



Goods and Services Tax Advice

Goods and services tax: Can a manager of an agricultural managed investment scheme issue tax invoices for supplies of produce it makes on behalf of participants?

Preamble

*This document is a ruling for the purposes of section 37 of the Taxation Administration Act 1953. It illustrates the principles contained in **Goods and Services Tax Ruling GSTR 2000/17 on tax invoices**. You can rely on the information presented in this document, which provides advice on the operation of the GST system.*

Answer

Where a scheme manager acts as agent for the participants (sometimes referred to as 'growers' or 'investors'), the manager is able to issue tax invoices for taxable supplies the manager makes on behalf of the participants.

Explanation

The operation of the tax invoice rules depends on the nature of the relationship between the manager or promoter, participants and third parties.

Where the manager is acting as agent for the investors, it would be able to issue a tax invoice for the supplies it makes on behalf of the investors. Of course, some supplies may not be taxable supplies if made by small investors who are not required to register, and choose not to register for GST. In these cases the manager could provide a tax invoice for the taxable supplies and isolate the part of the total sale that is attributable to supplies from a non registered supplier.

So the tax invoice, where required, issued on behalf of each registered supplier will show the price of each taxable supply.

Where an agent acts for more than one principal in a single dealing with a customer the tax invoice would need to show the name and ABN of each principal, and the price for each separate taxable supply. However to relieve any administrative difficulty this may cause, the Commissioner will treat a document that otherwise satisfies the requirements of subsection 29-70(1) as a tax

invoice if it shows the name and ABN of the agent, and the total price for all of the taxable supplies (Goods and Services Tax Ruling GSTR 2000/17).

Application of this GST Advice

This Advice is based on GSTR 2001/17. It explains our view of the law as it applied from 1 July 2000. You can rely on this Advice on and from its date of issue for the purposes of section 37 of the *Taxation Administration Act 1953*. Goods and Services Tax Ruling GSTR 1999/1 explains the GST rulings system and our view of when you can rely on our interpretation of the law in GST public and private rulings.

If this Advice conflicts with a previous private ruling that you have obtained, this public ruling prevails. However, if you have relied on a private ruling, you are protected in respect of what you have done up to the date of issue of this public ruling. This means that if you have underpaid an amount of GST, you are not liable for the shortfall prior to the date of issue of this later ruling. Similarly, you are not liable to repay an amount overpaid by the Commissioner as a refund.

Commissioner of Taxation

Date

Related Rulings/Determinations/GST Advice:

GSTR 2000/37

Subject references:

tax invoices
agency

Legislative references:

ANTS(GST)A 1999 29-70(1)
TAA 1953 37

ATO references

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