

***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 TD 2009/20W has been withdrawn as part of a [project](#) to review public rulings.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*



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## Notice of Withdrawal

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### 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Taxation Determination TD 2009/20 is withdrawn with effect from today.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 Subsection 519B(2) of the ITAA 1936 has been repealed and there is no replacement or equivalent provision.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 TD 2009/20 has no ongoing relevance and is therefore withdrawn without replacement.

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**Commissioner of Taxation**

27 June 2018

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ATO references

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# TD 2009/20

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