

agreement of 14 October 1988 established a Management Committee to exercise full control and execution of all matters relating to the joint undertaking including the engaging of managers and staff;

AND WHEREAS, in the performance of its functions, the Management Committee has entered into an agreement with BHP in respect of work done by employees of the latter in relation to the joint undertaking constituting them a primary group within the meaning of subsection 79 (1) of the *Taxation (Administration) Act 1987* ('the Act'),

AND WHEREAS the Joint Venturers and the Management Committee (hereinafter collectively referred to as the 'VFT Joint Venture') have applied for a determination under subsection 77 (2) of the Act,

NOW, I GEOFFREY ROBERT CRAWFORD a Delegate of the Commissioner for Australian Capital Territory Revenue Collections, being satisfied that:

- (i) the VFT Joint Venture has continuously carried on business and will continue to carry on business independently of BHP and is not subject to control by BHP, and
- (ii) the VFT Joint Venture is not carrying on a business of the same kind as any other business carried on by BHP, and has no intention of carrying on such a business,

HEREBY DETERMINE under subsection 77 (2) of the Act that the VFT Joint Venture is not a member of the group referred to above.

Dated this 1st day of June 1989

GEOFFREY ROBERT CRAWFORD
Delegate of the Commissioner for
Australian Capital Territory
Revenue Collections

AUSTRALIAN CAPITAL TERRITORY

Taxation (Administration) Act 1987

DETERMINATION

WHEREAS, by virtue of an agreement dated this 20th day of May 1989 as varied by an agreement dated 16 December 1987 and as further varied and extended by an agreement dated 14 October 1988, Elders IXL Limited, Kumagai Gum Co Ltd, TNT Australia Pty Limited and the Broken Hill Proprietary Co Ltd (BHP) (hereinafter collectively referred to as 'the Joint Venturers') have agreed to carry out as a joint undertaking a feasibility study as described in those agreements and on the terms therein set out;

AND WHEREAS, for the purpose of fulfilling the objectives for which those agreements were entered into the