



GSTA TPP 049W - Goods and services tax: Is a trustee's in-specie distribution to a beneficiary a taxable supply?

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 This document has changed over time. This is a consolidated version of the ruling which was published on *9 July 2014*



Notice of Withdrawal

Goods and Services Tax Advice

Goods and services tax: is a trustee's in-specie distribution to a beneficiary a taxable supply?

Goods and Services Tax Advice GSTA TPP 049 is withdrawn with effect from today.

1. GSTA TPP 049 stated that a trustee's in-specie distribution to a beneficiary being a taxable supply depends on the requirements of section 9-5 of the *A New Tax System (Goods and Services Tax) Act 1999* (GST Act) being satisfied. Additionally, as the distribution is a supply to an associate without consideration, it was stated that the requirements of Division 72 of the GST Act would also need to be considered.
2. GSTA TPP 049 is withdrawn as the Commissioners view in relation to this issue is contained in Goods and Services Tax Determination GSTD 2009/1 *Goods and Services Tax: is a supply by way of an in specie distribution of an asset that is applied in an enterprise carried on by a discretionary trust to a beneficiary of the trust made 'in the course or furtherance of' the trust's enterprise?*

Commissioner of Taxation

9 July 2014

ATO references

NO:	1-5BF9XGU
ISSN:	1833-0053
ATOlaw topic:	Goods and Services Tax ~~ Rules for entity types ~~ trusts

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