


***TD 93/136A1 - Addendum - Income tax: Offshore Banking Units - if a loan entered into by a foreign branch of an Australian resident bank is assigned to the Australian OBU head office, does this constitute an OB activity?***

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# Addendum

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## Taxation Determination

Income tax: Offshore Banking Units – if a loan entered into by a foreign branch of an Australian resident bank is assigned to the Australian OBU head office, does this constitute an OB activity?

This Addendum is a public ruling for the purposes of the *Taxation Administration Act 1953*. It amends Taxation Determination TD 93/136 to update the end date of the Offshore Banking Unit regime.

TD 93/136 is amended as follows:

**1. Paragraph 2**

After the word 'OBU', insert new footnote 1:

<sup>1</sup>The OBU regime is closed to new entrants from 14 September 2021. The concessional tax treatment for existing OBUs in respect of offshore activities will be removed effective from the 2023-24 income year. Interest payments paid on or after 1 January 2024 on offshore borrowings by OBUs will no longer be exempt from withholding tax.

This Addendum applies from 13 September 2021.

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**Commissioner of Taxation**

13 October 2021

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ATO references

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