



TD 92/119 - Income tax: insurance: does paragraph 140 of Taxation Ruling IT 2663 apply to general insurers who have omitted to include in assessable income the earned portion of premiums attributable to unclosed business?

 This cover sheet is provided for information only. It does not form part of *TD 92/119 - Income tax: insurance: does paragraph 140 of Taxation Ruling IT 2663 apply to general insurers who have omitted to include in assessable income the earned portion of premiums attributable to unclosed business?*

 This document has changed over time. This is a consolidated version of the ruling which was published on *28 April 1999*

This Determination, to the extent that it is capable of being a 'public ruling' in terms of Part 4VAAA of the *Taxation Administration Act 1953*, is a public ruling for the purposes of that Part. Taxation Ruling TR 92/1 explains when a Determination is a public ruling and how it is binding on the Commissioner. Unless otherwise stated, the Determination applies to transactions entered into both before and after its date of issue.

[Note: This is a consolidated version of this document. Refer to the Tax Office Legal Database (<http://law.ato.gov.au>) to check its currency and to view the details of all changes.]

Taxation Determination

Income tax: insurance: does paragraph 140 of Taxation Ruling IT 2663 apply to general insurers who have omitted to include in assessable income the earned portion of premiums attributable to unclosed business?

1. No. The date of effect for the inclusion in assessable income of the earned portion of unclosed business comes within paragraph 142 of Ruling IT 2663.
2. Paragraph 140 of the Ruling deals only with changed bases of assessment. The inclusion in assessable income of the earned portion of premiums estimated to be receivable by a general insurer in respect of year end unclosed business is not a change in the basis of assessment.

Note: the Addendum to this Determination that issued on 28 April 1999 applies in relation to the 1997-98 or a later income year.

Commissioner of Taxation
16/07/92

FOI INDEX DETAIL: Reference No. I 1212864

Related Determinations: TD 92/120

Related Rulings: IT 2663

Subject Ref: general insurance companies; unclosed business; .

Legislative Ref: section 6-5 of the *Income Tax Assessment Act 1997* (formerly section 25(1) of the *Income Tax Assessment Act 1936*)

ATO Ref: Insurance Industry Cell

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