


TD 92/D211 - Income tax: can a trustee quote the trust Tax File Number (TFN) to an investment body when an investment of the trust estate is held in the trustee's name?

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This document has been finalised by TD 93/61.

Draft Taxation Determinations (TDs) represent the preliminary, though considered, views of the ATO. Draft TDs may not be relied on; only final TDs are authoritative statements of the ATO.

Draft Taxation Determination

Income tax: can a trustee quote the trust Tax File Number (TFN) to an investment body when an investment of the trust estate is held in the trustee's name?

1. Yes. Subsections 202D(6) and (7) of the *Income Tax Assessment Act 1936* specifically allow a person making an investment in their capacity as a trustee of a trust estate to quote the trust TFN. This applies even though the account is held in the name of the trustee.

Example

John Wong is the trustee of the Wong Family Trust and in his capacity as trustee for the trust invests \$1,000 in a bank account in the name of John Wong. As the investment was made by John Wong in his capacity as trustee (and not simply as an individual in his own right), the TFN of the Wong Family Trust may be quoted.

Commissioner of Taxation

12/11/92

FOI INDEX DETAIL: Reference No.

Related Determinations:

Related Rulings:

Subject Ref: Tax File Number; Trusts; Trustees; Investments

Legislative Ref: ITAA 202D(6); ITAA 202D(7)

Case Ref:

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