



A New Tax System (Wine Equalisation Tax) (New Zealand Producer Rebate Foreign Exchange Conversion) Determination 2026

I, Will Day, Deputy Commissioner of Taxation, make the following determination.

Draft published 25 May 2026

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1 Name

This instrument is the *A New Tax System (Wine Equalisation Tax) (New Zealand Producer Rebate Foreign Exchange Conversion) Determination 2026*.

2 Commencement

This instrument commences on the day after it is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under subsection 19-15(1B) of the *A New Tax System (Wine Equalisation Tax) Act 1999*.

4 Definitions

Note: A number of expressions used in this instrument are defined in section 33-1 of the Act, including the following:

- (a) financial year;
- (b) New Zealand participant;
- (c) producer rebate.

In this instrument:

Act means the *A New Tax System (Wine Equalisation Tax) Act 1999*.

approved selling price has the meaning given by subsection 19-15(1C) of the Act.

average yearly RBNZ rate, in relation to a conversion day, means the average Reserve Bank of New Zealand rate (expressed in a unit of Australian currency per New Zealand dollar) for the financial year in which the conversion day occurs and which is published on the Australian Taxation Office website (www.ato.gov.au).

conversion day, in relation to the treatment of a foreign currency component as if it were an amount of Australian currency, is a day that is the earlier of:

- (a) the day on which a New Zealand participant receives any consideration for the supply of wine; and
- (b) the day on which the New Zealand participant issues an invoice for the supply of wine.

foreign currency component, in relation to wine sold by a New Zealand participant, means a component used to determine the approved selling price for the wine where the component is expressed in a currency other than Australian currency.

RBA means Reserve Bank of Australia (within the meaning of the *Reserve Bank Act 1959*).

RBA business day means a day that the head office of the RBA is open for business.

RBA rate, in relation to a conversion day, means the exchange rate (expressed in a unit of foreign currency per Australian dollar) that is published by the RBA on its website (www.rba.gov.au) for the day that is:

- (a) the conversion day, where the conversion day is an RBA business day; or
- (b) the RBA business day immediately before the conversion day, where the conversion day is not an RBA business day.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6 Choosing a method

- (1) A New Zealand participant must use one of the methods in subsection 7(1) or (2) for an entire financial year to work out the amount of Australian currency that a foreign currency component is to be treated as on a conversion day.
- (2) For the purposes of subsection (1), the method that applies on a conversion day is the method that has been chosen for the financial year in which the entitlement to the producer rebate arises under subsection 19-5(2) of the Act (and not the financial year in which the conversion day occurs).

7 Methods for converting a foreign currency component to Australian currency

Method 1 – average yearly RBNZ rate

- (1) If a New Zealand participant uses the average yearly RBNZ rate on a conversion day and the foreign currency component is expressed in New Zealand currency, the component is to be treated as if it were an amount of Australian currency on that day by using the following formula:

Amount of Australian currency = foreign currency component × average yearly RBNZ rate

Method 2 – RBA rate

- (2) If a New Zealand participant uses the RBA rate on a conversion day, the foreign currency component is to be treated as if it were an amount of Australian currency on that day by using the following formula:

Amount of Australian currency = foreign currency component × (1 ÷ the RBA rate on the conversion day)

Schedule 1—Repeals

Wine Equalisation Tax New Zealand Producer Rebate Foreign Exchange Conversion Determination (No. 57) 2016

1 The whole of the instrument

Repeal the instrument

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