
Notice of Withdrawal

Draft Taxation Determination

Income tax: what is the method for reducing the capital value of a superannuation pension that has commenced to be paid for reasonable benefit limit purposes under subsection 140ZP(3) of the *Income Tax Assessment Act 1936* (ITAA 1936) if the superannuation pension is split pursuant to an agreement or court order on marriage breakdown?

Draft Taxation Determination TD 2002/D13 is withdrawn with effect from today.

The Tax Office is currently reviewing a number of issues concerning the recent amendments to the *Income Tax Assessment Act 1936* to give effect to the taxation of superannuation benefits that are split on marriage breakdown. The review has cast sufficient doubt on the matters addressed in TD 2002/D13 and the two related draft Taxation Determinations, TD 2002/D14 and TD 2002/D15 that they should be withdrawn pending the outcome of the review.

Commissioner of Taxation

10 December 2003

ATO references

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