



Fringe Benefits Tax Amendment Regulations 2007 (No. 1)¹

Select Legislative Instrument 2007 No. 43

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Fringe Benefits Tax Assessment Act 1986*.

Dated 22 March 2007

P. M. JEFFERY
Governor-General

By His Excellency's Command

PETER CRAIG DUTTON
Minister for Revenue and Assistant Treasurer

1 Name of Regulations

These Regulations are the *Fringe Benefits Tax Amendment Regulations 2007 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Fringe Benefits Tax Regulations 1992*

Schedule 1 amends the *Fringe Benefits Tax Regulations 1992*.

Schedule 1 Amendment

(regulation 3)

[1] After regulation 3E

insert

3F Excluded fringe benefit — pooled or shared cars (Act s 5E)

- (1) For paragraph 5E (3) (i) of the Act, a benefit is an excluded fringe benefit if, during a year of tax:
 - (a) the benefit is a car benefit, as described in subsection 7 (1) of the Act, that is:
 - (i) a fringe benefit within the meaning of subsection 136 (1) of the Act; or
 - (ii) a benefit that:
 - (A) is an exempt benefit; and
 - (B) would have been a fringe benefit except that the benefit is an exempt benefit; and

-
- (b) the car benefit relates to a car the provision of which gives rise to the benefit described in paragraph (a) for more than 1 employee.

Example

The employer of 3 employees makes 1 car available to the employees, for private use, at different times during the year of tax.

- (2) The fringe benefit is an excluded fringe benefit in relation to each of those employees.
- (3) The fringe benefit is an excluded fringe benefit in relation to:
- (a) the year of tax starting on 1 April 2007; and
 - (b) each later year of tax.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.