



***TD 94/66W - Income tax: if the trustee of a unit trust is 'the owner' of a 'unit of industrial property' (UIP) under Division 10B of Part III of the Income Tax Assessment Act 1936, is a unit holder in that trust entitled to a deduction under Division 10B in respect of that UIP?***

 This cover sheet is provided for information only. It does not form part of *TD 94/66W - Income tax: if the trustee of a unit trust is 'the owner' of a 'unit of industrial property' (UIP) under Division 10B of Part III of the Income Tax Assessment Act 1936, is a unit holder in that trust entitled to a deduction under Division 10B in respect of that UIP?*

 This document has changed over time. This is a consolidated version of the ruling which was published on *26 April 2017*



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# Notice of Withdrawal

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## Taxation Determination

Income tax: if the trustee of a unit trust is ‘the owner’ of a ‘unit of industrial property’ (UIP) under Division 10B of Part III of the *Income Tax Assessment Act 1936*, is a unit holder in that trust entitled to a deduction under Division 10B in respect of that UIP?

Taxation Determination TD 94/66 is withdrawn with effect from today.

1. TD 94/66 explains that a deduction is not available for a unit holder in a unit trust which owns industrial property under Division 10B of Part III of the *Income Tax Assessment Act 1936* (ITAA 1936). Only the trustee, as ‘the owner’ of the UIP, is entitled to a deduction.
2. TD 94/66 is being withdrawn as Division 10B of Part III of the ITAA 1936 has been repealed.
3. TD 94/66 has no ongoing relevance and is therefore withdrawn without replacement.

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**Commissioner of Taxation**  
26 April 2017

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ATO references

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