

TR 98/21A - Addendum - Income tax: withholding tax implications of cross border leasing arrangements

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Addendum

Taxation Ruling

Income tax: withholding tax implications of cross border leasing arrangements

This Addendum amends Taxation Ruling TR 98/21 to reflect the following:

- changes to the law caused by the repeal of inoperative provisions;
- the release of Accounting Standard *AASB 117 Leases*;
- the conclusion of a new tax treaty between the United Kingdom and Australia;
- deletion of Australia's observation on Article 12 of the OECD Commentary;
- correct minor typographical errors or words used.

TR 98/21 is amended as follows:

1. Paragraph 21

Omit '(the UK tax treaty) which is Schedule 1 to the *International Tax Agreements Act 1953*'; substitute 'signed on 7 December 1967 (the former UK tax treaty)'.

2. Paragraph 22

Omit all occurrences of 'the UK tax treaty'; substitute 'the former UK tax treaty'.

3. Paragraph 24

- (a) Omit 'the UK tax treaty'; substitute 'the former UK tax treaty'.
- (b) Omit 'all'; substitute 'some'.

4. Paragraph 27

Omit 'all'; substitute 'many'.

5. Paragraph 29

Omit ', 30'.

6. Paragraph 70

Omit 'subsections 51AD(1), 82AQ(1)'; substitute 'subsection' 51AD(1).

7. Paragraph 93

After 'Australian Accounting Standards AAS17' insert '(superseded by Accounting Standard AASB 117)'.

8. Legislative References

Omit the references; substitute:

- ITAA 1936
- ITAA 1936 6(1)
- ITAA 1936 25(1)
- ITAA 1936 42A-115 Sch 2E
- ITAA 1936 51AD(1)
- ITAA 1936 82(1)
- ITAA 1936 128A(1)
- ITAA 1936 128AC
- ITAA 1936 128AC(1)
- ITAA 1936 128AC(3)
- ITAA 1936 128AC(4)
- ITAA 1936 128AC(5)
- ITAA 1936 128AC(7)
- ITAA 1936 128B
- ITAA 1936 128B(2B)
- ITAA 1936 128B(5A)
- ITAA 1936 128C
- ITAA 1936 128D
- ITAA 1936 Pt III Div 16D
- ITAA 1936 177C
- ITAA 1936 177CA
- ITAA 1936 177D
- ITAA 1936 Pt IVA
- ITAA 1936 Pt VI Div 3B
- ITAA 1997 995-1(1)
- ITAA 1997 995-1(2)
- TAA 1953 Pt IVAA
- Income Tax Assessment Act 1968
- Income Tax Laws Amendment (Royalties) Act 1976
- Taxation Laws Amendment Act (No. 2) 1986
- Taxation Laws Amendment Act (No. 5) 1992

This Addendum applies on and from 14 September 2006.

ATO references

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