



Income Tax (Managed Investment Trust Withholding Tax) Amendment Act 2019

No. 35, 2019

***An Act to amend the *Income Tax (Managed
Investment Trust Withholding Tax) Act 2008****

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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No. 35, 2019

An Act to amend the *Income Tax (Managed Investment Trust Withholding Tax) Act 2008*

[Assented to 5 April 2019]

The Parliament of Australia enacts:

1 Short title

This Act is the *Income Tax (Managed Investment Trust
Withholding Tax) Amendment Act 2019*.

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2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	At the same time as Schedule 1 to the <i>Treasury Laws Amendment (Making Sure Foreign Investors Pay Their Fair Share of Tax in Australia and Other Measures) Act 2019</i> commences. However, the provisions do not commence at all if that Schedule does not commence.	1 July 2019

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Income Tax (Managed Investment Trust Withholding Tax) Act 2008

1 Section 2A

Insert:

non-concessional MIT income has the same meaning as in the
Income Tax Assessment Act 1997.

2 Paragraph 4(1)(a)

Repeal the paragraph, substitute:

- (a) if the entity is a resident of an information exchange country:
 - (i) 15% for fund payments (except to the extent mentioned in subparagraph (ii) or (iii)); or
 - (ii) 10% for fund payments, to the extent that they are, or are attributable to, fund payments from a clean building managed investment trust (except to the extent mentioned in subparagraph (iii)); or
 - (iii) 30% for fund payments, to the extent that they are attributable to non-concessional MIT income; or

[Minister's second reading speech made in—
House of Representatives on 20 September 2018
Senate on 14 February 2019]

(200/18)

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