TD 93/193W - Income tax: where a trustee is assessed under subsection 98(1) of the Income Tax Assessment Act 1936 and the income of the trust includes prescribed payments, are both the resident beneficiary of the trust who is under a legal disability, as well as the trustee, entitled to prescribed payments system (PPS) credits?

Australian Government
Australian Taxation Office

Notice of Withdrawal

Taxation Determination

Income tax: where a trustee is assessed under subsection 98(1) of the *Income Tax Assessment Act 1936* and the income of the trust includes prescribed payments, are both the resident beneficiary of the trust who is under a legal disability, as well as the trustee, entitled to prescribed payments system (PPS) credits?

Taxation Determination TD 93/193 is withdrawn with effect from today.

1.   Taxation Determination TD 93/193 explains that where a trustee is assessed under subsection 98(1) of the *Income Tax Assessment Act 1936* and the income of the trust includes prescribed payments, the PPS credit is offset against the trustee's assessment.

2.   The pay as you go (PAYG) withholding system replaced the prescribed payments system for the 2000-2001 and later income years.

3.   TD 93/193 does not have application to income tax years after the 1999-2000 income year.

Commissioner of Taxation
1 November 2006