



GSTA TPP 063W - Goods and services tax: Is a partner who receives more than \$50,000 in profit distributed by the partnership required to be registered for GST? is a partner who receives more than \$50,000 in profit distributed by the partnership required to be registered for GST?

 This cover sheet is provided for information only. It does not form part of GSTA TPP 063W - Goods and services tax: Is a partner who receives more than \$50,000 in profit distributed by the partnership required to be registered for GST? is a partner who receives more than \$50,000 in profit distributed by the partnership required to be registered for GST?

 This document has changed over time. This is a consolidated version of the ruling which was published on 4 June 2014



Notice of Withdrawal

Goods and Services Tax Advice

Goods and services tax: is a partner who receives more than \$50,000 in profit distributed by the partnership required to be registered for GST?

Goods and Services Tax Advice GSTA TPP 063 is withdrawn with effect from today.

1. GSTA TPP 063 explained that partners of a partnership cannot register for GST, nor acquire an ABN in relation to the enterprise carried on by the partnership. The partnership is the entity that carries on the enterprise and is required to be registered if it meets the registration turnover threshold. The partners may be registered for GST in relation to a separate enterprise they carry on.
2. The Commissioner's view on this issue is found in paragraphs 109 to 110 of Goods and Services Taxation Ruling GSTR 2004/6: *tax law partnerships and co-owners of property*.
3. Also advice on this topic is contained in paragraph 110 of Miscellaneous Taxation Ruling MT 2006/1.¹ In addition, the registration turnover threshold referred to in the advice has changed. The current registration threshold is found in regulation 23-15.01 of the *A New Tax System (Goods and Services Tax) Regulations 1999*.
4. GSTA TPP 063 is therefore withdrawn as the Commissioner's view on this matter is found in public rulings and the \$50,000 registration turnover threshold referred to is no longer current.

Commissioner of Taxation

4 June 2014

ATO references

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¹ Miscellaneous Taxation Ruling MT 2006/1 *The New Tax System: the meaning of entity carrying on an enterprise for the purposes of entitlement to an Australian Business Number*. Goods and Services Tax Determination GSTD 2006/6 *Goods and services tax: does MT 2006/1 have equal application to the meaning of 'entity' and 'enterprise' for the purposes of the A New Tax System (Goods and Services Tax) Act 1999?* explains that the principles in MT 2006/1 apply equally to the terms 'entity' and 'enterprise' and can be relied upon for GST purposes.

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ATOlaw topic:	<p>Goods and Services Tax ~~ Rules for entity types ~~ partnerships</p> <p>Goods and Services Tax ~~ General rules and concepts ~~ supply</p> <p>Goods and Services Tax ~~ General rules and concepts ~~ annual turnover</p>
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