


CR 2006/94W - Income tax: taxation of Joint Petroleum Development Area (JPDA) employment income: foreign tax credits - employees of ConocoPhillips Australia Pty Ltd and ConocoPhillips (03-12) Pty Ltd

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 This document has changed over time. This is a consolidated version of the ruling which was published on *6 October 2010*



Notice of Withdrawal

Class Ruling

Income tax: taxation of Joint Petroleum Development Area (JPDA) employment income: foreign tax credits – employees of ConocoPhillips Australia Pty Ltd and ConocoPhillips (03-12) Pty Ltd

Class Ruling CR 2006/94 is withdrawn with effect from today.

1. CR 2006/94 applied from 1 July 2004 to Australian resident individuals employed by ConocoPhillips Australia Pty Ltd and ConocoPhillips (03-12) Pty Ltd who are performing services within the Joint Petroleum Development Area (JPDA) of Timor-Leste and who have their employment income governed by Article 13 of the Taxation Code, at Annexure G of the *Petroleum (Timor Sea Treaty) Act 2003*.
2. CR 2006/94 deals with the application of Division 18 of the *Income Tax Assessment Act 1936* (ITAA 1936) and in particular section 160AF of the ITAA 1936 which allowed a foreign tax credit for tax paid on foreign source income. Division 18 of the ITAA 1936 has been repealed as a result of the introduction of Division 770 of the *Income Tax Assessment Act 1997* (ITAA 1997), effective from 1 July 2008. Division 770 of the ITAA 1997 allows taxpayers to claim relief in the form of a 'tax offset' for foreign income tax paid on an amount. This foreign income tax offset effectively reduces the potential Australian tax that would be payable on double-taxed amounts.
3. As a result of the above legislative changes, CR 2006/94 is no longer current and is withdrawn.
4. CR 2006/94 is replaced by Class Ruling CR 2010/51.

CR 2006/94

ATO references

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ATOlaw topic: Income Tax ~~ Tax offsets, credits and benefits ~~ foreign
tax credits
Income Tax ~~ Assessable income ~~ employment
income – foreign sourced