IT 2660A - Addendum - Income tax: definition of royalties

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This ruling contains references to repealed provisions, some of which may have been rewritten. The ruling still has effect. Paragraph 32 in TR 2006/10 provides further guidance on the status and binding effect of public rulings where the law has been repealed or repealed and rewritten. The legislative references at the end of the ruling indicate the repealed provisions and, where applicable, the rewritten provisions.

This ruling contains references to repealed provisions, some of which may have been re-enacted or remade. The ruling has effect in relation to the re-enacted or remade provisions. Paragraph 32 in TR 2006/10 provides further guidance on the status and binding effect of public rulings where the law has been repealed or repealed and rewritten.
Australia's tax treaties and other agreements except for the Taipei Agreement are set out in the Australian Treaty Series. The citation for each is in a note to the applicable defined term in sections 3AAA or 3AAB of the International Tax Agreements Act 1953.

Australian
Taxation
Office

TAXATION RULING IT 2660

Income tax: definition of royalties

ADDENDUM

F.O.I. EMBARGO: may be released

The Tax Law Improvement Project is restructuring, renumbering and rewriting the income tax law in plain language. The Parliament is amending the income tax law progressively to reflect these aims. As new laws come into effect, Taxation Rulings about old laws are being brought into line with them.

This Addendum amends Taxation Ruling IT 2660 as follows:

1. **Paragraph 1**

   (a) Omit 'definition of "royalty" and "royalties" in subsection 6(1) of the *Income Tax Assessment Act 1936*'; substitute 'definition of *royalty* in subsection 995-1(1) of the *Income Tax Assessment Act 1997*';

   (b) Omit '*Income Tax (International Agreements) Act 1953*'; substitute '*International Tax Agreements Act 1953*'.

2. **Paragraph 2**

   Before 'The definition of "royalty"', insert 'By subsection 995-1(1), *royalty* has the meaning given by subsection 6(1) of the *Income Tax Assessment Act 1936* ('the old Act').'

3. **Paragraph 3**

   (a) Omit 'section 6C, paragraph 26(f) and Division 3B of Part VI.'; substitute 'section 15-20 (formerly paragraph 26(f) of the old Act) and Division 765 and for the purposes of section 6C of the old Act.'.

   (b) Omit the second sentence.

4. **Paragraph 6**

   (a) Omit 'Assessment Act'; substitute 'old Act';

   (b) Omit '*Income Tax (International Agreements) Act*'; substitute '*International Tax Agreements Act 1953*'.

Commissioner of Taxation

9 July 1997

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