



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

INFORMATION ON BANANA LEVY

WHY IS THERE A LEVY ON BANANA?

A levy is payable on bananas to provide funding for marketing and research and development (R&D) carried out via Horticulture Australia Limited (HAL). The Levies Revenue Service (LRS) receives the funds and forwards them to HAL, in addition to distributing the Australian Government's matching R&D contributions. Levies are introduced and administered by the Australian Government at the request of Industry.

WHAT IS THE LEVY PAYABLE ON?

Levy is payable on bananas produced in Australia and sold by the producer.

WHO PAYS THE LEVY AND WHO SUBMITS RETURNS?

The producer (the person who owns the bananas immediately after they are harvested) is liable to pay the levy. Producers who sell bananas other than by retail sale, for example to restaurants or at wholesale growers' markets, must submit levy and returns directly to the LRS.

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 LRS offices or by accessing the LRS website at www.daff.gov.au/levies. The intermediary can recover the amount of levy paid from the producer, by offset or otherwise.

WHAT IS THE RATE OF LEVY ON BANANA?

The rate of domestic levy for bananas is calculated as follows:

Bananas	1.7 cents per kilogram
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Note: Levy rate is current from 1 July 2008.

ARE THERE ANY EXEMPTIONS ASSOCIATED WITH THIS LEVY?

Bananas sold by a producer by retail sale (i.e. direct to the consumer via roadside stalls, shed sales, farm gate, etc) are exempt from levy if the total amount of levy that the producer would be liable to pay in the levy year would be less than \$100.

Bananas sold or used by a producer for processing are exempt from levy. Processing does not include fruit conditioning, cleaning, sorting, grading and packing.

WHEN IS LEVY DUE FOR PAYMENT?

Quarterly Returns:

Quarterly returns with payment must be submitted to 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 30 September (ie. for the months of July, August and September) is due on or before 28 October.

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Annual Returns:

The return is due together with payment on or before 28 August in the next levy year*. For example, the return and payment for 2007/2008 levy year* must be lodged by 28 August 2008.

A first purchaser, buying agent, selling agent or producer who sells bananas other than by retail sale 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 total liability of levy payable for bananas dealt with in the year will be less than \$500. If exemption is granted, returns must be lodged on an annual basis.

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

GENERAL INFORMATION AND DEFINITIONS

The levy rate is calculated on a per kilogram basis.

'**Retail sale**' means a sale by the producer of the bananas that is not a sale to a first purchaser, through an agent or at a wholesale produce market i.e. sales by the producer direct to the consumer such as at roadside stalls, shed sales, farm gate, etc.

*A **levy year** for bananas is the same as a financial year (i.e. 1 July to 30 June).

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

People who lodge returns to LRS and people who pay levy 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 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 is 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?

No. Australian Government levies administered by the LRS are exclusive of GST (Goods and Services Tax). The levy 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 at: 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 (02) 6272 5695. If you would like to make a payment by EFT, please call (free 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 export 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.

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.

WHAT LEGISLATION IS ASSOCIATED WITH THIS LEVY?

The levy is imposed and collected under the following legislation:

Primary Industries (Excise) Levies 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 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?

Should you require further information please contact us at one of the following offices:

Brisbane  Telephone 1800 647 801  Fax 07 3831 4324	Melbourne  Telephone 1800 683 839  Fax 03 9322 5500
Sydney  Telephone 1800 625 103  Fax 02 9325 6677	Adelaide  Telephone 1800 814 961  Fax 08 8201 6099
Perth  Telephone 1800 895 506  Fax 08 9334 1677	Canberra  Telephone 1800 020 619  Fax 02 6272 5695
 E-mail us at: Levies.Management@daff.gov.au	 Visit our Web site: www.daff.gov.au/levies