

TD 94/41W - Income tax: is a taxpayer who jointly acquires and uses an item of eligible property for which a general investment allowance deduction is allowable, entitled to a portion of the deduction?

⚠ This cover sheet is provided for information only. It does not form part of *TD 94/41W - Income tax: is a taxpayer who jointly acquires and uses an item of eligible property for which a general investment allowance deduction is allowable, entitled to a portion of the deduction?*

⚠ This document has changed over time. This is a consolidated version of the ruling which was published on *23 April 2008*



Notice of Withdrawal

Taxation Determination

Income tax: is a taxpayer who jointly acquires and uses an item of eligible property for which a general investment allowance deduction is allowable, entitled to a portion of the deduction?

Taxation Determination TD 94/41 is withdrawn with effect from today.

1. Taxation Determination TD 94/41 explains that in some circumstances a taxpayer, who jointly acquires and uses an item of eligible property for which a general investment allowance deduction is allowable under the former Subdivision BA of Part 3 of the *Income Tax Assessment Act 1936*, will be entitled to a portion of the deduction.
2. The former paragraph 82AT(1)(d) of the ITAA 1936 limited the availability of the general investment allowance to eligible property first used, or installed ready for use, before 1 July 1995. The general investment allowance is not available if the eligible property was first used, or installed ready for use, after that date. The Determination does not have application where the eligible property was first used or installed ready for use on or after that date.

Commissioner of Taxation

23 April 2008

ATO references

NO: 2006/20258

ISSN: 1038-8982

ATOlaw topic: Income Tax ~~ Deductions ~~ apportionment