



Introduction

What's new

Repeal of loss carry-back tax offset

Legislation that repeals the loss carry-back tax offset took effect on 30 September 2014.

You cannot claim the loss carry-back tax offset for 2013–14.

The repeal applies from 1 July 2013, other than for certain companies with a late balancing substituted accounting period.

We will contact companies that have claimed the loss carry-back tax offset and are now no longer eligible.

Who must complete a losses schedule?

If any of the following tests apply to your entity (company, trust or superannuation fund), you must complete and submit a losses schedule with your 2014 tax return.

A losses schedule is required if the entity:	Company	Trust	Fund
has total of tax losses and net capital losses greater than \$100,000 carried forward to later income years	√	√	√
is required by section 165-13 or 165-96 of the <i>Income Tax Assessment Act 1997</i> (ITAA 1997) to satisfy the same business test in Subdivision 165-E of that Act to deduct or apply a loss either in the 2013–14 income year or in a later income year or, having passed the continuity of ownership test, has claimed a deduction for tax losses and/or applied net capital losses greater than \$100,000	√		
is a listed widely-held trust that is required by section 266-125 of Schedule 2F to the <i>Income Tax Assessment Act 1936</i> (ITAA 1936) to satisfy the same business test in Subdivision 269-F of that Schedule to deduct a tax loss in the 2013–14 or later income years or, having passed the 50% stake test, has claimed a deduction for tax losses greater than \$100,000		√	
has a changeover time that occurred after 1.00pm by legal time in the Australian Capital Territory on 11 November 1999 and determined that it has an unrealised net loss as defined in the provisions of Subdivision 165-CC of the ITAA 1997	√		
is a life insurance company and has a total of complying superannuation/first home saver account (FHSA) class tax losses and net capital losses carried forward to later income years greater than \$100,000 (complete part D of the schedule)	√	√	

has an interest in a controlled foreign company (CFC) that has 2013–14 losses greater than \$100,000	√	√	√
has an interest in a CFC that has deducted or carried forward a loss greater than \$100,000 to later income years.	√	√	√
has chosen to carry back tax losses greater than \$100,000 in 2013–14.	√		

An entity may need to complete a losses schedule for certain aspects of its net capital losses. While some of the information requested in the losses schedule is also requested in the [Capital gains tax \(CGT\) schedule 2014 \(/Forms/Capital-gains-tax-\(CGT\)-schedule-2014/\)](#) (CGT schedule), an entity that completes a losses schedule may also need to complete a CGT schedule.

If the entity completes a losses schedule in respect of any aspect of its losses, all relevant parts of the schedule must be completed.

An entity that has joined a consolidated group as a subsidiary member during the income year must lodge a losses schedule covering any non-membership period if the entity satisfies any of the requirements for lodgment of that schedule, including where losses exceed \$100,000 at the end of the non-membership period. The amounts at part A of the losses schedule must be transferred to **U** and **V** item **13** on the [Company tax return 2014 \(/Forms/Company-tax-return-2014/\)](#).

Last modified: 24 Oct 2014

QC 40271

Our commitment to you

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet your obligations.

If you follow our information and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we will take that into account when determining what action, if any, we should take.

Some of the information on this website applies to a specific financial year. This is clearly marked. Make sure you have the information for the right year before making decisions based on that information.

If you feel that our information does not fully cover your circumstances, or you are unsure how it applies to you, contact us or seek professional advice.

Copyright notice

© 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).

