



Crypto asset investments

How to treat investments in crypto assets (also called crypto or cryptocurrency) for tax purposes in Australia.

What are crypto assets?



What crypto assets are, how they work and how tax applies to these assets.

Transactions – acquiring and disposing of crypto assets



Activities that amount to crypto asset transactions and how to treat your crypto asset investments for tax purposes.

How to work out and report CGT on crypto



How to work out and report capital gains tax (CGT) on transactions involving crypto assets.

Crypto chain splits



How to treat a new crypto asset you receive as a result of a chain split.

Crypto asset as a personal use asset



Work out if your crypto asset is a personal use asset and when a

Decentralised finance and wrapping crypto



Capital gains tax (CGT) treatment of decentralised finance (DeFi) and wrapping crypto tokens.

Keeping crypto records



Which records you need to keep for crypto assets and crypto transactions and how long to keep them.

Crypto assets glossary



A glossary of terms common in crypto.

QC 69945

What are crypto assets?

What crypto assets are, how they work and how tax applies to these assets.

Last updated 17 June 2024


How crypto assets work

Crypto assets are a digital representation of value that you can transfer, store, or trade electronically. This also includes [non-fungible tokens \(NFTs\)](#).

Crypto assets are a subset of digital assets that use cryptography to protect digital data and distributed ledger technology to record transactions. They may run on their own blockchain or use an existing platform such as Ethereum. A blockchain is a form of secure digital ledger used to store a record of crypto transactions.

Crypto generally operates independently of a central bank, authority, or government. However, transactions involving crypto assets are subject to the same tax rules as assets generally. There are no special tax rules for crypto assets. The tax treatment will depend on how you acquire, hold, and dispose of the asset.

For tax purposes, crypto assets are not a form of money.

For more information on the nature of crypto assets and the risks in investing in them, see [ASIC's Moneysmart website](#) .

Tax outcomes of using and transacting with crypto assets

You can acquire or dispose of a crypto asset on a crypto trading platform, or directly from a digital or hardware wallet. You can exchange or swap crypto assets for other crypto assets, fiat currency or goods and services.

The way you use or transact with crypto assets will determine how you treat them for tax purposes. The most common use of crypto assets is as an investment (investors acquire and hold crypto assets to make a financial profit from holding or disposing of them).

As a general rule, for investors:

- crypto assets are taxed as CGT assets, including for [self-managed super funds \(SMSFs\) investing in crypto assets](#)
- [rewards for staking crypto](#) are ordinary income for tax purposes.

[Businesses transacting in crypto assets](#) may need to account for them as trading stock or ordinary income (that is, on the revenue account rather than as investment capital gains or losses). In these circumstances, the cost of acquiring crypto assets and the proceeds from disposing of them is ordinary income or a deductible expense depending on the nature of the transaction.

In some circumstances, crypto assets are not kept mainly for investment but for personal use. Where specific conditions are met, crypto assets are not subject to CGT because they are considered to be [personal use assets](#).

A [transcript of this video](#) is available.

Common crypto assets

There are many types of crypto assets, with their form and function continuing to evolve.

Common crypto assets include coins and tokens such as:

- Bitcoin, a cryptocurrency
- USDC, a stablecoin
- DAI, an investment token
- GALA, a game token
- BAYC, a non-fungible token.

You can control different types of crypto asset in the same digital or hardware wallet. However, for tax purposes you need to treat each crypto asset you hold as a separate asset.

For our view of how the income tax law treats bitcoin transactions, see these tax determinations:

- [TD 2014/25](#) *Income tax: is bitcoin a 'foreign currency' for the purposes of Division 775 of the Income Tax Assessment Act 1997?*
- [TD 2014/26](#) *Income tax: is bitcoin a 'CGT asset' for the purposes of subsection 108-5(1) of the Income Tax Assessment Act 1997?*

- [TD 2014/27](#) *Income tax: is bitcoin trading stock for the purposes of subsection 70-10(1) of the Income Tax Assessment Act 1997?*

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How to work out and report CGT on crypto

How to work out and report capital gains tax (CGT) on transactions involving crypto assets.

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When capital gains tax applies

The most common use of crypto is as an investment, in which case the crypto asset is a capital gains tax (CGT) asset.

If you acquire a crypto asset as an investment, transactions such as disposal or exchange or swap are a CGT event and you may make a:

- capital gain
- capital loss, which can reduce capital gains you make.

You can't deduct a net capital loss from your other income.

You may be able to reduce capital gains using the CGT discount if you hold your crypto asset for at least 12 months.

If you hold the crypto asset as an investment, it will not be exempt from CGT as a [personal use asset](#).

To work out if you made a capital gain or capital loss from each CGT event, [keep records for each crypto asset and your transactions](#).

You will make a capital gain if the proceeds from the disposal of your crypto asset is more than its cost base.

Working out the timing of the CGT event

In general, a [CGT event](#) happens when you dispose of a CGT asset. For the purposes of crypto assets, that may be when you:

- sell a crypto asset
- gift a crypto asset
- trade, exchange or swap one crypto asset for another
- convert a crypto asset to Australian or foreign currency
- buy goods or services with a crypto asset.

There are other CGT events, such as the loss or destruction of an asset, or creating contractual or other rights.

The type of CGT event that applies to your [crypto asset transactions](#) may affect:

- the time when the CGT event happens
- how you calculate your capital gain or loss.

Calculating your CGT

As with other CGT assets, if your crypto assets are held as an investment, you may pay tax on your net capital gains for the year. This is:

- your total capital gains
- less any capital losses
- less your entitlement to any CGT discount on your capital gains.

Before you calculate CGT on your crypto assets, you will need to:

- check you have [records for your crypto assets and crypto transactions](#)
- [convert the value of the crypto assets into Australian dollars.](#)

You need to keep details for each crypto asset as they are separate CGT assets.

You can [work out your CGT using our online calculator and record keeping tool](#).

Report CGT on crypto assets in your tax return

If you are completing a tax return as or on behalf of an individual and lodging:

- online with myTax – refer to instructions, [Capital gains or losses](#)
- on a paper form – go to [Instructions for individuals completing their tax return](#)

If the tax return is for a company, trust or fund, go to the [Capital gains tax schedule and instructions](#).

Our [crypto asset data-matching program](#) matches what you report in your tax return with data on crypto asset transactions and accounts from designated service providers. This helps us identify the buyers and sellers of crypto assets and quantify transactions.

QC 69952

Crypto chain splits

How to treat a new crypto asset you receive as a result of a chain split.

Blockchain

A blockchain is a record of all transactions, made up of blocks, of a particular crypto asset.

At regular intervals a new block is added to the chain. There may be a chain split of the blockchain where there are competing versions.

Chain splits

A chain split occurs when there are two or more competing versions of a blockchain. These competing versions share the same history up to the point where their core rules diverge.

As an investor, if you receive a new crypto asset as the result of a chain split (such as Bitcoin Cash being received by Bitcoin holders), the value of the new crypto asset is not treated as either:

- ordinary income
- a capital gain at the time you receive it.

However, you will need to work out your capital gain or capital loss when you dispose of the new crypto asset you receive as a result of a chain split. The cost base of a crypto asset you receive as a result of a chain split is zero (\$0).

You may be entitled to the [CGT discount](#) if you hold the new crypto asset for 12 months or more before disposing of it.

If you acquire the new crypto asset in [carrying on a business](#), it may be treated differently for tax purposes.

Example: chain split and sale of new crypto asset

Alex held 10 Bitcoin as an investment on 1 August 2017, when Bitcoin Cash split from Bitcoin.

As a result of the chain split, Alex received 10 Bitcoin Cash, in addition to the 10 Bitcoin previously held. There were no immediate tax consequences for him.

On 2 March 2024, Alex sells 2 Bitcoin Cash for \$2,000. Because the cost base of the Bitcoin Cash is zero, he makes a total discount capital gain of \$2,000 in the 2023–24 income year.

As Alex had held the Bitcoin cash for more than 12 months and assuming he doesn't have any other capital gain or losses, he reports the capital gain after discount of \$1,000 in his tax return for 2023–24. He will pay tax on the capital gain at his marginal income tax rate.

Work out which is the new crypto asset

When a chain split occurs, you need to work out which asset is the new crypto asset. To do this you need to examine the rights and relationships of the crypto assets you now hold.

If one crypto asset has the same rights and relationships as your original crypto asset, it is a continuation of the original asset. Therefore, the other crypto asset you hold because of the chain split will be a new asset.

Example: protocol change

Bree holds 60 Ethereum as an investment. On 20 July 2016 the Ethereum is subject to a chain split.

Following the chain split, Bree holds 60 Ethereum and 60 Ethereum Classic. The chain split occurs because of a protocol change, which makes the holding rights invalid for 12 million pre-split Ethereum.

Ethereum Classic rejects the protocol change and continues to recognise all of the holding rights before the chain split. Therefore, Ethereum Classic exists on the original blockchain, continuing as the original asset.

The Ethereum that Bree receives as a result of the chain split is her new asset. The acquisition date of Bree's post-split Ethereum is 20 July 2016.

No original crypto asset after split

The original crypto asset may no longer exist if none of the crypto assets you hold after the chain split have the same rights or relationships as the original.

Where this is the case a [C2 CGT event](#) happens to the original asset. Therefore, each crypto asset you hold is a new asset with an acquisition date of the date of the chain split with a cost base of zero (\$0).

Example: no continuing rights or relationships

Ming held 10 Bitcoin Cash as an investment just before a chain split on 15 November 2018.

Ming had acquired the Bitcoin Cash on 6 April 2018 with a cost base of \$8,300.

Following the chain split, Ming held 10 Bitcoin Cash ABC and 10 Bitcoin Cash SV. Both projects had a change to the core consensus rules of the original Bitcoin Cash protocol.

Neither project exists on the original blockchain. Miners using the pre-split software would not find blocks on either the ABC or SV chains. Neither of the post-split assets is the continuation of the original asset.

The community abandoned the original asset at the time of the chain split.

A C2 CGT event happens to Ming's original Bitcoin Cash when the chain split occurred on 15 November 2018. Ming calculates a capital loss of \$8,300, which is equal to the cost base of his original asset.

Ming's new 10 Bitcoin Cash ABC and 10 Bitcoin Cash SV both have an acquisition date of 15 November 2018 and a cost base of zero.

Crypto asset as a personal use asset

Work out if your crypto asset is a personal use asset and when a personal use crypto asset is exempt from CGT.

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What is a personal use asset?

A crypto asset (such as Bitcoin, a cryptocurrency) is a [personal use asset](#) if you keep or use it mainly for personal use, for example, to buy items for personal use or consumption.

See [Non-fungible tokens](#) for information on their use as personal use assets.

The relevant time for determining if a crypto asset is a personal use asset is when you dispose of it:

- A crypto asset you acquire and use in a short period of time to buy items for personal use or consumption is **more likely** to be a personal use asset.
- A crypto asset you acquire and hold for some time before you use it, or only use a small proportion of it, to buy items for personal use or consumption is **less likely** to be a personal use asset.

During a period of ownership, the way you keep or use a crypto asset may change. For example, you may originally acquire a crypto asset to buy items for personal use and enjoyment, but ultimately keep it as an investment or use it in carrying on a business. It is the **main use**, determined at the time when you dispose of a crypto asset, that dictates whether it is a personal use asset.

For record keeping purposes, evidence of your original intention at the time you acquired the crypto asset may be relevant but is not determinative of whether your crypto asset is a personal use asset. Instead, you will need to demonstrate how you actually kept or used the crypto asset from the time of acquisition up until the time you disposed of it. See [Keeping crypto records](#) for information on how to keep records of crypto assets and transactions.

Using crypto to buy items for personal use or consumption

Most people hold crypto assets as an investment, with an expectation that the price of the crypto assets increase over time to give them a return as:

- ordinary income
- a capital gain.

If you use the return from your crypto asset investments to acquire items of personal use or consumption, this will not change the crypto asset from being an investment.

A capital gain on the disposal of a crypto asset is exempt from CGT if:

- it is a personal use asset
- you acquire it for less than \$10,000.

You disregard all capital losses you make on personal use assets, including crypto assets, for CGT purposes. That is, you don't take that loss into account when calculating a net capital gain for the income year and can't carry it forward as a capital loss to use in future income years.

Example: crypto asset for personal use held for short period

Michael wants to attend a concert. The concert provider offers tickets with a discount on the price for payments made in crypto.

Michael pays \$270 to buy crypto assets, which he then uses to pay for the tickets on the same day.

Under these circumstances, Michael acquires and uses the crypto assets in a short period of time to buy personal items. As such, the crypto assets are personal use assets.

When crypto is not a personal use asset

Crypto assets are not personal use assets when you keep or use them:

- as an investment
- in a profit-making scheme
- in carrying on a business.

Example: crypto assets held as investment to make profit

Peter has been regularly keeping crypto assets with the intention of selling at a favourable exchange rate.

After some time, he decides to buy some goods and services directly with some of his crypto assets.

Because Peter held the crypto assets primarily as an investment, they are not personal use assets.

Except in rare situations, a crypto asset is not a personal use asset if you:

- exchange your crypto asset for Australian dollars (or for a different crypto asset) to buy items for personal use or consumption
- use your crypto asset to acquire and use a gift card or similar product that you then use to acquire items for personal use or consumption
- top up a prepaid debit card with crypto assets, which is converted into Australian dollars and you later use it to acquire items for personal use or consumption
- use a payment gateway or other bill payment intermediary to acquire the items on your behalf (rather than acquiring them directly with your crypto assets). Examples include Bitpay, Coinbase, Secure Pay, PayPal, Apple Pay and Square.

Decentralised finance and wrapping crypto

Capital gains tax (CGT) treatment of decentralised finance (DeFi) and wrapping crypto tokens.

Last updated 17 June 2024

About DeFi

DeFi is a blockchain-based form of finance that is conducted without relying on a financial intermediary (peer-to-peer). DeFi apps, protocols and platforms are commonly built on the Ethereum blockchain.

Capital gains can arise in a DeFi environment. The most likely CGT events to happen are A1, E2, C2 or H2. The most specific CGT event depends on the structure and nature of your DeFi arrangement. Some of the factors you will need to consider include whether:

- you are dealing with another entity as part of the arrangement
- a trust relationship arises.

Where a trust relationship is established, you need to consider whether the same legal person holds the same type of asset on the same terms for other beneficiaries. If it does, then you will not be the sole beneficiary of any such trust.

Lending and borrowing with DeFi

The DeFi protocols often use terms from traditional finance to describe their products, such as 'lending', 'borrowing' and 'interest'. However, the DeFi use of these terms doesn't always reflect their common meaning, including for tax purposes.

Many DeFi 'lending' and 'borrowing' arrangements will result in a [CGT event](#). A CGT event generally happens because beneficial ownership of the relevant crypto asset ends because of the arrangement. The arrangements typically involve either:

- exchanging one crypto asset for another crypto asset
- exchanging one crypto asset for a right to receive an equivalent number of the same crypto asset in the future.

To work out if a CGT event (and which one) happens to your crypto assets requires analysis of both:

- the terms and conditions of the protocol
- the actual operation of the protocol.

In general, a CGT event happens if you transfer a fungible crypto asset (for example, ETH or an ERC-20 compliant token) to an address:

- that you don't control
- that already has a balance of the same fungible crypto asset.

The capital proceeds for the CGT event are equal to the market value of the property you receive in return for transferring the crypto asset. This may be another crypto asset or a right.

The income tax rules that apply to lending of shares and similar securities, described as 'securities lending', don't apply to crypto asset 'lending'.

You need to know the [value of your crypto assets](#) to determine if you make a capital gain or capital loss when a CGT event happens to the asset.

Example: treatment of crypto asset loan with change of ownership

Having previously bought 100 Xcoin for \$800, Sasha 'lends' 50 Xcoin (now worth \$500) with a rate of return of 1%.

Under the terms of the contract, Sasha doesn't maintain beneficial ownership over the Xcoin that she has 'lent'.

As there has been a change in beneficial ownership of the crypto assets, a CGT event happens when Sasha 'lends' the Xcoin to the borrower. Sasha will have a capital gain of \$100 at the time of 'lending' the Xcoin.

Example: CGT treatment when you lend to a DeFi platform

Mika buys 100 ZYX coins for \$1,000 and 'lends' them to a DeFi platform.

The terms of the contract are unclear about whether Mika retains beneficial ownership of the 100 ZYX coins. The DeFi platform pools the ZYX coins that Mika 'lends' at the same address as ZYX coins it receives from other 'lenders'.

As ZYX coins are fungible, a CGT event happens in respect of Mika's ZYX coins at the time of the initial 'loan'.

Under the contract, Mika has a right to receive 100 ZYX coins from the DeFi platform at a future time. At the time Mika receives the right (being the time she made the initial 'loan'), each ZYX coin had a market value of \$9. Mika's right was valued at \$900, so she has a capital loss of \$100. Mika's right has a cost base of \$900.

Three months later, the 'loan' is repaid and Mika's right to receive 100 ZYX coins from the DeFi platform is satisfied by the transfer of 100 ZYX coins to her. At that time the market value of each ZYX coin is \$10, so Mika makes a capital gain of \$100. Mika now has acquired 100 ZYX coins with a cost base of \$1,000.

Liquidity pools and providers

A liquidity pool is an arrangement where crypto assets are gathered and locked in place with a smart contract. The use of liquidity pools facilitates decentralised lending and adds liquidity to crypto asset trading.

A liquidity provider supplies crypto assets to a liquidity pool to use for the associated DeFi protocol. In exchange for depositing or contributing crypto assets, liquidity providers receive new crypto assets or rights that represent their share of the liquidity pool. Liquidity providers are rewarded with a share of transaction fees generated from the liquidity pools they support.

A [CGT event](#) happens when you deposit your crypto assets into the liquidity pool. The capital proceeds from the CGT event are equal to the market value of the property you receive in return for your deposited crypto assets. This may be another crypto asset or a right.

When you withdraw crypto assets from the liquidity pool, a CGT event happens to the crypto asset or a right received on the original deposit. The capital proceeds from the CGT event equal the market value of the crypto assets you withdraw.

You need to know the [value of your crypto assets](#) to determine if you make a capital gain or capital loss when a CGT happens to the asset.

Example: exchange of crypto asset through the liquidity pool

Martha is a liquidity provider who deposits one EH to the XA liquidity pool. In exchange for the one EH, she receives 20 XA tokens representing her share of the liquidity pool.

Martha acquired the one EH 3 years ago at a price of \$2. The 20 XA tokens have a market value of \$20 at the time of contribution.

The deposit of one EH into the liquidity pool is a CGT event. Martha has a capital gain of \$18. Martha may be eligible for the CGT 50% discount.

Crypto asset DeFi interest and rewards

DeFi platforms may pay you a reward that is a type of return or yield for crypto assets that are placed in the DeFi platform accounts. If you receive periodic rewards in the form of a crypto asset from a DeFi platform you must report the market value of the crypto asset reward at the time of receipt as assessable income in your tax return.

The rewards of crypto assets are taxed similarly to interest income.

Example: crypto asset reward from DeFi platform

Craig 'lends' 100 stablecoin tokens valued at \$10 per token through the DeFi platform Compound Finance. The DeFi platform pays a rate of return of 1% in the form of newly issued stablecoin tokens.

Craig will need to declare the market value of the newly issued tokens he earns as assessable income in his tax return.

The income amount Craig declares is \$10. The cost base of the newly issued tokens is their market value at the time Craig acquires them.

Wrapped tokens

A wrapped token is a tokenised representation of another crypto asset. You can typically redeem wrapped tokens (unwrapped) on a 1:1 ratio for the crypto assets they represent (the original tokens).

Wrapped tokens allow either:

- the value from one blockchain (for example, Bitcoin) to be used on another blockchain (for example, Ethereum)
- the value of a crypto asset of a certain standard to be represented as a different standard (for example, creating an ERC-20 compliant version of ETH).

Wrapping typically involves a smart contract (a computer protocol that facilitates, verifies or enforces the terms of a contract on the blockchain without third parties).

To wrap tokens, you send crypto assets to the smart contract's address, and it mints (creates) a wrapped version of the crypto asset. The original crypto asset is 'locked' in the smart contract's address until the wrapped token is redeemed. The process of 'locking' the original asset prevents double spending of the value represented by the wrapped token.

When you wrap or unwrap a crypto asset, you [exchange one crypto asset for another](#) and a CGT event happens. The capital proceeds for the CGT event equal the market value of the wrapped token at the time of the exchange.

Example: CGT treatment when exchanging wrapped tokens

Kal bought 1 BTC for \$30,000 in January 2023 and then wrapped it through a smart contract for 1 WBTC in April 2023.

The market value of WBTC at the time of exchange was \$45,000. A CGT event happens when the BTC is wrapped through that smart contract. Kal will have a capital gain of \$15,000.

QC 73649

Keeping crypto records

Which records you need to keep for crypto assets and crypto transactions and how long to keep them.

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Crypto asset records you should keep

You must keep records of each of your crypto assets and every transaction, to work out whether you have made a capital gain or loss. For your crypto assets, you should keep:

- receipts when you buy, transfer or dispose of crypto assets
- a record of the date of each transaction
- a record of what the transaction is for and who the other party is (this can just be their crypto asset address)
- exchange records
- a record of the [value of the crypto asset in Australian dollars](#) at the time of each transaction
- records of agent, accountant and legal costs
- digital wallet records and keys
- a record of software costs that relate to managing your tax affairs.

You need to keep details for each crypto asset as they are separate CGT assets. Keeping good records is essential for meeting your tax obligations.

Tips for protecting crypto asset records

Keeping good records are important as crypto can be volatile. Our record keeping tips may help safeguard you against loss of information, which could happen at any time. Keep these records during the period you hold or transact using crypto:

- Export your transaction history regularly to protect you in case of loss of access to your account.
- Set yourself a reminder to export your transaction history at least every 3 months.
- Before closing an account, export your complete transaction history.
- Find a reputable Australian crypto tax calculator – there are free and low-cost services you can use to sync your exchange and wallet accounts.
- Use a blockchain explorer or contact the crypto exchange's customer service if you need to recreate lost records.

How long to keep records

Keep records for 5 years from the later of:

- when you prepare or obtain the records
- when transactions or acts are complete
- the year that the CGT event happens.

You should keep records long enough to cover your [amendment period](#) (usually 2 or 4 years) for an assessment that uses information from the record.

Your records must be in:

- English or be translatable to English
- in writing, however they can be electronic or paper.

QC 69955

Crypto assets glossary

A glossary of terms common in crypto.

Last updated 17 June 2024

A–C

Airdrop

Airdrops are a marketing tool that distribute crypto assets through a group of people to build their use and popularity.

Block

A block is a group of transaction records grouped together. At regular intervals a new block is added to the chain.

Blockchain

A blockchain is a record of all transactions, made up of blocks, of a particular crypto asset. A blockchain is a form of digital ledger.

Chain split

A chain split occurs where there are two or more competing versions of a crypto asset blockchain. The core rules of the new chain develop independently to those of the original chain.

Chain swap

A chain swap is a process that allows the movement of crypto assets from one blockchain to another.

Crypto

Crypto is shorthand for (or an abbreviation of) crypto asset.

Crypto asset

Crypto assets are a form of digital asset that include cryptocurrencies, digital or virtual currencies, virtual assets and non-fungible tokens that use cryptography to secure transactions and don't rely on a financial intermediary.

Crypto mining

Crypto mining is the process of validating transactions on the blockchain and creating new blocks. The users who create new blocks in this system are known as miners.

D–L

Digital ledger

A digital ledger is a digital system for recording the transaction of assets in which the transactions and their details are recorded in multiple places at the same time.

Digital wallet

A digital wallet is an online or software-based place to store your private keys.

Forger

A forger (similar to a miner) is someone who validates transactions and creates new blocks in a proof of stake system.

Hardware wallet

A hardware wallet is a secure physical device which stores the user's private keys.

M–S

Non-fungible token

A non-fungible token is a digital file or asset stored on a digital ledger where each token is unique and not interchangeable.

Payment gateway

A crypto payment gateway is a payment processor for digital assets.

Private key

A private key is similar to a password and allows you to transact with your crypto assets.

Smart contract

A smart contract is a computer program that facilitates, verifies, or enforces defined rules on the blockchain.

Stablecoin

A stablecoin is a cryptocurrency that pegs its value to some other asset, generally a non-digital currency or commodity.

Staking

Staking can involve locking your existing crypto assets to validate transactions on the blockchain and create new blocks.

Staking may also refer to other activities that involve pledging your crypto assets to generate a passive return (or yield).

T-Z

Token

A token is a unit of value on a blockchain that usually has some other value proposition besides just a transfer of value.

Wrapping

Wrapping is the process of creating a wrapped token. It typically involves interactions with a smart contract.

Wrapped tokens

A wrapped token is a tokenised version of another crypto asset, which mirrors the value of the original crypto asset it represents.

Crypto myth busting with Tim Loh – interactive video transcript

Transcript for an interactive video on crypto myth-busting with Tim Loh.

Last updated 7 July 2022

Opening video

Voice over – Select a message to learn about crypto. Select the arrow button to see more topics.

Voice over – Next page

Voice over – Select a message to learn about crypto. Select the arrow button to go back to more topics.

Tim Loh – Crypto isn't anonymous

Tim Loh: Crypto is supposed to be invisible. How come the ATO knows that I traded in it?

Crypto isn't anonymous or invisible. It leaves electronic tracks where it interacts with the real world.

We have what's called data matching protocols. That means crypto exchanges have to provide us with information.

Investing in crypto is still pretty new. Right now we want to help people get their tax obligations right. So you might get an email from us.

So if you forgot to add it into your tax return or made a mistake like adding it into investment income like gross interest or claiming a deduction, instead of reporting a capital gain or loss, you can lodge an amendment.

Lodging an amendment request is easy and it can be done online.

You can find out more information on our website at ato.gov.au/crypto

Tim Loh – Received crypto as a gift

Tim Loh: My uncle gave my crypto for my birthday. Now what am I supposed to do?

When you get crypto as a gift, there's a few things to think about. The first would be making sure it's actually in your name, not your uncle's. Start keeping records. Including the market value at the time the crypto was gifted and not just to find out how much he loves you.

This will help when you dispose of the crypto as a market value will form part of the cost base. For crypto, disposing is usually exchanging, selling, or transferring. Disposals trigger what we call in tax land, a capital gains tax event.

It's at this point you need to get all your records together and work out what to put on your tax return, which is why record keeping is so important.

But here's a couple of tips. If you hold onto the crypto for 12 months or more, and you're an Australian resident for tax purposes, you're entitled to a 50% discount on any capital gains you make. That means that capital gain from the crypto is halved. But if you make a loss when you dispose of it, make sure you put that on your return as well, as you can use that loss to offset capital gains in the current or future years against other crypto or certain other investment assets.

There are also some rules around the disposable crypto that is a personal use asset.

You can find more info on our website at ato.gov.au/crypto

Tim Loh – Crypto has a foreign language

Tim Loh: Crypto has a different language wrapping, staking, forking, mining, airdrops. How do I translate it into tax speak?

It's true. There are so many new words to translate. It's like learning a new language. The way we look at it is trying to figure out what the intent of the word is. Like say, forking.

Think of it like it's a fork in the road. The blockchain splits and heads off into another direction.

And mining is similar to digging for precious metals. It's using computing power to create new coins. It won't hurt to do some research of your own.

So what does that mean in tax speak?

First of all, let's go right back to the basics and break down what the action is:

- Has there been a change in ownership?
- Has there been a capital gains tax event?

This includes things like transferring, swapping, selling and so on.

By looking at the intent of the action and our existing framework, we can figure out what it means and apply it. You can find out more information on our website at ato.gov.au/crypto

Tim Loh – When to declare crypto

Tim Loh: I heard you only have to declare crypto if you earn over \$10,000 in profit. Is this true?

No. That is a myth. All capital gains have to be declared. Even if it's only a small amount.

Crypto is treated for tax purposes, just like other investment assets. When the total of all your capital gains are over \$10,000, you have to complete a capital gains tax schedule in your tax return. But don't worry, my tax or your registered tax agent will guide you through that process.

To find out how to report it in your tax return, check out my video 'How do I work out crypto gains or losses and add it to my tax return?'

You can always come to us or registered tax agent for advice. You can find more info on our website at ato.gov.au/crypto

Tim Loh – Working out CGT on crypto

Tim Loh: How do I work out crypto gains or losses and add it on my tax return?

Okay, so here's a simple explanation, but also refer to our website for more information as not everyone has simple tax affairs.

You enter your crypto earnings on your tax return at 'Total current year capital gains'. Remember, if you've had your crypto for 12 months or more and you're an Australian resident for tax purposes, you could be eligible for the 50% CGT discount.

If you haven't held it for 12 months, subtract your cost base from your sale price. This final amount is reported as 'net capital gains', but if you still make a loss, you need to provide the details.

To report a net capital loss, enter your total gains at 'Total current year capital gains'. Because you can't enter a negative amount, enter zero at 'Net capital gains'.

Enter your total capital loss at 'Net capital losses carried forward to later income years.'

And remember, capital losses can reduce another capital gain, or you can carry it forward to offset capital gains in a future year.

You can always come to us or a registered tax agent for advice. You can find more info on our website at ato.gov.au/crypto

Tim Loh – Crypto losses and CGT

Tim Loh: I've only ever heard of people getting rich from crypto, but I sold some as it started to bomb, so I ended up making a huge loss. What can I do?

Yeah. People forget that crypto is highly volatile as you mainly hear the stories about new millionaires. But like any long term investment, there are highs and lows and not everyone gets rich.

If you make a capital loss, make sure to add it into your tax return. Capital losses can offset capital gains on your current years tax return or future tax returns. You can choose when to use the loss.

However, a capital loss cannot be used to offset any of your income, including salary and wages. Any capital loss that has not been used to offset capital gains in the current year can be carried forward to offset capital gains in future years.

You can find more information on our website ato.gov.au/crypto

Tim Loh – Lost access to my crypto

Tim Loh: I forgot my password and can't get into my digital wallet. My crypto is lost. What do I do?

Okay, so you have a really big problem.

It really comes down to if you've kept good records of each transaction, let's break it down.

Have you lost access to it or lost evidence of ownership? You may be able to claim a capital loss if you lose your crypto private key or your crypto is stolen.

To claim a capital loss, you must be able to provide evidence.

Things like:

- when you acquired and lost the private key,
- the wallet address that the private key relates to,
- the cost incurred to acquire the lost or stolen crypto,
- the amount of crypto in the wallet at the time of the loss,
- that the wallet was controlled by you.

For example, transactions linked to your identity, that you have the hardware that stores the wallet or transactions of the wallet from a digital currency exchange that you hold a verified account for is linked to your identity.

You can find more information on our website at ato.gov.au/crypto

Tim Loh – When to report on my tax return

Tim Loh: I've been investing in crypto for a while now and have been swapping coins and not really making any money on them. I only include on my tax return if I make money, right?

Well, it all comes down to whether there has been an event for capital gains tax purposes. CGT or capital gains tax events include disposing of crypto like selling and transferring and a whole lot of other things.

Swapping is like transferring. Technically, what you're doing is disposing one type of coin to acquire another one.

Each disposal is a CGT event, so each transaction needs to be considered for CGT purposes. And even though you think you haven't made any money, you still have to report your capital gains or losses on your tax return.

It's also rare that you would come out even so you might not be making a capital gain, but you might be making a capital loss that you

can use in the current year against other capital gains or carry forward to offset your capital gains in the future.

So to answer your question, you have to account for all your capital gains and capital losses, which is why recordkeeping is so important.

Our CGT recordkeeping tool can always help. You can find it at ato.gov.au/calc_CGTrecordkeeping

You can always come to us or a registered tax agent for advice and there's information on our website at ato.gov.au/crypto

Tim Loh – Receiving crypto in my business

Tim Loh: I run a business and my customers want to pay me in crypto. What do I need to do?

If your business transacts with crypto, you need to account for crypto like you would other assets used in your business.

You need to include the value of the crypto in Australian dollars as part of your ordinary income.

It's the same process as receiving any other non-cash consideration under a barter transaction.

Where you purchase business items using crypto, including trading stock, you're entitled to a deduction based on the market value of the item acquired.

You can find more information on our website at ato.gov.au/crypto but I'd also suggest anyone using crypto as a method of payment to a business to check out the GST rules.

In GST land, they call crypto digital currency. GST info is on our website at ato.gov.au/GSTdigitalcurrency

Tim Loh – SMSFs investing in crypto

Tim Loh: My SMSF wants to get into crypto investment. What do I need to consider?

The first thing you need to find out is whether the funds trust deed includes investing in crypto. The deed may need to be updated before investing. Check if investing in crypto is in line with the fund's

investment strategy. The investment must comply with super industry regulatory requirements concerning investment restrictions.

So if you have all of that covered off, you need to make it clear that the fund is the owner of the crypto. It will need its own digital wallet and keys and be able to buy and sell the crypto through the fund.

Some things to consider showing SMSF only ownership could be the account details being only SMSF related, such as the email address used for the account, bank records matching crypto fiat fund deposits and SMSF of bank account outgoings for the investment.

Clean records that show the transactions with the crypto and how they align with the SMSF's deed.

For more information, go to ato.gov.au/SMSFcrypto

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Our commitment to you

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet your obligations.

If you follow our information and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we will take that into account when determining what action, if any, we should take.

Some of the information on this website applies to a specific financial year. This is clearly marked. Make sure you have the information for the right year before making decisions based on that information.

If you feel that our information does not fully cover your circumstances, or you are unsure how it applies to you, contact us or seek professional advice.

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