# TD 94/49W - Income tax: can convertible notes qualify as infrastructure borrowings?

This cover sheet is provided for information only. It does not form part of *TD 94/49W - Income tax: can convertible notes qualify as infrastructure borrowings?* 

This document has changed over time. This is a consolidated version of the ruling which was published on *7 December 2016* 



## TD 94/49

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## Notice of Withdrawal

#### **Taxation Determination**

## Income tax: can convertible notes qualify as infrastructure borrowings?

Taxation Determination TD 94/49 is withdrawn with effect from today.

- 1. TD 94/49 explains that borrowings raised or issued in the form of convertible notes can qualify as infrastructure borrowings for the purposes of former section 159GZZZU of the *Income Tax Assessment Act 1936* (ITAA 1936).
- 2. TD 94/49 deals with the former infrastructure borrowings provisions in Division 16L of Part III of the ITAA 1936, which were repealed by the *Taxation Laws Amendment* (*Infrastructure Borrowings*) *Act 1997*.
- 3. TD 94/49 has no ongoing relevance and is therefore withdrawn without replacement.

#### **Commissioner of Taxation**

7 December 2016

ATO references

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