



Office of State Revenue  
NSW TREASURY

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## Revenue Ruling No. PT 49

# Taxable Value of Fringe Benefits

### Ruling history

Ruling no.	Issued date	Dates of effect		Status
		From	To	
PT 49	15 March 1994	15 / 3 / 94	30 / 6 / 02	Obsolete. From 1 July 2007 see Revenue Ruling PTA003

### Preamble

1. The Pay-roll Tax (Amendment) Act 1989 extended pay-roll tax to fringe benefits, as defined in the Commonwealth Fringe Benefits Tax Assessment Act 1986 (FBT Act) with effect from 1 January 1990. For ease of administration, the Act allows employers to elect to use the fringe benefits taxable amount relating to the fringe benefits tax year ending on the 31 March immediately preceding the end of the relevant pay-roll tax year, instead of actual fringe benefits provided during the pay-roll tax year.
2. The FBT Act has been amended so that, with effect from 1 April 1994, taxpayers will be required, to pay fringe benefits tax based on the "grossed up" value of "fringe benefits taxable amount"
3. Consequently, unless the Pay-roll Tax Act is amended, pay-roll tax payers who choose to take advantage of the election to use the fringe benefits taxable amount will have to pay more tax than those who have chosen to pay tax on the actual fringe benefits provided during the pay-roll tax year.
4. This Ruling sets out the approach that should be taken by employers.

### Ruling

5. Recommendations have been made to have the Pay-roll Tax Act amended during the 1994 Autumn Session of Parliament to ensure that, in all cases, pay-roll tax is payable only on pre-"grossed up" values.
6. In the event that appropriate amendments have not been introduced by 1 April 1994, the Treasurer has approved of a variation to statute which provides for the Act to be administered in accordance with the recommendations. On this basis, employers may continue to include the pre-"grossed up" value of fringe benefits in their pay-roll tax returns.

B. Buchanan  
for Chief Commissioner of Pay-Roll Tax  
15 March 1994.

