



Taxation Administration Act

Variation to the rate of withholding for certain superannuation beneficiaries who have not quoted a tax file number

I, Erin Kathleen Holland, Deputy Commissioner of Taxation, make this instrument under section 15-15 of Schedule 1 to the *Taxation Administration Act 1953*.

Dated: 28 June 2007

Erin Holland
Deputy Commissioner of Taxation

1 Name of instrument

This instrument is the *Taxation Administration Act - Variation to the rate of withholding for certain superannuation beneficiaries who have not quoted a tax file number*.

2 Commencement

This instrument commences on 1 July 2007.

3 Purpose

This instrument ensures that amounts of non assessable non exempt income paid to a superannuation beneficiary are not subject to withholding when the payee has not quoted their tax file number (TFN). Without this variation, withholding would be required from these amounts when paid in conjunction with assessable amounts.

4 Variation to the rate of withholding

This instrument applies to payments that include amounts covered by section 12-80 or subsection 12-85(a) of Schedule 1 to the *Taxation Administration Act 1953*, where the payee has not provided the payer with a TFN declaration that has effect under Division 3 of Part VA of the *Income Tax Assessment Act 1936*.

The amount to withhold is varied to nil for that portion of the payment which is non assessable non exempt income of the payee.