



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 CHESTNUT LEVY & EXPORT CHARGE

WHY IS THERE A LEVY/CHARGE ON CHESTNUTS?

A levy or an export charge is payable on chestnuts to provide funding for promotion, research and development 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 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 chestnuts produced in Australia that are either sold by the producer, or used by the producer in the production of other goods.

Export charge is payable on chestnuts produced in and exported from Australia.

No export charge is payable if domestic levy has already been paid on the chestnuts to be exported.

WHO PAYS THE LEVY/CHARGE AND WHO SUBMITS RETURNS?

The producer (the person who owns the chestnuts 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. The intermediary can recover the amount of levy paid from the producer, by offset or otherwise.

A producer who sells chestnuts by retail sale i.e. direct to the consumer such as at roadside stalls, shed sales, farm gate, etc. must submit levy and returns directly to the LRS.

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 (the owner of the product at the time of export).

The export charge is not payable if domestic levy has already been paid on the chestnuts to be exported.

WHAT IS THE RATE OF LEVY/CHARGE ON CHESTNUTS?

The rate of domestic levy and export charge for chestnuts is calculated as follows:

Chestnuts	10 cents per kilogram
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Note: Levy Rates are current as at 1 January 2009.

ARE THERE ANY EXEMPTIONS ASSOCIATED WITH THIS LEVY/CHARGE?

Chestnuts sold by a producer by retail sale (i.e. direct to the consumer through roadside stalls, shed sales, farm gate etc) if the producer sells less than 500 kilograms (\$50.00 levy equivalent) in a levy year.

WHEN IS LEVY/CHARGE DUE FOR PAYMENT?

Quarterly Returns:

The return together with payment is due within 28 days 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 28 July.

Annual Returns:

A person may apply for an exemption from the requirement to lodge quarterly returns if the person has reasonable grounds for believing that the total amount of levy on chestnuts that person will pay, or be likely to pay, in a levy (financial) year does not exceed \$500.00.

The return together with payment is due on 28 August in the next levy (financial) year. For example, the return and payment for the 2008/2009 levy (financial) year (ie 1 July 2008 to 30 June 2009) must be lodged with the LRS on or before 28th August 2009.

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 and export charge rate is calculated on a per kilogram basis.

'Retail sale' means a sale of chestnuts by the producer other than to a first purchaser or an agent e.g. sales of the producer direct to the consumer such as at roadside stalls, shed sales, farm gate, etc.

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 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 1800 609 180. 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 a unit 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 .

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 at: www.horticulture.com.au .

WHAT LEGISLATION IS ASSOCIATED WITH THIS LEVY/CHARGE?

The levy/export 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 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 3716 9177	Sydney  Telephone 1800 625 103  Fax 02 9325 6677
 E-mail us at: Levies.Management@daff.gov.au	
 Visit our Website: www.daff.gov.au/levies	

April 2009