



GSTA TPP 042W - Goods and services tax: Is a payment to a lawyer by a client to reimburse the lawyer for a payment of a tax, fee, or charge (tax) that is excluded from the GST by a determination of the Treasurer consideration for a taxable supply by the lawyer if the lawyer paid the tax in their own right?

 This cover sheet is provided for information only. It does not form part of *GSTA TPP 042W - Goods and services tax: Is a payment to a lawyer by a client to reimburse the lawyer for a payment of a tax, fee, or charge (tax) that is excluded from the GST by a determination of the Treasurer consideration for a taxable supply by the lawyer if the lawyer paid the tax in their own right?*

 This document has changed over time. This is a consolidated version of the ruling which was published on 9 July 2014



Notice of Withdrawal

Goods and Services Tax Advice

Goods and services tax: is a payment to a lawyer by a client to reimburse the lawyer for a payment of a tax, fee or charge (tax) that is excluded from the GST by a determination of the Treasurer consideration for a taxable supply by the lawyer if the lawyer paid the tax in their own right?

Goods and Services Tax Advice GSTA TPP 042 is withdrawn with effect from today.

1. GSTA TPP 042 stated that a client's payment to reimburse a lawyer for a payment of tax, fee or charge forms part of the consideration for the lawyer's taxable supply of services to the client if it was paid for by the lawyer in their own capacity.
2. GSTA TPP 042 is withdrawn because it is no longer accurate. The Treasurer's determination was repealed in 2011 and replaced under subsection 81-5(2) of the *A New Tax System (Goods and Services Tax) Act 1999* by regulations 81-10.01 to 81-15.02 of the *A New Tax System (Goods and Services Tax) Regulations 1999*.
3. Additionally, the Commissioner's view regarding the general GST treatment of reimbursements by clients to lawyers for taxes, fees and charges are contained in paragraphs 48 to 52 of Goods and Services Tax Ruling GSTR 2000/37 *Goods and Services Tax: agency relationships and the application of the law*.

Commissioner of Taxation

9 July 2014

ATO references

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