


***TD 93/D117 - Income tax: capital gains: are there any CGT consequences arising from the transfer of section 80G or section 160ZP losses after 25 June 1992?***

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This document has been finalised by TD 93/120.

Draft Taxation Determinations (TDs) represent the preliminary, though considered, views of the ATO. Draft TDs may not be relied on; only final TDs are authoritative statements of the ATO.

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## Draft Taxation Determination

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**Income tax: capital gains: are there any CGT consequences arising from the transfer of section 80G or section 160ZP losses after 25 June 1992?**

1. No. The transfer of such losses will not have any CGT consequences if transferred after 25 June 1992.
2. Section 160A and subsections 160M(6) and 160M(7) of Part IIIA of the *Income Tax Assessment Act 1936* were amended by Taxation Laws Amendment Act (No 4) 1992 with effect from 25 June 1992.

**Note:** The treatment of loss transfers on or before 25 June 1992 is covered in TD22.

**Commissioner of Taxation**  
13/5/93

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FOI INDEX DETAIL: Reference No.

Related Determinations: TD22

Subject Ref: income losses; net capital losses; transfer of losses

Legislative Ref: ITAA 80G; ITAA 160A; ITAA 160M(6); ITAA 160M(7); ITAA 160ZP

ATO Ref: CGT Cell (CGTDET74)

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ISSN 1038 - 8982