

TD 2009/20W - Income tax: where the net income of a partnership (determined in accordance with section 90 of the Income Tax Assessment Act 1936) includes Foreign Investment Fund (FIF) income, will an Australian resident taxpayer which is assessable on its share of the net income under section 92 be entitled to a FIF exemption under subsection 519B(2) of that Act for any relevant proportion of their share of the partnership's net income?

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! There is a Compendium for this document: **TD 2009/20EC** .

! TD 2009/20W has been withdrawn as part of a project to review public rulings.

! This document has changed over time. This is a consolidated version of the ruling which was published on *27 June 2018*



Notice of Withdrawal

Taxation Determination

Income tax: where the net income of a partnership (determined in accordance with section 90 of the *Income Tax Assessment Act 1936*) includes Foreign Investment Fund (FIF) income, will an Australian resident taxpayer which is assessable on its share of the net income under section 92 be entitled to a FIF exemption under subsection 519B(2) of that Act for any relevant proportion of their share of the partnership's net income?

Taxation Determination TD 2009/20 is withdrawn with effect from today.

1. TD 2009/20 concluded that where an Australian resident taxpayer is assessable on its share of the net income of a partnership which includes FIF income, it is not entitled to a FIF exemption under subsection 519B(2) of the *Income Tax Assessment Act 1936* (ITAA 1936).
2. Subsection 519B(2) of the ITAA 1936 has been repealed and there is no replacement or equivalent provision.
3. TD 2009/20 has no ongoing relevance and is therefore withdrawn without replacement.

Commissioner of Taxation

27 June 2018

ATO references

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TD 2009/20

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