



TD 93/73W - Income tax: will a strata title body corporate be taxed as a non-profit company if it includes non-profit clauses in its by-laws?

 This cover sheet is provided for information only. It does not form part of *TD 93/73W - Income tax: will a strata title body corporate be taxed as a non-profit company if it includes non-profit clauses in its by-laws?*

 This document has changed over time. This is a consolidated version of the ruling which was published on *25 March 2015*



Notice of Withdrawal

Taxation Determination

Income tax: will a strata title body corporate be taxed as a non-profit company if it includes non-profit clauses in its by-laws?

Taxation Determination TD 93/73 is withdrawn with effect from today.

1. It continues to apply to arrangements begun to be carried out before the withdrawal but does not apply to arrangements begun to be carried out after the withdrawal.
2. TD 93/73 explains that a strata title body corporate will not be taxed as a non-profit company even if it includes non-profit clauses in its by-laws as the overarching State or Territory legislation permits distributions to members in certain circumstances.
3. TD 93/73 is replaced by draft Taxation Ruling TR 2015/D1 *Income tax: income tax matters relating to bodies corporate constituted under strata title legislation* which issues today.

Commissioner of Taxation

25 March 2015

ATO references:

NO: 1-6G659R5
ISSN: 1833-9662
ATOlaw topic: Income Tax ~~ Exempt entities ~~ not for profit and mutual organisations

© 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).