



***TD 2004/61W - Income tax: consolidation tax cost setting rules: step 3 of the allocable cost amount: should tax losses or net capital losses transferred to a joining entity be taken into account when determining whether an amount should be excluded at paragraph 705-90(6)(b) of the Income Tax Assessment Act 1997 ?***

 This cover sheet is provided for information only. It does not form part of *TD 2004/61W - Income tax: consolidation tax cost setting rules: step 3 of the allocable cost amount: should tax losses or net capital losses transferred to a joining entity be taken into account when determining whether an amount should be excluded at paragraph 705-90(6)(b) of the Income Tax Assessment Act 1997 ?*

 This document has changed over time. This is a consolidated version of the ruling which was published on *16 August 2006*



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## Notice of Withdrawal

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### Taxation Determination

Income tax: consolidation tax cost setting rules: step 3 of the allocable cost amount: should tax losses or net capital losses transferred to a joining entity be taken into account when determining whether an amount should be excluded at paragraph 705-90(6)(b) of the *Income Tax Assessment Act 1997*?

Taxation Determination TD 2004/61 is withdrawn with effect from 1 July 2002.

1. Taxation Determination TD 2004/61 provided that losses transferred to a joining entity by another member of a wholly-owned group prior to the joining time did not have to be taken into account under paragraph 705-90(6)(b) of the *Income Tax Assessment Act 1997*.
2. TD 2004/61 is withdrawn as a result of the repeal of paragraph 705-90(6)(b) by *Tax Laws Amendment (2004 Measures No. 7) Act 2005* (41 of 2005).

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**Commissioner of Taxation**

16 August 2006

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ATO references

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