

## **EW 32B Consideration in transfer of short-term agreement for sale and purchase if treated as financial arrangement**

### *When this section applies*

- (1) This section applies when a party (the **transferor**) to a short-term agreement for sale and purchase (the **agreement**) transfers the transferor's interest in the agreement to another person (the **transferee**) and a transferor or transferee (the **opting party**) chooses under section EW 8 to treat the agreement as a financial arrangement.

### *Consideration*

- (2) For the opting party, the consideration for the transfer that is included in the calculation and allocation of an amount for each income year over the agreement's term, and in the calculation of the base price adjustment for the agreement, does not include an amount of consideration for the transfer that relates to a sale or purchase, under the agreement, occurring after the transfer.

*Defined in this Act: amount, base price adjustment, consideration, financial arrangement, income, short-term agreement for sale and purchase.*

Section EW 32B applies for a person and a short-term agreement for sale and purchase for the 2008–09 and later income years, except if the person takes a tax position for the short-term agreement for sale and purchase, relying on the provisions of subpart EW as they were before the amendment,—

- (a) in a return of income received by the Commissioner in the period from 1 April 2008 to 27 September 2012 (the **transition period**):
- (b) under a determination or binding ruling made by the Commissioner in the transition period.