



TD 2001/17W - Income tax: capital gains: if a company transferred a net capital loss under Subdivision 170-B of the Income Tax Assessment Act 1997 :(a) when do the adjustments required by section 170-175 or 170-180 to the cost base and reduced cost base of a group company's interest in the loss company or the gain company take effect ; and (b) what happens if a subvention payment (loss company) or a tax benefit (gain company) that would otherwise be taken into account in determining the amount of any adjustment, is no longer reflected in the market value of an interest at the time a CGT event happens to it because the subvention payment or tax benefit has been distributed as a dividend?

 This cover sheet is provided for information only. It does not form part of *TD 2001/17W - Income tax: capital gains: if a company transferred a net capital loss under Subdivision 170-B of the Income Tax Assessment Act 1997 :(a) when do the adjustments required by section 170-175 or 170-180 to the cost base and reduced cost base of a group company's interest in the loss company or the gain company take effect ; and (b) what happens if a subvention payment (loss company) or a tax benefit (gain company) that would otherwise be taken into account in determining the amount of any adjustment, is no longer reflected in the market value of an interest at the time a CGT event happens to it because the subvention payment or tax benefit has been distributed as a dividend?*

 This document has changed over time. This is a consolidated version of the ruling which was published on *20 December 2016*



Notice of Withdrawal

Taxation Determination

Income tax: capital gains: if a company transferred a net capital loss under Subdivision 170-B of the *Income Tax Assessment Act 1997*:(a) when do the adjustments required by section 170-175 or 170-180 to the cost base and reduced cost base of a group company's interest in the loss company or the gain company take effect ; and (b) what happens if a subvention payment (loss company) or a tax benefit (gain company) that would otherwise be taken into account in determining the amount of any adjustment, is no longer reflected in the market value of an interest at the time a CGT event happens to it because the subvention payment or tax benefit has been distributed as a dividend?

Taxation Determination TD 2001/17 is withdrawn with effect from today.

1. TD 2001/17 deals with the transfer of a net capital loss by a company under Subdivision 170-B of the *Income Tax Assessment Act 1997*.
2. TD 2001/17 only applies to net capital losses transferred before 22 February 1999.
3. TD 2001/17 has no ongoing application and is therefore withdrawn without replacement.

Commissioner of Taxation

20 December 2016

ATO references

NO: 1-9N72KXS
ISSN: 2205-6211
BSL TCN

TD 2001/17

**© AUSTRALIAN TAXATION OFFICE FOR THE
COMMONWEALTH OF AUSTRALIA**

You are free to copy, adapt, modify, transmit and distribute this material as you wish (but not in any way that suggests the ATO or the Commonwealth endorses you or any of your services or products).