IT 2104 - Levy payable by wheat growers to finance redevelopment of Ceres House

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TAXATION RULING NO. IT 2104

LEVY PAYABLE BY WHEAT GROWERS TO FINANCE REDEVELOPMENT OF CERES HOUSE

F.O.I. EMBARGO: May be released

REF H.O. REF: 84/2844-1 DATE OF EFFECT:

B.O. REF: DATE ORIG. MEMO ISSUED:

F.O.I. INDEX DETAIL

REFERENCE NO:	SUBJECT REFS:	LEGISLAT. REFS:
I 1122033	LEVY-CERES HOUSE AUSTRALIAN WHEAT BOARD	51(1)

FACTS The Australian Wheat Board has agreed to establish a financial reserve and deduct a non refundable levy of $0.10 a tonne from wheat growers' first advance payments to fund the addition of five floors and refurbishment of its previous Head Office in Melbourne, "Ceres House". When the work is completed all Australian Wheat Board staff in Melbourne will be located in "Ceres House".

2. Section 12A of the Wheat Marketing Act 1979 gives the Australian Wheat Board power to establish and maintain reserve accounts and to deduct amounts from proceeds of the disposal of certain wheat acquired by it and pay those amounts into a reserve. The amounts so deducted must be applied to the particular purpose for which the reserve was created and any excess funds dealt with for the benefit of the wheat industry in such manner as is approved by the Minister.

3. The levy of $0.10 per tonne is to be deducted from all first advance payments made after 24 November 1983. For growers who delivered wheat and were paid first advances prior to that date the levy will be deducted from subsequent payments.

RULING 4. The compulsory levy is accepted as an outgoing necessarily incurred by a wheat grower in carrying on his business and is an allowable deduction in terms of sub-section 51(1) provided, of course, that the gross amount of the advance payment has been included in assessable income.

COMMISSIONER OF TAXATION

12 September 1984