



# ***TD 94/49W - Income tax: can convertible notes qualify as infrastructure borrowings?***

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 This document has changed over time. This is a consolidated version of the ruling which was published on *7 December 2016*



# Notice of Withdrawal

## Taxation Determination

### Income tax: can convertible notes qualify as infrastructure borrowings?

Taxation Determination TD 94/49 is withdrawn with effect from today.

1. TD 94/49 explains that borrowings raised or issued in the form of convertible notes can qualify as infrastructure borrowings for the purposes of former section 159GZZZU of the *Income Tax Assessment Act 1936* (ITAA 1936).
2. TD 94/49 deals with the former infrastructure borrowings provisions in Division 16L of Part III of the ITAA 1936, which were repealed by the *Taxation Laws Amendment (Infrastructure Borrowings) Act 1997*.
3. TD 94/49 has no ongoing relevance and is therefore withdrawn without replacement.

**Commissioner of Taxation**

7 December 2016

#### ATO references

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