



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 OILSEEDS LEVY

WHY IS THERE A LEVY ON OILSEEDS?

A levy is payable on Oilseeds to provide funding for research and development programs administered by the Grains Research & Development Corporation (GRDC), residue testing programs conducted by the National Residue Survey (NRS) as well as plant health and emergency plant pest response (EPPR) programs administered by Plant Health Australia (PHA). The Levies Revenue Service (LRS) receives these funds and forwards them to the GRDC, NRS and PHA, in addition to distributing 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 PAYABLE ON?

Levy is payable on Oilseeds produced in Australia.

The following Oilseeds are leviable: Sunflower Seed (All varieties), Safflower Seed, Linseed (inc Linola), Rape Seed (inc Canola) and Soy Bean.

WHO PAYS THE LEVY AND WHO SUBMITS RETURNS?

The producer (the person who owns the Oilseeds immediately after harvesting) is liable to pay the levy.

Where a producer sells oilseeds via an intermediary, such as a purchaser, selling agent, merchant or processor; the intermediary is liable to pay levy on behalf of the producer. The intermediary must forward the levy to the LRS along with return forms that are available from all 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.

Producers who grow and use their own oilseeds commercially (eg feedlotter, piggeries) must submit their own returns and levy as the grain is used.

Producers who process and sell their own oilseeds e.g. registered or certified seed growers, must submit their own returns and levy directly to LRS as the grain is used (see "seed grain" under heading "General Information and Definitions").

WHAT IS THE RATE OF LEVY ON OILSEEDS?

The levy rate is calculated as a percentage of 'farm gate value' (i.e. sale value less storage, handling, freight and 'free on board' costs) as follows:

Sunflower	1.02%	of farm gate value of the grain
Safflower	1.02%	of farm gate value of the grain
Linseed (inc Linola)	1.02%	of farm gate value of the grain
Rape Seed (inc Canola)	1.02%	of farm gate value of the grain
Soy Bean	1.02%	of farm gate value of the grain

Note: Levy Rates are current as at 1 January 2008.

ARE THERE ANY EXEMPTIONS ASSOCIATED WITH THIS LEVY?

- Oilseeds processed[#] by or for the producer, where the producer uses the grain or all of the products and by-products of the processing for domestic purposes but not for commercial purposes is exempt from levy.
- Oilseeds delivered for storage on behalf of the producer where no person is liable to pay the producer for the grain is exempt from levy.
- Levy is not payable in respect of [Oilseeds delivered](#) to a particular person by producers of oilseeds where the total amount of levy imposed on oilseeds delivered in a [levy year](#) (i.e. financial year) would be less than the leviable amount i.e. \$25.

WHEN IS LEVY/CHARGE DUE FOR PAYMENT?

Quarterly Returns:

The 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 June (i.e. for the months of April, May and June) is due on or before the 28 July.

GENERAL INFORMATION AND DEFINITIONS

The levy rate is calculated as a percentage of 'farm gate value' (i.e. sale value less storage, handling, freight and 'free on board' costs).

"**Processing**" does **not** mean:

- a) treatment with a pesticide or other preserving agent before or during storage; and
- b) grading solely for seed purposes.

"**Seed Grain**"

- Grain produced as seed grain (certified/registered) and sold, is leviable. The farm gate value of this grain is determined as if it was not seed grain for sowing and had been sold at the market price prevailing on the day the grain was delivered. Information on sales prices in various locations can be found through the rural press.
- The Grains Council of Australia advises that seed which is retained on farm (including that which is cleaned, graded and pickled) for use by the producer as seed for sowing **will not attract a levy**.

Sale value means:

- a) the amount of each pool payment; or
- b) in any other case – the sale price of the grain
 - i. from sales invoices or other documents; OR
 - ii. in the absence of documents the ruling price when the grain was sold

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

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 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 has been paid in full.

Penalties are also imposed for other breaches of the legislation.

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 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, Statutory Marketing Authorities, 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.

WHAT IS THE GRAINS RESEARCH AND DEVELOPMENT CORPORATION, NATIONAL RESIDUE SURVEY, AND PLANT HEALTH AUSTRALIA?

A levy is collected on Oilseeds to fund research and development programs via the Grains Research and Development Corporation (GRDC). The GRDC's vision is for a profitable, internationally competitive and ecologically sustainable grains industry. Details of the program may be downloaded from the GRDC Prospectus on http://www.grdc.com.au/researchers/res_prop.htm. Enquiries: Ms Kylie Paulsen ph: 02 6166 4500.

For more information on GRDC you can visit their website at: www.grdc.com.au.

The National Residue Survey uses levy funds to monitor, assess and report on the levels of chemical residues in food produced by Australian agriculture and fisheries industries that participate in the scheme. This gives domestic and international customers confidence in the quality and safety of their products. For more information on residue survey activities contact the National Residue Survey at web site: www.daff.gov.au/nrs, email: nrs@daff.gov.au, or telephone: (02) 6272 3446.

Plant Health Australia (PHA) is a peak body responsible for working with its members to manage projects and coordinate development of national plant health policy and capability in Australia. PHA was formed in recognition that, in global terms, Australia is fortunate to experience a relative freedom from pests, weeds and diseases that can affect plant industries. PHA are working to develop a shared vision and communicate an understanding of a more coordinated and effective plant health management system. For more information on PHA you can visit their website: www.planthealthaustralia.com.au or telephone (02) 6260 4322.

WHAT LEGISLATION IS ASSOCIATED WITH THIS LEVY/CHARGE?

The levy is imposed and collected under the following legislation:

Primary Industries (Excise) Levies Act 1999
Primary Industries Levies and Charges Collection Act 1991
National Residue Survey (Excise) Levy Act 1998
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 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.

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