulsory acquisition concession for the replacement purchase.

Item	Amount (Estimate)
Replacement property value (assumed)	\$1,000,000
QLD transfer duty on \$1,000,000	Approximately \$33,925 (verify with QRO rate schedule)
Additional notes	No first home concession (investment property). Foreign acquirer duty (AFAD) not applicable if client is Australian resident.

6. Case Law Support

Primary Authority

Case	Court	Principle	Application
<i>FCT v Bamford (2010) 240 CLR 481</i>	HCA	Trust is a separate entity for income tax purposes. Trust income determined by the trust deed and general law.	Supports the position that the trust is a separate entity from the individual for CGT purposes - the trust acquiring the property is not the same as the individual acquiring it. Directly relevant to Query 2.
<i>FCT v Spotless Services (1996) 186 CLR 404</i>	HCA	Part IVA: the dominant purpose of a scheme is assessed objectively. A scheme may have both tax and commercial purposes.	Any restructure arrangement must have commercial substance beyond obtaining the tax benefit of the rollover. Relevant to the Part IVA risk assessment if Subdivision 152-E is used to route the gain through a trust.

Supporting Authority

Reference	Type	Principle	Relevance
TD 2000/37	Tax Determination (binding)	A replacement CGT asset can be purchased before the formal notice of compulsory acquisition, provided the disposal happens after the notice.	Confirms the timing flexibility for replacement asset acquisition under Subdivision 124-B.
TD 2000/41	Tax Determination (binding)	There is no restriction on the number of replacement CGT assets for Subdivision 124-B, provided each satisfies the subdivision's requirements.	Relevant if the client were to split the proceeds across multiple replacement assets in her own name.
ATO ID 2009/147	Interpretive Decision (non-binding)	Where both Subdivision 124-B and Subdivision 152-E rollovers are available, the taxpayer may choose which to apply.	Supports the alternative pathway of Subdivision 152-E if the client qualifies as a small business entity.

7. Conclusion

Query 1: The client **can** access the Subdivision 124-B CGT rollover despite the property being acquired under an early acquisition agreement. Paragraph 124-70(1)(c) ITAA 1997 specifically covers disposals by negotiated agreement in the shadow of compulsory acquisition powers. The Acquisition of Land Act 1967 (Qld) provides the requisite power of compulsory acquisition under an Australian law. Provided the actual notice documentation confirms that a notice inviting negotiation and informing of compulsory acquisition was served, the condition is satisfied.

Query 2: The client **cannot** access the Subdivision 124-B rollover if the replacement property is acquired through a trust structure. Section 124-75(2) requires that the same taxpayer ("you") who owned the original asset must incur the expenditure to acquire the replacement asset. The trust is a separate entity and does not satisfy this requirement. There is no related entity or look-through provision in Subdivision 124-B.

Pathway: If the client wishes to acquire the replacement property through a trust, she should investigate the Subdivision 152-E small business CGT rollover as an alternative. This rollover permits the replacement asset to be an interest in a trust where the taxpayer is a CGT concession stakeholder. The client must satisfy the basic conditions in Subdivision 152-A (CGT small business entity test or \$6M MNAV test, and active asset test). We recommend confirming the client's eligibility for the small business concessions before proceeding.

If the client does not qualify for the small business concessions, the only option to access the Subdivision 124-B rollover is to acquire the replacement property in her own name. She could subsequently transfer the property into a trust at a later date, but this would trigger CGT event A1 (disposal) on the transfer and full stamp duty - effectively undoing the benefit of the rollover.

8. Risks & Caveats

Part IVA risk (Query 1): [Low] The disposal is not a scheme designed to obtain a tax benefit - it is a genuine compulsory acquisition initiated by the government. Part IVA is unlikely to apply to the rollover itself.

Part IVA risk (Subdiv 152-E via trust): [Medium] If the dominant purpose of acquiring through a trust (rather than personally) is to obtain a tax benefit (income splitting, future CGT discount streaming), Part IVA may apply. Commercial substance (asset protection, succession planning) must be clearly documented and contemporaneous.

s 124-70(1)(c) notice requirement: [Critical] The entire Query 1 conclusion depends on a formal notice having been served that meets all four elements of s 124-70(1)(c). If the Queensland Government merely approached the client informally without a statutory notice, or if the notice did not explicitly inform of compulsory acquisition consequences, the condition may not be satisfied. The actual notice documentation must be sighted and reviewed.

Replacement asset - same or similar purpose (s 124-75(4)): [Medium] The original asset was a commercial rental property. The replacement is a residential block of units. If the units are used for rental purposes (residential investment), the "same or similar purpose" test should be satisfied - both are income-producing rental properties. If any units are for personal use, the rollover may be partially or wholly denied.

Timing - s 124-75(3): [Monitor] The replacement asset must be acquired no later than one year after the end of the 2025 income year (i.e., by 30 June 2026). The Commissioner can extend this in special circumstances under s 124-75(5). If the client cannot acquire within this timeframe, apply for an extension before the deadline passes.

Active asset test for Subdiv 152-E: [Verify] If the client's commercial rental activity is characterised as passive investment (rather than carrying on a business), the active asset test may not be satisfied for the Subdivision 152-E alternative. The scale and nature of the rental activity must be assessed. A single commercial property under a standard lease may not constitute a "business" for this purpose.

ATO audit focus: [Moderate] Compulsory acquisition rollovers and small business CGT concessions are both ATO audit focus areas. Comprehensive records of the acquisition notice, compensation amount, cost base calculations, and replacement asset acquisition should be maintained for a minimum of 5 years (and longer if the replacement asset is still held).

Stamp duty cost: [Factor into decision] If the trust acquires the replacement property, full QLD transfer duty applies (approximately \$33,925 on \$1M). This is a real cost that must be weighed against the asset protection and income splitting benefits of the trust structure.

9. Rulings & References

Legislation

Provision	Relevance
ITAA 1997, Subdivision 124-B (ss 124-70, 124-75, 124-85)	Compulsory acquisition, loss or destruction - rollover relief
ITAA 1997, s 124-70(1)(c)	Disposal by agreement in shadow of compulsory acquisition powers
ITAA 1997, s 124-70(1A)	Australian law requirement for compulsory acquisition power
ITAA 1997, s 124-75(2)	"You" must incur expenditure to acquire the replacement asset
ITAA 1997, s 124-75(3)	Timing - replacement asset acquisition window (1 year before to 1 year after end of income year)
ITAA 1997, s 124-75(4)	Same or similar purpose requirement for replacement asset
ITAA 1997, s 124-75(5)	Commissioner's power to extend the replacement asset acquisition period
ITAA 1997, Division 115 (s 115-25)	50% CGT discount for individuals (held > 12 months)
ITAA 1997, Division 152	Small business CGT concessions - basic conditions and four concessions
ITAA 1997, Subdivision 152-A (s 152-10, s 152-15)	Basic conditions: SBE turnover test, \$6M MNAV test, active asset test
ITAA 1997, Subdivision 152-E (s 104-185, s 104-190, s 104-197)	Small business CGT rollover - replacement asset can be trust interest
Acquisition of Land Act 1967 (Qld)	Queensland compulsory acquisition of land - statutory framework
Duties Act 2001 (Qld)	Queensland transfer duty on property acquisitions

ATO Rulings & Guidance

Reference	Topic	Binding Status
TD 2000/37	Replacement CGT asset can be purchased before notice of compulsory acquisition	Binding (Tax Determination)
TD 2000/40	Special circumstances for extension of time under Subdiv 124-B	Binding (Tax Determination)
TD 2000/41	No restriction on number of replacement CGT assets under Subdiv 124-B	Binding (Tax Determination)
ATO ID 2009/147	Taxpayer may choose between Subdiv 124-B and Subdiv 152-E rollovers	Non-binding (Interpretive Decision)

Case Law

Case	Court	Principle
<i>FCT v Bamford (2010) 240 CLR 481</i>	HCA	Trust as separate entity; trust income determination under general law
<i>FCT v Spotless Services (1996) 186 CLR 404</i>	HCA	Part IVA dominant purpose test - objective assessment

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