


# ***TD 2023/5EC - Compendium***

 This cover sheet is provided for information only. It does not form part of *TD 2023/5EC - Compendium*



## Public advice and guidance compendium – TD 2023/5

### **📌 Relying on this Compendium**

This Compendium of comments provides responses to comments received on Draft Taxation Determination TD 2023/D2 *Income tax: aggregated turnover and connected entities – Commissioner’s discretion that an entity does not ‘control’ another entity*. It is not a publication that has been approved to allow you to rely on it for any purpose and is not intended to provide you with advice or guidance, nor does it set out the ATO’s general administrative practice. Therefore, this Compendium does not provide protection from primary tax, penalties or interest for any taxpayer that purports to rely on any views expressed in it.

### **Summary of issues raised and responses**

| <b>Issue number</b> | <b>Issue raised</b>  | <b>ATO response</b>   |
|---------------------|--|---|
| 1                   | Paragraphs 43 and 44 (Example 5) of the final Determination should say “control percentage...of <i>at least</i> 40%” and “a control percentage...of <i>at least</i> 40%. | Agreed. Paragraphs 43 and 44 have been modified in the final Determination. |

---

© AUSTRALIAN TAXATION OFFICE FOR THE COMMONWEALTH OF AUSTRALIA

You are free to copy, adapt, modify, transmit and distribute this material as you wish (but not in any way that suggests the ATO or the Commonwealth endorses you or any of your services or products).