


# ***IT 183H - Notice of Archival - Income tax: section 26AAA - sale of matrimonial home within 12 months of death of spouse***

 This cover sheet is provided for information only. It does not form part of *IT 183H - Notice of Archival - Income tax: section 26AAA - sale of matrimonial home within 12 months of death of spouse*



**Australian  
Taxation  
Office**

## **TAXATION RULING IT 183**

### **NOTICE OF ARCHIVAL**

F.O.I. EMBARGO: may be released

Taxation Ruling IT 183 is no longer current and has been archived.

This Ruling applied to the disposal of a matrimonial home within 12 months of the death of a spouse. A taxpayer who purchased a property after 21 August 1973 and sold that property (or an interest in that property) within 12 months of purchase fell for consideration under section 26AAA of the *Income Tax Assessment Act 1936*. The terms "purchase" and "sale" applied to situations where property was transferred in exchange for other property or for no consideration.

Section 26AAA only applies to a sale of property, or an interest in property, that occurs before 25 May 1988. The disposal of such property after 25 May 1988 is subject to Part IIIA (Capital Gains and Capital Losses) of the *Income Tax Assessment Act 1936*.

**Commissioner of Taxation**

16 June 1994

---

ATO Ref: CAS APRE

ISSN 0813 - 3662