



Interposed entity election

2000

form and notes

Please detach this cover page before sending the form to the ATO



Important Notes about the *Interposed entity election 2000*

Note 1: Why must the *Interposed entity election 2000* be used?

- The *Interposed entity election 2000* must be used by the trustee(s), company or partners for:
 - a. making an interposed entity election in accordance with section 272-85 of Schedule 2F to ITAA 1936 specifying a day in the 1999–2000 income year; or
 - b. providing information about an interposed entity election specifying a day in the 1996–1997, 1997–1998 or 1998–1999 income year in accordance with subitem 23A(3) of Schedule 1 to Trust Loss Act.*
- * **Note:** Under item 23A of Schedule 1 to Trust Loss Act a trustee(s), company or partners can make an interposed entity election for an earlier income year only in relation to a family trust if the trustee of the family trust has made a family trust election for the earlier income year. See **Note 1** on *Family trust election and/or family trust revocation 2000* for details on when the trustee can make an earlier year family trust election.

Note 2: Conditions for making an interposed entity election

- To make an interposed entity election specifying a day in the 1999–2000 income year, the trust, company or partnership must pass the family control test in section 272-87 of Schedule 2F to ITAA 1936 at the end of the income year (see subsection 272-85(4) of Schedule 2F to ITAA 1936). However, the interposed entity election will only be in force from the later of the specified day or the earliest time (the **election commencement time**) in the 1999–2000 income year from which the trust, company or partnership passes the family control test continuously until the end of that income year (see subsection 272-85(6) of Schedule 2F to ITAA 1936).
- An interposed entity election is irrevocable.
- The trustee(s), company or partners may make more than one interposed entity election in accordance with section 272-85 of Schedule 2F to ITAA 1936 and if applicable, item 23A of Schedule 1 to Trust Loss Act, provided all the elections are made in respect of family trusts which have specified the same individual in their family trust elections (see subsection 272-85(7) of Schedule 2F to ITAA 1936). A separate form must be completed and provided for each interposed entity election.

Note 3: How to complete the *Interposed entity election 2000*

- The *Interposed entity election 2000* must be completed if the trustee(s), company or partners:
 - a. is/are making an interposed entity election specifying a day in the 1999–2000 income year; or
 - b. has/have already made an interposed entity election specifying a day in the 1996–1997, 1997–1998 or 1998–1999 income year in accordance with subitem 23A(2) of Schedule 1 to Trust Loss Act.
- All the particulars and information required in the

Interposed entity election 2000 must be provided to satisfy the conditions in section 272-85 of Schedule 2F to ITAA 1936 or if applicable, subitem 23A(3) of Schedule 1 to Trust Loss Act.

- Although it is not an offence not to quote a TFN, any TFN required in this form is information which the Commissioner or the return requires under the meaning of subsection 272-85(3) of Schedule 2F to ITAA 1936 and subitem 23A(3) of Schedule 1 to Trust Loss Act. If a TFN of a person or entity is required in the *Interposed entity election 2000* and the relevant person or entity does not have a TFN, print **X** in the box provided.
- The *Interposed entity election 2000* must be signed by the trustee(s), the company public officer or the partners. It must be signed by the person(s) who are the trustee(s), public officer or the partners at the time the 1999–2000 tax return for the trust, company or partnership, respectively, is lodged or the *Interposed entity election 2000* is given to the Commissioner. If any trustee or partner is a company, the company public officer must sign for that trustee or partner, respectively.

Note 4: When to make and lodge the *Interposed entity election 2000*

- If a 1999–2000 income tax return is required to be lodged by the trustee(s), company or partners, the *Interposed entity election 2000* must be included as part of that tax return for the trust, company or partnership, respectively. The completed tax return including the *Interposed entity election 2000* is sent to:

ATO Datacorp
Non-individuals
GPO Box 9990
Box Hill VIC 3128

- If a 1999–2000 income tax return is not required to be lodged by the trustee(s), company or partners, the *Interposed entity election 2000* must be given to the Commissioner no later than 2 months after the end of the 1999–2000 income year for the trust, company or partnership, respectively. The completed *Interposed entity election 2000* is sent to:

ATO Datacorp
Non-individuals
GPO Box 9990
Box Hill VIC 3128

- If the trustee(s), company or partners need(s) further time within which to give the Commissioner the *Interposed entity election 2000*, the trustee(s), company or partners, respectively, should write to the Commissioner before the due date requesting an extension of time under subparagraph 272-85(2)(b)(ii) of Schedule 2F to ITAA 1936 or paragraph (b) of subitem 23A(3) of Schedule 1 to Trust Loss Act (as the case may be), stating the reason(s) for the delay and the proposed date for giving the Commissioner the *Interposed entity election 2000*.

This form must contain *all* the particulars and information required for an interposed entity election specifying a day in the 1999–2000 income year to be duly made in accordance with section 272-85 of Schedule 2F to the *Income Tax Assessment Act 1936* (ITAA 1936) and in order for an interposed entity election specifying a day in an income year before 1999-2000 to meet the requirements of subitem 23A(3) of Schedule 1 to *Taxation Laws Amendment (Trust Loss and Other Deductions) Act 1998* (Trust Loss Act).*

If insufficient space exists on the form to properly answer any item or if an item requires further information or details to be provided, attach a sheet of paper with the additional information or details in respect of the relevant item.

Print neatly in BLOCK LETTERS with a black or blue ball point pen only.

* See Note 1 in Important Notes when interposed entity elections can be made in earlier income years.

Interposed entity election

- 1** Full name, TFN and current postal address (including country—if outside Australia) of the trust, company or partnership for which the interposed entity election is made (**interposed entity**). In the case of a company, provide the Australian Company Number (ACN) or Australian Registered Body Number (ARBN).

Full name of the interposed entity (trust, company or partnership)

ACN or ARBN*	

* Cross out whichever is not applicable.

Current postal address of the interposed entity

Suburb or town	State	Postcode
Country—if not Australia		

Insert the TFN in the box at the top of this page

- 2** If the name and/or the postal address for the trust, company, or partnership identified in item 1 above has changed since its last tax return (if any) was lodged, print it exactly as shown on the last notice of assessment or the last tax return lodged.

Full name of the interposed entity (trust, company or partnership) on last notice of assessment or last tax return lodged

Postal address of the interposed entity on last notice of assessment or last tax return lodged

Suburb or town	State	Postcode
Country—if not Australia		

- 3a** If the interposed entity is a trust, at any time during the period from the election commencement time (see items 5 and 6) until the time the 1999–2000 tax return for the trust is lodged with this form or this form is required to be given to the Commissioner under paragraph 272-85(2)(b) of Schedule 2F to ITAA 1936 or paragraph (b) of subitem 23A(3) of Schedule 1 to Trust Loss Act* (**relevant period**), was the central management and control of the trust outside Australia?

NO ☐ YES ☐

If yes, specify the time(s) at which central management and control was outside Australia.

Full period ☐

Print **F** for full period if the central management and control of the trust was outside Australia at all times during the relevant period or specify below the time(s) during the relevant period at which central management and control of the trust was outside Australia.

(Where more than one time period is to be specified, provide details of the additional time periods in relation to this subitem on an attachment to this form).

from

Day	Month	Year

to

Day	Month	Year

- b** If the interposed entity is a company, at any time during the period from the election commencement time (see items 5 and 6) until the time the 1999–2000 tax return for the company is lodged with this form or this form is required to be given to the Commissioner under paragraph 272-85(2)(b) of Schedule 2F to ITAA 1936 or paragraph (b) of subitem 23A(3) of Schedule 1 to Trust Loss Act* (**relevant period**), was the company a non-resident for tax purposes?

NO ☐ YES ☐

If yes, specify the time(s) at which the company was a non-resident for tax purposes.

Full period ☐

Print **F** for full period if the company was a non-resident for tax purposes at all times during the relevant period or specify below the time(s) during the relevant period at which the company was a non-resident for tax purposes.

(Where more than one time period is to be specified, provide details of the additional time periods in relation to this subitem on an attachment to this form).

from

Day	Month	Year

to

Day	Month	Year

* See Note 1 in Important Notes when interposed entity elections can be made in earlier income years.

6 The election commencement time for the interposed entity election.

Day	Month	Year

Note: Only to be completed where the income year specified in item 5 is the 1997–1998, 1998–1999 or 1999–2000 income year AND the family control test in section 272-87 of Schedule 2F to ITAA 1936 has NOT been satisfied at all times during that year specified in Item 5. In these circumstances, the election commencement time will be the earliest time from which the family control test was passed continuously until the end of the specified income year. In all other circumstances the election commencement time is the day specified in item 5.

7 Full name, TFN and current postal address (including country—if outside Australia) of the family trust in respect of which the interposed entity election in this form is made.

TFN of the family trust

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or

☐
Print **X** in the box if the **trustee or partner** does not have a TFN

Full name of the family trust

Current postal address of the family trust

Suburb or town	State	Postcode
Country—if not Australia		

Note: If an interposed entity election is made in respect of more than one family trust in accordance with subsection 272-85(7) of Schedule 2F to ITAA 1936 from a day in the 1999-2000 income year or an earlier income year*, a separate **Interposed entity election** form must be completed for each election in respect of each family trust.

* See Note 1 in **Important Notes** when interposed entity elections can be made in earlier income years.

8 The income year specified in the family trust election for the trust identified in item 7 which specifies the individual identified in item 9, and the election commencement time for that election. If the family trust's specified income year does not end on 30 June, state the substituted accounting period for that income year.

Income year specified in the family trust election

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from

Substituted accounting period of the family trust

Day	Month	Year

to

Day	Month	Year

Election commencement time for the family trust election

Day	Month	Year

Note: The specified income year and the election commencement time shown here must correspond exactly to the details provided in items 5 and 6 of the relevant **family trust election and/or family trust revocation** for the family trust identified in item 7.

9 Full name, TFN, date of birth and current address of principal place of residence (including country—if outside Australia) of the individual (**specified individual**) whose family group is taken into account in relation to the family trust election for the trust identified in item 7 and in whose family group the interposed entity is electing to be included.

Note: Only one individual can be specified.

TFN of the specified individual

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or

☐
Print **X** in the box if the **specified individual** does not have a TFN

Date of birth of the specified individual

Day	Month	Year

Full name of specified individual

Title—for example, Mr, Mrs, Ms, Miss

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Surname or family name

--

Given names

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Current address of principal place of residence of the specified individual

Suburb or town	State	Postcode
Country—if not Australia		

I/We* declare all the particulars and information required in this form are provided in this form and any attachments to this form and that the particulars shown in this form and any attachments are true and correct in every detail, and

i. that the trustee(s)/company/partners is/are* making an interposed entity election specifying a day in the 1999–2000 income year, the details of which are set out above, for the purposes of section 272-85 of Schedule 2F to ITAA 1936 and that the trustee(s)/company/partners* is/are* able to make the election in accordance with that section; or

ii. that the trustee(s)/company/partners has/have* made an interposed entity election specifying a day in an income year before the 1999–2000 income year, the details of which are set out above, for the purposes of section 272-85 of Schedule 2F to ITAA 1936 and that the trustee(s)/company/partners* was/were* able to make the election in accordance with that section and if applicable, item 23A of Schedule 1 to Trust Loss Act.**

* **Cross out whichever is not applicable.**

** **See Note 1 in Important Notes** when interposed entity elections can be made in earlier income years.

Full name of *trustee(s)/the company public officer/the partners at the time the 1999–2000 tax return is lodged with this form or this form is given to the Commissioner

(i) Title—for example, Mr, Mrs, Ms, Miss

Surname or family name

Given names

Name of trustee/partner if a company

Note: The name of the trustee or partner must be written exactly as it appears in item 4

Signature of the *trustee/
company public officer/
partner, or if the trustee
or partner is a company,
the signature of the
public officer of the
*trustee/partner.

Day	Month	Year

(ii) Title—for example, Mr, Mrs, Ms, Miss

Surname or family name

Given names

Name of trustee/partner if a company

Note: The name of the trustee or partner must be written exactly as it appears in item 4

Signature of the *trustee/
partner, or if the trustee
or partner is a company,
the signature of the
public officer of the
*trustee/partner.

Day	Month	Year

(Where there are more than 2 trustees of the trust or partners of the partnership at the time the 1999–2000 tax return is lodged with this form or this form is given to the Commissioner, provide the above details and signature for each additional trustee or partner on an attachment to this form.)

See Important Notes about the *Interposed entity election 2000*.

Hours taken to prepare and complete this form

The ATO is committed to reducing the costs involved in complying with the taxpayer's taxation obligations. The response to this item will help the ATO to monitor these costs as closely as possible.

When completing this item the trust, company or partnership should consider the time, rounded up to the nearest hour spent:

- reading the instructions;
- collecting the necessary information to complete this form;
- making any necessary calculations; and/or
- actually completing this form.

Notes:

- The answer relates only to the time spent preparing and completing this form, including the time of any unpaid helpers. You do not include the time spent by a tax agent, or any other person whose assistance was paid for and who is not an employee of the trust, company or partnership.
- If this form is required to be lodged with the tax return, the answer is included in the time box provided in the tax return.