



***TD 93/19W - Income tax: if the Australian Taxation Office (ATO) approves an application to vary tax instalment deductions from salary and wages for a taxpayer who has invested in a negatively geared plan, does this also mean the investment plan has ATO approval?***

 This cover sheet is provided for information only. It does not form part of *TD 93/19W - Income tax: if the Australian Taxation Office (ATO) approves an application to vary tax instalment deductions from salary and wages for a taxpayer who has invested in a negatively geared plan, does this also mean the investment plan has ATO approval?*

 This document has changed over time. This is a consolidated version of the ruling which was published on 19 December 2007



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## Notice of Withdrawal

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### Taxation Determination

Income tax: if the Australian Taxation Office (ATO) approves an application to vary tax instalment deductions from salary and wages for a taxpayer who has invested in a negatively geared plan, does this also mean the investment plan has ATO approval?

Taxation Determination TD 93/19 is withdrawn with effect from today.

1. Taxation Determination TD 93/19 relates to the Commissioner's discretion under section 221D of the *Income Tax Assessment Act 1936* to vary the amounts of tax instalment deductions under the Pay As You Earn (PAYE) system from the salary or wages of an employee to meet the special circumstances of any case or class of cases. The Determination deals with the specific situation where a taxpayer has invested in a negatively geared investment plan in relation to which the taxpayer has current year allowable deductions. It explains that an approval to vary a taxpayer's instalment deductions in these circumstances does not mean that the ATO has expressed an opinion on the taxation treatment of the negatively geared investment plan or any tax deductions that might flow from that plan.
2. The Pay As You Go withholding system replaced the PAYE system for the 2000-2001 income year and later income years.
3. Accordingly, this Taxation Determination is no longer current.

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**Commissioner of Taxation**  
19 December 2007

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#### ATO references

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Income Tax ~~ Administration ~~ other