

# ***TD 94/31W - Income tax: capital gains: what is meant by the term "original beneficial owner" as used in subsection 160ZZI(3) of the Income Tax Assessment Act 1936 (the Act)?***

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 This document has changed over time. This is a consolidated version of the ruling which was published on *25 January 2017*



# Notice of Withdrawal

## Taxation Determination

Income tax: capital gains: what is meant by the term 'original beneficial owner' as used in subsection 160ZZI(3) of the *Income Tax Assessment Act 1936* (the Act)?

Taxation Determination TD 94/31 is withdrawn with effect from today.

1. TD 94/31 examines the meaning of the term 'original beneficial owner' for the purposes of subsection 160ZZI(3) of the *Income Tax Assessment Act 1936* (ITAA 1936).
2. Subsection 160ZZI(3) of the ITAA 1936 was repealed and replaced by section 118-300 of the *Income Tax Assessment Act 1997*.
3. The term 'original beneficial owner' was replaced with 'original owner' by the *Tax and Superannuation Laws Amendment (2014 Measures No. 7) Act 2015*, with effect from the 2005-06 income year.
4. Accordingly, TD 94/31 is no longer current and is therefore withdrawn.

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**Commissioner of Taxation**  
25 January 2017

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### ATO references

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