



TD 94/70W - Income tax: employee share acquisition schemes: can income that is assessable under section 26AAC of the Income Tax Assessment Act 1936 be subject to provisional tax?

 This cover sheet is provided for information only. It does not form part of *TD 94/70W - Income tax: employee share acquisition schemes: can income that is assessable under section 26AAC of the Income Tax Assessment Act 1936 be subject to provisional tax?*

 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: employee share acquisition schemes: can income that is assessable under section 26AAC of the *Income Tax Assessment Act 1936* be subject to provisional tax?

Taxation Determination TD 94/70 is withdrawn with effect from today.

1. Taxation Determination TD 94/70 explains that income assessable under section 26AAC of the *Income Tax Assessment Act 1936* (ITAA 1936) is not salary or wages as defined in section 221A of the ITAA 1936 and therefore may be subject to provisional tax by the operation of paragraph 221YB(1)(b) or subsection 221YAB(1) of the ITAA 1936.
2. The pay as you go (PAYG) instalment system replaced the provisional tax system for the 2000-2001 and later income years.
3. The Determination does not have application to income tax years after the 1999-2000 income year.

Commissioner of Taxation

18 October 2006

ATO references

NO: 2005/18404

ISSN: 1038-8982

ATOlaw topic: Income Tax ~~ Assessable income ~~ employee share schemes