



TD 93/88W - Income tax: are TFN amounts deducted from the "tax free income" component of a unit trust distribution?

 This cover sheet is provided for information only. It does not form part of *TD 93/88W - Income tax: are TFN amounts deducted from the "tax free income" component of a unit trust distribution?*

 This document has changed over time. This is a consolidated version of the ruling which was published on *18 October 2006*



Notice of Withdrawal

Taxation Determination

Income tax: are TFN amounts deducted from the “tax free income” component of a unit trust distribution?

Taxation Determination TD 93/88 is withdrawn with effect from today.

1. Taxation Determination TD 93/88 explains that a TFN amount is required to be deducted from the ‘tax free income’ component of a unit trust distribution when the income is unattributed income for the purposes of subsection 221YH(1A) of the *Income Tax Assessment Act 1936* (ITAA 1936). The ‘tax free income’ component is unattributed income if it is a distribution of income to a unitholder at a time when the unitholder’s tax file number has not been provided or taken to have been provided.
2. Subsection 221YH(1A) of the ITAA 1936 provides that subsection 221YH(1A) does not apply to a payment made after 30 June 2000. The pay as you go withholding system applies to such a payment (see sections 12-140 and 12-145 of Schedule 1 to the *Taxation Administration Act 1953*).
3. Taxation Determination TD 93/88 does not have application to a payment made after 30 June 2000.

Commissioner of Taxation

18 October 2006

ATO references

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