TR 94/6W - Income tax: tax shortfall penalties: voluntary disclosures

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Notice of Withdrawal

Taxation Ruling

Income tax: tax shortfall penalties: voluntary disclosures

Taxation Ruling TR 94/6 is withdrawn with effect from today.

1. TR 94/6 outlines the Tax Office policy on voluntary disclosures for the purpose of administering:

- former sections 226Y, 226Z and 226ZA (relating to penalties in respect of tax shortfalls) in former Part VII of the *Income Tax Assessment Act 1936* (ITAA 1936);
- former sections 226D, 226E and 226F (relating to penalties in respect of tax avoidance schemes) in former Part VII of the ITAA 1936; and
- former sections 160ARZJ, 160ARZK and 160ARZL (relating to penalties in respect of franking tax shortfalls) in former Division 11 of Part IIIAA of the ITAA 1936.

2. Part VII of the ITAA 1936 does not apply to statements made in relation the 2000-2001 and later income years and was replaced by Division 284 of Part 4-25 of Schedule 1 to the *Taxation Administration Act 1953* (TAA).

3. Division 11 of Part IIIAA of the ITAA 1936 does not apply to a return or information relating to the 2000-2001 and later franking years and was replaced in part by Division 284 of Part 4-25 of Schedule 1 to the TAA.

4. The administrative penalty regime within Part 4-25 of Schedule 1 to the TAA applies from 1 July 2000, in relation to:

- income tax matters for the 2000-01 and later income years;
- fringe benefits tax matters for the year commencing 1 April 2001 and later years; and
- matters relating to other taxes for the year commencing 1 July 2000 and later years.

5. The issues covered by TR 94/6 are now covered by Draft Miscellaneous Taxation Ruling MT 2008/D3, which issued today.

Commissioner of Taxation
14 May 2008

ATO references
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