



Interposed entity election 2002

Tax file number (TFN) of the trust, company or partnership

Trustee or Public officer signature

RN: 100102

Page 1

This form must contain *all* the particulars and information required on the form in order for an interposed entity election specifying a day in the 2001–02 income year to be duly made in accordance with section 272-85 of Schedule 2F to the *Income Tax Assessment Act 1936* (ITAA 1936).

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 ballpoint pen only.

Interposed entity election specifying a day in the 2001–02 income year

- 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, also provide the Australian Company Number (ACN) or Australian Registered Body Number (ARBN).

*Cross out whichever is not applicable

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

	ACN/ARBN*
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Current postal address of the interposed entity

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

Suburb or town	State	Postcode
Country—if not Australia		

- 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) as shown on last notice of assessment or last tax return lodged

Postal address of the interposed entity as shown 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 2001–02 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 (**relevant period**), was the central management and control of the trust outside Australia?

Print **Y** for yes or **N** for no.

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
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 to

Day	Month	Year
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- 3b** 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 2001–02 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 (**relevant period**), was the company a non-resident for tax purposes?

Print **Y** for yes or **N** for no.

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
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 to

Day	Month	Year
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Interposed entity election 2002

Tax file number (TFN) of the trust, company or partnership

Trustee or Public officer signature

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RN: 100102

Page 2

4 If the interposed entity is a trust or partnership, provide the full name, TFN, current postal address and residency details of every trustee of the trust or partner of the partnership respectively during the period from the election commencement time (see items 5 and 6) until the time the 2001–02 tax return for the trust or partnership respectively 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 (**relevant period**).

Where any trustee or partner is a company, the ACN or ARBN of each such trustee or partner is also required.

(i) TFN of trustee or partner

(ii) TFN of trustee or partner

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

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

If the trustee or partner is an individual
Title—for example, Mr, Mrs, Ms, Miss

Surname or family name

Given names

If the trustee or partner is a company

Name

ACN/ARBN* *Cross out whichever is not applicable

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Current postal address of the trustee or partner

Suburb or town

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State

Postcode

Country—if outside Australia

At any time during the relevant period was the trustee or partner a non-resident for tax purposes? Print **Y** for yes or **N** for no.

If you printed **Y**, specify the time(s) at which the trustee or partner was a non-resident for tax purposes.

Print **F** for full period if the trustee or partner was a non-resident for tax purposes at all times during the relevant period **Full period**

OR

or specify the time(s) during the relevant period at which the trustee or partner was a non-resident for tax purposes.

Day	Month	Year	to	Day	Month	Year

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

Where there were more than 2 trustees of the trust or partners of the partnership during the relevant period, provide all the information and details required above for each additional trustee or partner on an attachment to this form.

If the trustee or partner is an individual
Title—for example, Mr, Mrs, Ms, Miss

Surname or family name

Given names

If the trustee or partner is a company

Name

ACN/ARBN* *Cross out whichever is not applicable

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Current postal address of the trustee or partner

Suburb or town

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State

Postcode

Country—if outside Australia

At any time during the relevant period was the trustee or partner a non-resident for tax purposes? Print **Y** for yes or **N** for no.

If you printed **Y**, specify the time(s) at which the trustee or partner was a non-resident for tax purposes.

Print **F** for full period if the trustee or partner was a non-resident for tax purposes at all times during the relevant period **Full period**

OR

or specify the time(s) during the relevant period at which the trustee or partner was a non-resident for tax purposes.

Day	Month	Year	to	Day	Month	Year

5 The day specified in the 2001–02 income year for the purposes of the interposed entity election. If the 2001–02 income year does not end on 30 June 2002, state the substituted accounting period for that income year.

Note: The election has not been made unless a day is specified at this item.

Income year specified

2002

Day specified

from

Substituted accounting period

to

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RN: 100102

Page 3

6 The election commencement time for the interposed entity election.

Day	Month	Year

Note: Only to be completed where the family control test in section 272-87 of Schedule 2F to ITAA 1936 has NOT been satisfied at all times during the 2001–02 income year from the day 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 2001–02 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		or	<input style="width: 20px; height: 20px;" type="checkbox"/> Print X in the box if the family trust 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 2001–02 income year, a separate **Interposed entity election 2002** must be completed for each election in respect of each family trust.

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		Election commencement time for the family trust election		Substituted accounting period of the family trust	
			from		to

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 Section A of the relevant **Family trust election and/or family trust revocation** that has been lodged or given to the Commissioner for the family trust identified in item 7. If no date was specified at item 6 of Section A of the relevant **Family trust election and/or family trust revocation**, leave the election commencement time box at this item blank.

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 items 7 and 8, 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		or	<input style="width: 20px; height: 20px;" type="checkbox"/> Print X in the box if the specified individual does not have a TFN
Date of birth of the specified individual			
Full name of the specified individual			
	Title—for example, Mr, Mrs, Ms, Miss		
	Surname or family name	Given names	
Current address of principal place of residence of the specified individual			
	Suburb or town	State	Postcode
	Country—if not Australia		

Interposed entity election 2002

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RN: 100102

Page 4

Declaration:

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 that the trustee(s)/company/partners* is/are* making an interposed entity election specifying a day in the 2001–02 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.

Full name of *the trustee(s)/the company public officer/the partners at the time the 2001–02 tax return is lodged with this form or this form is given to the Commissioner.

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

Note: If the election is being made for a trust or partnership, the name of the trustee or partner must be written exactly as it appears at item 4.

If an individual

Title—for example, Mr, Mrs, Ms, Miss

Surname or family name

Given names

If the trustee or partner is a company

Name

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 corporate *trustee/partner.

Date declaration made

Day	Month	Year
_	_	_ _

If an individual

Title—for example, Mr, Mrs, Ms, Miss

Surname or family name

Given names

If the trustee or partner is a company

Name of trustee or partner if a company

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

Date declaration made

Day	Month	Year
_	_	_ _

(Where there are more than 2 trustees of the trust or partners of the partnership at the time the 2001–02 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 2002*.

Hours taken to prepare and complete this form

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The ATO is committed to reducing the costs involved in complying with the taxpayer's taxation obligations. By completing this item you 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:

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

Notes:

1. The answer should relate to the time both your business and tax agent spent preparing and completing this form. This includes the time spent by any other person whose assistance was obtained in doing this, such as an employee of the business.
2. If this form is required to be lodged with the 2001–02 tax return, the answer should be included in the time box provided in the tax return.

IN-CONFIDENCE—when completed

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RN: 100102

Page 5

Important notes about the *Interposed entity election 2002*

Note 1—When must the *Interposed entity election 2002* be used?

- The *Interposed entity election 2002* must be used by the trustee(s), company or partners for making an interposed entity election in accordance with section 272-85 of Schedule 2F to ITAA 1936 specifying a day in the 2001–02 income year.

Note 2—Conditions for making an interposed entity election

- To make an interposed entity election specifying a day in the 2001–02 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 that 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 2001–02 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, 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 *Interposed entity election 2001* must be completed and provided for each interposed entity election specifying a day in the 2001–02 income year.

Note 3—How to complete the *Interposed entity election 2002*

- The *Interposed entity election 2002* must be completed if the trustee(s), company or partners is/are making an interposed entity election specifying a day in the 2001–02 income year.
- All the particulars and information required in the *Interposed entity election 2002* must be provided in order for an interposed entity election specifying a day in the 2001–02 income year to satisfy the conditions in section 272-85 of Schedule 2F to ITAA 1936.
- 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 within the meaning of subsection 272-85(3) of Schedule 2F to ITAA 1936. If a TFN of a person or entity is required in the *Interposed entity election 2002* and the relevant person or entity does not have a TFN, print **X** in the box provided.

- The *Interposed entity election 2002* must be signed and dated by every trustee of the trust (in the case of a trust), the company public officer (in the case of a company) or every partner of the partnership (in the case of a partnership) at the time the 2001–02 tax return for the trust, company or partnership, respectively, is lodged or the *Interposed entity election 2002* is required to be given to the Commissioner. If any trustee or partner is a company, the company public officer must sign for that corporate trustee or partner, respectively.

Note 4—When to make and lodge the *Interposed entity election 2002*

- If a 2001–02 tax return is required to be lodged by the trustee(s), company or partners, the *Interposed entity election 2002* 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 2002* is sent to:

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

- If a 2001–02 tax return is not required to be lodged by the trustee(s), company or partners, the *Interposed entity election 2002* must be given to the Commissioner no later than 2 months after the end of the 2001–02 income year for the trust, company or partnership, respectively. The completed *Interposed entity election 2002* is sent to:

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

- If more time is needed by the trustee(s), company or partners to lodge the 2001–02 tax return with an *Interposed entity election 2002*, the trustee(s), company or partners, respectively, should write to the Commissioner requesting an extension of time within which to lodge the return under section 161 of ITAA 1936, stating the reason(s) for the delay and the proposed date for lodging the return including the *Interposed entity election 2002*.
- If a 2001–02 tax return is not required to be lodged by the trustee(s), company or partners and the trustee(s), company or partners needs further time within which to give the Commissioner the *Interposed entity election 2002*, 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 ITAA 1936, stating the reason(s) for the delay and the proposed date for giving the Commissioner the *Interposed entity election 2002*.