



**Australian Government**  
**Department of Agriculture,  
Fisheries and Forestry**

### **Levies Revenue Service**

|                         |              |
|-------------------------|--------------|
| Canberra                | 1800 020 619 |
| Sydney                  | 1800 625 103 |
| Brisbane                | 1800 647 801 |
| Melbourne               | 1800 683 839 |
| Adelaide (SA, NT & TAS) | 1800 814 961 |
| Perth                   | 1800 895 506 |

[www.daff.gov.au/levies](http://www.daff.gov.au/levies)

# **INFORMATION ON AVOCADO LEVY & EXPORT CHARGE**

## **WHY IS THERE A LEVY/CHARGE ON AVOCADOS?**

A levy or export charge is payable on fresh avocados to provide funding for research, development and promotion carried out via Horticulture Australia Limited (HAL).

A levy is also payable on avocados directed to processing to provide funding for research and development carried out via Horticulture Australia Limited (HAL).

The Levies Revenue Service (LRS) collects the levies and forwards them to HAL, in addition to the Australian Government's matching Research and Development (R&D) contributions. Levies and export charges are introduced and administered by the Australian Government at the request of Industry.

## **WHAT IS THE LEVY/CHARGE PAYABLE ON?**

Levy is payable on fresh avocados produced and sold in Australia. Export charge is payable on fresh avocados produced in and exported from Australia. If domestic levy has been paid on avocados prior to export, no export charge is payable.

Levy is also payable on avocados produced in Australia and directed to processing.

## **WHO PAYS THE LEVY/CHARGE AND WHO SUBMITS RETURNS?**

The producer (the person who owns the avocados immediately after they are harvested) is liable to pay the levy.

Where a producer sells their produce via an intermediary, such as a first purchaser, buying agent, selling agent or merchant; the intermediary is liable to pay levy on behalf of the producer. The intermediary must forward the levy to LRS along with return forms which are available from all LRS offices or by accessing the LRS website at [www.daff.gov.au/levies](http://www.daff.gov.au/levies). The intermediary can recover the amount of levy paid from the producer, by offset or otherwise.

Where a producer sells avocados to a processor, the processor is liable to pay levy on behalf of the producer. The processor must forward the levy to LRS along with return forms. The processor can recover the amount of levy paid from the producer, by offset or otherwise.

Producers who sell avocados directly to the public via retail sale are required to submit returns and payment directly to LRS on an annual basis if they incur a levy liability greater than \$100 in a levy year.

In the case of the Export Charge, the producer, defined as the person who exports the product from Australia (the owner of the product at the time of export), is liable to pay the charge. This person must forward export charge to the LRS along with return forms. If the product is exported through an exporting agent, the agent is liable to pay the charge on behalf of the producer and submit it along with return forms to LRS. The exporting agent can recover the amount of charge paid from the producer.

Export charge is not payable if domestic levy has already been paid on the avocados to be exported.

## WHAT IS THE RATE OF LEVY/CHARGE ON AVOCADOS?

The levy and charge rates for avocados are calculated as follows:

|                                   |                        |
|-----------------------------------|------------------------|
| Avocados (levy and export charge) | 7.5 cents per kilogram |
| Avocados - processing (levy)      | 1.0 cent per kilogram  |

**Note: Rates are current as at 1 April 2007.**

## ARE THERE ANY EXEMPTIONS ASSOCIATED WITH THIS LEVY/CHARGE?

**Levy is not imposed in relation to a sale of fresh avocados if:**

- avocados are sold by retail sale and the total levy liability on retail sales would otherwise be less than \$100 in levy in a levy year
- levy has been imposed on the avocados because of a previous sale – avocado levy is only payable once, if it is resold or exported after it's initial purchase, no further levy or charge is payable

## WHEN IS LEVY/CHARGE DUE FOR PAYMENT?

### **Quarterly Returns:**

Quarterly returns with payment must be submitted to the LRS on or before the 28th day after the end of the quarters of March, June, September and December. For example the return and payment for the quarter ending 30th June (ie. for the months of April, May and June) is due on or before the 28th of July.

### **Annual Returns:**

Annual returns are due together with payment on or before 28 February in the next levy year. For example, the return and payment for 2008 must be lodged by 28 February 2009.

Producers who sell fresh avocados directly to the public via retail sale (roadside stalls, shed sales, farm gate etc) are required to submit returns and payment directly to LRS on an annual basis if they incur a levy liability greater than \$100 in a levy year\*.

A first purchaser, buying agent, selling agent or exporter may apply through LRS for an exemption from the requirement to lodge quarterly returns for a levy year\* if that person has reasonable grounds for believing that the levy/export quantity of avocados dealt with in the year will be less than 36 tonnes (36,000 kilograms). If exemption is granted, returns must be lodged on an annual basis.

Please contact your nearest LRS office if you require an application for exemption form to be sent out to you, or if you need further clarification in relation to annual returns.

## GENERAL INFORMATION AND DEFINITIONS

The levy/export charge rate is calculated on a per kilogram basis.

Processing avocados means avocados:

- sold by the producer to a first purchaser, or through a buying agent or a selling agent, for use in the production of a processed product in Australia; or
- used by the producer in the production of a processed product

Retail sale means a sale by the producer of the fresh avocados except a sale to a first purchaser or through an agent e.g. sales by the producer direct to the consumer such as at roadside stalls, shed sales, farm gate, etc.

\*A levy year for avocados is the same as a calendar year (ie. 1st January to 31st December)

## WHAT RECORDS MUST BE KEPT, WHO SHOULD KEEP THEM & FOR HOW LONG?

People who lodge returns to LRS and people who pay levy/charge to intermediaries are required to keep records supporting the information supplied in returns or information relating to payments made to intermediaries. These records are to be kept for a period of five (5) years and are to be made available to LRS officers.

For further information or clarification on what records must be kept, who should keep them and for how long please contact your nearest LRS office.

## ARE THERE ANY PENALTIES FOR LATE PAYMENTS OR OTHER OFFENCES?

Where levy/export charge is paid late, penalty will be payable at the rate of 2% per month compounding on the sum of the unpaid amounts, including penalties already accrued, until the outstanding levy/export charge has been paid in full.

Penalties are also imposed for other breaches of the legislation.

For more information please contact your nearest LRS office.

**Caution: Giving false or misleading information is a serious offence.**

## DOES GST APPLY TO AUSTRALIAN GOVERNMENT LEVIES/CHARGES?

No. Australian Government levies administered by the LRS are exclusive of the GST (Goods and Services Tax). The levy/charge is a separate calculation, exclusive of GST consideration.

For further information on tax reform, contact the Australian Taxation Office on 132 478 or visit their website [www.ato.gov.au](http://www.ato.gov.au).

## WHERE DO I LODGE MY RETURN?

Send your completed returns and payments to:

The Secretary  
Levies Revenue Service  
Department of Agriculture, Fisheries and Forestry  
Locked Bag 4488  
KINGSTON ACT 2604

**If you would like to receive information and reminder notices electronically in the future from LRS, please ensure that you have included your business email address on your return form.**

*Where payment of levy is made by EFT, please fax your return to 1800 609 150. If you would like to make a payment by EFT, please call 1800 020 619 for more information. (Please note that calls to this number **may** incur charges if made from mobile or pay phones.)*

## WHAT IS THE LEVIES REVENUE SERVICE?

The Levies Revenue Service (LRS) is an organisation within the Australian Government Department of Agriculture, Fisheries and Forestry. LRS is responsible for both the collection and distribution of levies to the relevant Research and Development Corporations, Marketing Agencies, Animal Health Australia, Plant Health Australia and the National Residue Survey. LRS is also responsible for the distribution of the Australian Government's matching research and development contributions.

LRS collects over 60 different levies and charges from a client base of over 10,000 levy payers.

For more information about LRS, please visit our website at [www.daff.gov.au/levies](http://www.daff.gov.au/levies).

## WHAT IS HORTICULTURE AUSTRALIA LIMITED?

Horticulture Australia Limited (HAL) is an organisation whose aim is to develop Australian horticulture by providing comprehensive and professional R&D and marketing services to over 30 different organisations from the fruit, vegetable and nursery industries. HAL was formed in February 2001 from the former Horticultural Research & Development Corporation (HRDC) and the Australian Horticultural Corporation (AHC). HAL is an industry owned company that the Australian Government has contracted to deliver marketing and R&D services for the horticulture industry.

For more information on HAL you can visit their website [www.horticulture.com.au](http://www.horticulture.com.au) or contact them on telephone (02) 8295 2300.

## WHAT LEGISLATION IS ASSOCIATED WITH THIS LEVY/CHARGE?

The levy/charge is imposed and collected under the following legislation:

*Primary Industries (Excise) Levies Act 1999*  
*Primary Industries (Customs) Charges Act 1999*  
*Primary Industries Levies and Charges Collection Act 1991*  
 and associated legislation















Please be advised that under section 27 of the *Primary Industries Levies and Charges Collection Act 1991* (PILCC Act 1991) an authorised person is able to release the names and addresses of levy payers to industry bodies and recipient organisations.

Copies of the legislation may be obtained via the Internet at [www.comlaw.gov.au](http://www.comlaw.gov.au) or purchased from Canprint Information Services by phoning 1300 656 863.

**This information sheet is a guide only and does not substitute for the relevant legislation.**

## WHO CAN I CONTACT ABOUT LEVIES?

For more information please contact the LRS office in your State. For those in South Australia, the Northern Territory or Tasmania please contact the Adelaide office.

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| <p><b>Canberra – Central Office</b></p> <p> Telephone 1800 020 619</p> <p> Fax 1800 609 150</p>      | <p><b>Melbourne</b></p> <p> Telephone 1800 683 839</p> <p> Fax 03 9322 5500</p> |
| <p><b>Adelaide (SA, NT &amp; TAS)</b></p> <p> Telephone 1800 814 961</p> <p> Fax 08 8201 6099</p> | <p><b>Perth</b></p> <p> Telephone 1800 895 506</p> <p> Fax 08 9334 1677</p>  |
| <p><b>Brisbane</b></p> <p> Telephone 1800 647 801</p> <p> Fax 07 3716 9177</p>                    | <p><b>Sydney</b></p> <p> Telephone 1800 625 103</p> <p> Fax 02 9325 6677</p> |
| <p> E-mail us at: <a href="mailto:Levies.Management@daff.gov.au">Levies.Management@daff.gov.au</a></p>   |  |
| <p> Visit our Web site: <a href="http://www.daff.gov.au/levies">www.daff.gov.au/levies</a></p>   |  |