





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

**No. 35, 2019**

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## ***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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No. 35, 2019      *Income Tax (Managed Investment Trust Withholding Tax) Amendment*      1  
*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.

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
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

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Note: This table relates only to the provisions of this Act as originally enacted.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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## 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

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[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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