


***TD 92/109A - Addendum - Income tax: foreign income: does a controlled foreign company (CFC) which conducts its business on a cyclical basis satisfy the active income test?***

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## Addendum

### **Income tax: foreign income: does a controlled foreign company (CFC) which conducts its business on a cyclical basis satisfy the active income test?**

*This Addendum forms part of the Determination and, to the extent that it is capable of being a 'public ruling' in terms of Part IVAAA of the **Taxation Administration Act 1953**, it is a public ruling for the purposes of that Part. Taxation Rulings TR 92/1 and TR 97/16 together explain when a Determination is a public ruling and how it is binding on the Commissioner.*

Taxation Determination TD 92/109 is amended, with effect for statutory accounting periods of controlled foreign companies commencing after 30 June 1997, as follows:

#### **Paragraph 1**

- (a) Omit 'listed'; substitute 'broad-exemption listed'.
- (b) Omit 'unlisted'; substitute 'non-broad-exemption listed'.

**Commissioner of Taxation**

17 December 1997

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ATO Ref: 97/8183-8