TD 93/82W - Income tax: is roll-over relief available under section 160ZZK of the Income Tax Assessment Act 1936 where a taxpayer is forced to dispose of an asset due to an adverse change in the taxpayer's financial circumstances?

This cover sheet is provided for information only. It does not form part of *TD 93/82W - Income tax: is roll-over relief available under section 160ZZK of the Income Tax Assessment Act 1936 where a taxpayer is forced to dispose of an asset due to an adverse change in the taxpayer's financial circumstances?*

This document has changed over time. This is a consolidated version of the ruling which was published on *1 July 2009*

Notice of Withdrawal

Taxation Determination

Income tax: is roll-over relief available under section 160ZZK of the *Income Tax Assessment Act 1936* where a taxpayer is forced to dispose of an asset due to an adverse change in the taxpayer's financial circumstances?

Taxation Determination TD 93/82 is withdrawn with effect from today.

1. Taxation Determination TD 93/82 explains that the disposal of an asset due to an adverse change to a taxpayer's financial circumstances is not an 'involuntary disposal' for the purposes of the roll-over in section 160ZZK of the *Income Tax Assessment Act 1936* (ITAA 1936).

2. Section 160ZZK of the ITAA 1936 was rewritten as Subdivision 124-B of the *Income Tax Assessment Act 1997* (ITAA 1997). Subsection 124-70(1) of the ITAA 1997 outlines the events that will give rise to a roll-over under Subdivision 124-B of the ITAA 1997.

3. As the law in respect of this issue is clear, the Ruling is not necessary and is withdrawn.

Commissioner of Taxation
1 July 2009

ATO references

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