# TD 93/73W - Income tax: will a strata title body corporate be taxed as a non-profit company if it includes non-profit clauses in its by-laws?

This cover sheet is provided for information only. It does not form part of *TD 93/73W - Income tax: will a strata title body corporate be taxed as a non-profit company if it includes non-profit clauses in its by-laws?* 

This document has changed over time. This is a consolidated version of the ruling which was published on 25 March 2015



**Taxation Determination** 

## TD 93/73

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## Notice of Withdrawal

### **Taxation Determination**

Income tax: will a strata title body corporate be taxed as a non-profit company if it includes non-profit clauses in its by-laws?

Taxation Determination TD 93/73 is withdrawn with effect from today.

- 1. It continues to apply to arrangements begun to be carried out before the withdrawal but does not apply to arrangements begun to be carried out after the withdrawal.
- 2. TD 93/73 explains that a strata title body corporate will not be taxed as a non-profit company even if it includes non-profit clauses in its by-laws as the overarching State or Territory legislation permits distributions to members in certain circumstances.
- 3. TD 93/73 is replaced by draft Taxation Ruling TR 2015/D1 *Income tax: income tax matters relating to bodies corporate constituted under strata title legislation* which issues today.

#### **Commissioner of Taxation**

25 March 2015

ATO references:

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ATOlaw topic: Income Tax ~~ Exempt entities ~~ not for profit and mutual

organisations

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