



GST joint venture – notification of forming, changing or cancelling

WHEN TO COMPLETE THIS FORM

Use this form to notify us that you have:

- formed a goods and services tax (GST) joint venture
- changed the GST joint venture's operator
- added or removed participants from a GST joint venture
- cancelled a GST joint venture.

WHO SHOULD COMPLETE THIS FORM

We can only accept forms signed by either:

- a primary contact for the nominated operator of the GST joint venture, for example, the public officer of a company, trustee of a trust
- a person recorded with us as being authorised by the GST joint venture operator to act on its behalf.

➔ For more information, refer to ato.gov.au/authorisedcontacts

GST JOINT VENTURES

GST joint ventures need to demonstrate that they are formed for specific projects. The participants share products or outcomes based on an agreed equity ratio. They do not share sale proceeds or profits.

All participants must be registered and account for GST on the same basis during the life of the joint venture.

If a joint venture participant or operator no longer satisfies the eligibility requirements, they need to be removed from the joint venture.

JOINT VENTURE OPERATOR

The joint venture operator undertakes the administrative detail of notifying us about forming, cancelling or changing details relating to the joint venture.

Responsibilities include lodging a GST activity statement for each tax period and dealing with the GST liabilities and entitlements arising from the joint venture operator's activities on behalf of the participants for the joint venture.

The joint venture operator does not need to participate in the joint venture. They may simply act as an agent.

The joint venture operator must:

- be registered for GST
- account on the same basis as the other entities involved.

! If you want to consolidate GST returns for more than one GST joint venture for which you are responsible for, you need to complete *Consolidation of GST returns – notification by GST joint venture operator* (NAT 3392).

FORMING A GST JOINT VENTURE

Two or more joint venture participants may form a GST joint venture if all of the following are true:

- it relates to specific business activities
- the participants agree in writing to form the GST joint venture
- there is a nominated GST joint venture operator
- the participants and the GST joint venture operator satisfy eligibility requirements.

! A GST joint venture cannot directly sell products. If you expect to share proceeds from product sales, you may need to register for a partnership or company Australian business number (ABN). You can do this online at abr.gov.au

ELIGIBILITY REQUIREMENTS

An entity will be eligible if it:

- is party to the written GST joint venture agreement with all other participants or intending participants
- is registered for GST
- accounts for GST on the same basis as all other participants in the joint venture, and
- participates in, or intends to participate in, the GST joint venture (not mandatory for the joint venture operator).

If participants and the joint venture operator do not demonstrate they meet these requirements, we will contact the joint venture operator.

! Prior to sending this notification, relevant entities can phone us on **13 28 66** between 8.00am and 6.00pm, Monday to Friday, so they can update their GST details to satisfy eligibility requirements.

DATE OF EFFECT

Entities can form, change and cancel a GST joint venture and also change a joint venture operator on any day during a tax period.

You must notify us of the details of the GST joint venture on or before the day by which the joint venture operator is required to lodge a GST return for the tax period in which the formation, change or cancellation takes effect.

If you do not notify us by the relevant date, you will need to apply to us for approval of the earlier date of effect. In these circumstances, complete section G to request that we approve the date of effect.

We may accept the notified date or allocate a date of effect that is the earliest date acceptable.

The date of effect to form or add participants to a GST joint venture cannot be prior to the date that all participants satisfied the GST joint venture eligibility requirements under GST law.

Backdated approvals cannot be provided for the formation, alteration or cancellation of a GST joint venture with a date of effect longer than four years from the due date for the last activity statement.

➤ MORE INFORMATION

Phone us on **13 28 66** between 8.00am and 6.00pm, Monday to Friday if you need help completing this form.

If you do not speak English well and need help from us, phone the Translating and Interpreting Service on **13 14 50**.

If you are deaf, or have a hearing or speech impairment, phone us through the National Relay Service (NRS) on the numbers listed below:

- TTY users, phone **13 36 77** and ask for the ATO number you need
- Speak and Listen (speech-to-speech relay) users, phone **1300 555 727** and ask for the ATO number you need
- internet relay users, connect to the NRS on relayservice.gov.au and ask for the ATO number you need.

⚠ Remove these instructions after you print the form.



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WHEN COMPLETING THIS FORM

If you are filling in this form by hand:

- print clearly in BLOCK LETTERS using a black or dark blue pen
- place in **all** applicable boxes
- do not use correction fluid or covering stickers
- check you have signed and dated the declaration
- make a copy for your records
- mail or fax your completed form to the address shown on page 10.

If you are filling in this form on screen:

- download a copy of this form to your computer
- when complete, print two copies
- sign and date the declaration
- mail or fax your completed form to the address shown on page 10
- keep the second copy for your records.

Section A: GST joint venture operator information

1 What type of notification are you submitting? (Place X in all applicable boxes.)

- Forming a joint venture – complete sections **A, B, E, G** (if applicable) and **H**
- Changing a joint venture's operator – complete sections **A, C, G** (if applicable) and **H**
- Cancelling a joint venture – complete sections **A, D, G** (if applicable) and **H**
- Adding a participant – complete sections **A, E, G** (if applicable) and **H**
- Removing a participant – complete sections **A, F, G** (if applicable) and **H**

2 What is the joint venture operator's Australian business number (ABN)?

- If forming a GST joint venture, this will be the ABN of the nominated GST joint venture operator.
- For all other purposes, this will be the ABN of the currently recorded GST joint venture operator.

The joint venture will be registered against the joint venture operator's ABN and will be issued with an account identifier to differentiate it from the joint venture operator's existing business dealings. Separate activity statements will be issued for the joint venture.

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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3 What is the GST joint venture operator's legal name?

The legal name is the name that appears on all official documents or legal papers.

4 Is this a new joint venture?

- No Go to question 5
- Yes Go to question 6

5 What is the name and account number of the existing joint venture?

The account number may be found on the GST joint venture’s activity statement or notification of registration. It will follow a number such as an ABN, for example, ABN 12 345 678 901 **004**.

- If there are more than five account details to be listed, provide these details on a separate sheet of paper:
 - title each page with ‘Existing Joint Ventures’
 - all information we request at question 5.

Account name

Account number

Account name

Account number

Account name

Account number

Account name

Account number

Account name

Account number

6 What is the name of the joint venture?

This is the name that the joint venture is commonly known as by suppliers – for example, City Apartments Joint Venture.

- ⚠ If no name is provided for the joint venture, then the activity statement will issue in the legal name of the joint venture operator.

Section B: Have you formed a GST joint venture?

No Go to section C. Yes

7 Is the purpose of the joint venture to share proceeds from product sales?

No

Yes You cannot form a GST joint venture. You may need to register for a partnership or company ABN. You can do this online at abr.gov.au

8 Do you have a written agreement in place with all other joint venture participants to form a GST joint venture?

No You must have an agreement in place before you notify us.

Yes

9 What is the joint venture's specified purpose? (Place an X in one box only.)

The options shown below are the only purposes for which a GST joint venture can be registered.

- | | | |
|---|--|--|
| <input type="checkbox"/> Civil engineering, including the design, construction and maintenance of roads, railways, bridges, canals, dams, ports, harbours, airports and similar installations | <input type="checkbox"/> Beneficiation of minerals and primary metal production (including alloy production) | <input type="checkbox"/> Exploration or exploitation of mineral deposits (including oil, gas, petroleum, sand or gravel) |
| <input type="checkbox"/> Design, building, or maintenance of residential or commercial premises | <input type="checkbox"/> Receipt, storage or distribution of oil and gas products | <input type="checkbox"/> Generation, transmission or distribution of electricity |
| <input type="checkbox"/> Refining or processing oil and gas products | <input type="checkbox"/> Provision of insurance (other than life insurance) | <input type="checkbox"/> Cultivation or exploitation of timber |
| <input type="checkbox"/> Transmission or distribution of water | <input type="checkbox"/> Research and development | <input type="checkbox"/> Fishing |
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Charitable activities | <input type="checkbox"/> Transportation |

10 What is the main activity of the joint venture? (For example, black coal mining.)

11 From what date was the joint venture formed? Day Month Year
 / /

12 Is this date within or before a tax period where the due date of the relevant activity statement has already passed?

No

Yes You need to apply for approval of this date of effect. Ensure you complete section G.

13 Is the joint venture operator participating in the joint venture?

No Yes

14 Is the joint venture operator registered for GST and accounting on the same basis as all the participants?

No You must be registered for GST and account on the same basis as all the participants to be the GST joint venture operator.

 See instructions on **page 1**.

Yes

15 What are the joint venture's financial institution account details for ATO refunds?

Refunds will only be paid directly into a recognised financial institution account located in Australia. Select one of the four complying account options below:

- the joint venture operator trading as 'joint venture name'
- the joint venture operator jointly with others
- a registered tax or BAS agent who we have listed as acting on behalf of the joint venture, or
- a legal practitioner acting as trustee or executor for the joint venture.

 If you do not provide these details we cannot refund money owed.

BSB code (must be 6 digits)

Account number

Full account name – for example, XYZ joint venture. Do not show the account type, such as cheque, savings, mortgage offset.

If the account you wish to nominate for refunds is not one of the account options above, you can ask us to exercise our discretion to pay electronic funds into the account of a third party. For more information, phone us on **13 28 66** between 8.00am and 6.00pm, Monday to Friday.

16 Who is the authorised contact person for the joint venture?

Provide details of a person who may be contacted for further information. They must be authorised to make changes or update information for the joint venture operator, for example, a registered tax or BAS agent. For more information about what an authorised contact can do, refer to ato.gov.au/authorisedcontacts

Title: Mr Mrs Miss Ms Other

Family name

Preferred name

Position held

Business hours phone number (a contact phone number must be provided)

Mobile phone number

After hours phone number

Fax number

Registered tax or BAS agent's number (if applicable)

Email address (use BLOCK LETTERS)

Preferred language, if other than English. We may not be able to speak to the contact person in their preferred language.

17 Do you want to nominate more than one authorised contact?

No Yes Provide these details on a separate sheet of paper:

- title each page with 'Add authorised contacts'
- the name of the GST joint venture operator (as provided at question 3) on each page
- all information we request at question 16.

18 Does each joint venture participant meet the eligibility requirements?  See instructions on page 1.

No Phone us on **13 28 66** to make necessary changes before submitting this notification. **Do not** continue with this form.

Yes

 To advise us of participants in the GST joint venture, complete section E.

Section C: Are you changing the GST joint venture operator?

No Go to section D. Yes

19 What is the ABN and legal name of the new joint venture operator?

ABN


Legal name

 If the former joint venture operator was a participant of the joint venture and they are to be removed, complete section F.

20 Is the new joint venture operator participating in the joint venture?

No Yes

21 Is the new joint venture operator registered for GST and accounting on the same basis as all the other participants?

No You must be registered for GST and account on the same basis as all the participants to be the GST joint venture operator.  See instructions on **page 1**.

Yes

22 From what date does this take effect?

Day / Month / Year

23 Is this date within or before a tax period where the due date of the relevant activity statement has already passed?

No

Yes You need to apply for approval of this date of effect. Ensure you complete section G.

Section D: Are you cancelling the GST joint venture?

No Go to section E. Yes Provide the ABN of the GST joint venture operator plus the relevant account number for the GST joint venture.

ABN Account number

The account number may be found on the GST joint venture's activity statement or notification of registration. It will follow a number such as an ABN, for example, ABN 12 345 678 901 **004**.

24 From what date does this take effect?

Day / Month / Year


25 Is this date within or before a tax period where the due date of the relevant activity statement has already passed?

No

Yes You will need to apply for approval of this date of effect. Ensure you complete section G.

Section E: Are you adding a GST joint venture participant?

No Go to section F. Yes

-  If there are more than three participants, provide these details on a separate sheet of paper:
- title each page with 'Add participant'
 - the name of the joint venture operator (as provided at question 3) on each page
 - all information we request at question 27.

26 Do you have a written agreement in place with each new participant to add them to the GST joint venture?

No You must have an agreement in place before you notify us. **Do not** continue with this form.

Yes

27 What is the ABN and legal name of each new participant?

ABN
Legal name

From what date is the participant being added? Day Month Year
 / /

ABN
Legal name

From what date is the participant being added? Day Month Year
 / /

ABN
Legal name

From what date is the participant being added? Day Month Year
 / /

28 Are any of these dates within or before a tax period where the due date of the relevant activity statement has already passed?

No

Yes You will need to apply for approval of this date of effect. Ensure you complete section G.

29 Does each new participant meet the eligibility requirements? See instructions on page 1.

No Phone us on **13 28 66** to make necessary changes before submitting this notification. **Do not** continue with this form.

Yes

Section F: Are you removing a participant from the GST joint venture?

No Go to section G. Yes

 If there are more than three participants, provide these details on a separate sheet of paper:

- title each page with 'Remove participant'
- the name of the joint venture operator (as provided at question 3) on each page
- all information we request at question 30.

30 What is the ABN and legal name of each participant being removed?

ABN

Legal name

From what date is the participant being removed? / /

ABN

Legal name

From what date is the participant being removed? / /

ABN

Legal name

From what date is the participant being removed? / /

31 Are any of these dates within or before a tax period where the due date of the relevant activity statement has already passed?

No

Yes You will need to apply for approval of this date of effect. Ensure you complete section G.

Section G: Are you backdating the date of effect?

No Go to section H. Yes

 See instructions on page 2.

32 If you are forming a joint venture or adding participants, have all the participants satisfied the eligibility requirements since the date of effect?

No Provide details on page 9. Yes Not applicable

33 If you are cancelling a joint venture or removing participants because they ceased to meet eligibility requirements, are the dates of effect you provided at questions 24 or 30 different to the date the participants ceased to be eligible?

No Yes Provide details on page 9 including:
■ participant names
■ date they ceased to be eligible. Not applicable

34 Will there be any change in the net overall payments made, or net overall refunds received, by the joint venture if this backdate is approved?

No Yes Provide details on page 9.

35 Have any participants been the subject of an audit or review since the date of effect?

No Yes Provide details on page 9.

36 Have all due activity statements for all participants been lodged?

No Provide details on page 9. Yes

37 Have all GST transactions been reported correctly for participants?

No Provide details on page 9. Yes

38 Do any of the participants have a debt with the ATO?

No Yes Provide details on page 9.

39 Are there any other issues of non-compliance with GST legislation for the joint venture?

No Yes Provide details on page 9.

Section H: Declaration

- ! The declaration must only be completed and signed by either:
- a primary contact for the nominated operator of the GST joint venture (for example, the public officer of a company, trustee of a trust)
 - a person recorded with us as being authorised by the GST joint venture operator to act on its behalf.

40 Who is the authorised person signing this declaration? (Complete all of the fields below.)

Full name of signatory

Position held (For example, director, trustee, registered tax or BAS agent.)

Business hours phone number

Fax number

Mobile phone number

Registered tax or BAS agent's number (if applicable)

Before you sign this form

Make sure you have answered all the relevant questions correctly and read the privacy statement below before you sign and date this page. An incomplete form may delay processing or affect eligibility.

- ⊖ Penalties may be imposed for giving false or misleading information.

I declare that:

- I am either
 - a primary contact for the nominated operator of the GST joint venture
 - authorised by the GST joint venture operator to complete this form on its behalf
- the information given on this form (including attachments) is true and correct.

Signature

You MUST SIGN here

Day Month Year
 / /

Privacy

Taxation law authorises the ATO to collect information and disclose it to other government agencies. This includes personal information of the person authorised to sign the declaration. For information about your privacy go to ato.gov.au/privacy

Lodging this form

Make a copy of this form (and any attachments) for your own records before you:

- send it as an attachment using Online services for business or Online services for agents (you need to be registered to deal online – refer to ato.gov.au/onlineservices)
- fax it, with any attachments, to **1300 130 905** (do not include a header or cover sheet as this will delay processing)
- mail it to

Australian Taxation Office
PO Box 3373
PENRITH NSW 2740

- ! We aim to process this form within 28 days of receiving all the necessary information. If your form is incomplete, incorrect or needs checking, it may take longer. Do not lodge another notification during this time.

- ! Remove the instructions before you submit the form.