

TR 2005/18W - Income tax: foreign loss quarantining and foreign tax credit system - taxation of Australian resident individual members of Lloyd's



This cover sheet is provided for information only. It does not form part of *TR 2005/18W - Income tax: foreign loss quarantining and foreign tax credit system - taxation of Australian resident individual members of Lloyd's*



This document has changed over time. This is a consolidated version of the ruling which was published on *17 November 2010*



Notice of Withdrawal

Taxation Ruling

Income tax: foreign loss quarantining and foreign tax credit system – taxation of Australian resident individual members of Lloyd's

Taxation Ruling TR 2005/18 is withdrawn with effect from today.

1. Taxation Ruling TR 2005/18 provides guidance to Australian resident individuals who are 'underwriting members' of Lloyd's (Names) who have suffered losses in respect of their participation in the Lloyd's insurance market. TR 2005/18 explains the application of the 'foreign loss quarantining' rules. Specifically, whether section 79D of the *Income Tax Assessment Act 1936* (ITAA 1936) operates to limit the deduction of the Names' Lloyd's losses against their other domestically sourced assessable income. TR 2005/18 also clarifies the operation of the foreign tax credit system as it interacts with the foreign loss quarantining rules in respect of the Names' Lloyd's activities.
2. Section 79D of the ITAA 1936 and the foreign tax credit system contained in Division 18 of Part III of the ITAA 1936 were repealed, by *Tax Laws Amendment (2007 Measures No. 4) Act 2007*, with effect from 24 September 2007, applicable in relation to income years, statutory accounting periods and notional accounting periods starting on or after 1 July 2008.
3. Accordingly, TR 2005/18 is no longer current and is therefore withdrawn.

Commissioner of Taxation
17 November 2010

ATO references

NO: 1-27WYD3J
ISSN: 1039-0731
ATOlaw topic: Income Tax ~~ Tax offsets, credits and benefits ~~ foreign tax credits