



February 2024

Modernising the agricultural levies legislation

2.1 Frequently asked questions

What parts of the proposed levies legislative framework is the department currently consulting on?

We are seeking your feedback on 4 proposed regulations and rules. The regulations and rules contain the operational details for all levies and will sit under 5 Bills that will provide the overarching legislative framework for the levy system.

In May/June 2023, we sought feedback on drafts of the Bills before they were finalised and introduced to Parliament in October 2023.

Are my agricultural levies and charges included?

Draft regulations and rules containing the levy and/or charge settings for currently levied commodities are available for comment from 27 February 2024.

Will industry be asked to resubmit levy proposals for existing levies under the new legislation?

No. All operational levies, including nil-rated biosecurity response levies would be transferred to the new legislation.

Will levy costs go up? Will farmers have to pay more?

No. Rates are not being changed as part of this work. Levy rates are only changed at the request of industry.

Will I have to change the way I operate?

The draft legislation is unlikely to change the way your business operates. If there are changes to the levy return forms or your record keeping requirements, we will contact you about them before that return is due.

Similarly, if there are any changes to how research and development corporations (RDCs) receive levy payments or claim for matching funding, we will contact RDCs about these changes.

You can visit our [website](#) to read more about the draft rules and regulations. We welcome your comments about how the levies apply to the products you deal in, and how we will collect them.

I'm a collection agent. Will anything change for me?

The draft legislation is unlikely to change the way your business operates. Clearer and more consistent forms and processes would replace existing arrangements. We will communicate with collection agents closer to the time the legislation would come into effect to help you understand any changes. Consistent rules supporting when payments and returns are due, how to seek exemptions from monthly or quarterly returns, and how to request information from levy payers will support you in meeting your obligations.

Will anything change with levy payer registers?

No. The draft legislation would continue the current arrangements for levy payer registers. As with the current legislation, the draft legislation limits the use and disclosure of levy information, including data provided for levy payer registers.

Can an industry change an existing levy or create a new levy through the agricultural levies legislation modernisation process?

No. If an industry would like to change a levy or create a new levy, existing processes must be followed. Industry must submit a levy proposal that demonstrates industry support for the proposal.

If an industry would like to amend a levy or create a new levy, they should consult the [Levy Guidelines](#) for step-by-step instructions on preparing a proposal.

What happens if an industry is part way through the process to introduce a levy when the legislation changes?

The department is working with industries and is monitoring potential levy change requests. We will work with industries on a case-by-case basis to minimise disruption to the introduction or change of a levy setting.

If an industry would like to amend or create a new levy, they should consult the [Levy Guidelines](#) for step-by-step instructions on preparing a proposal.

Will levies continue to be paid to the same levy recipient bodies?

Yes. There would be no changes to who the levies are paid to. All existing research and development corporations (RDCs) would continue to receive R&D and marketing levies, Animal Health Australia (AHA) and Plant Health Australia (PHA) would continue to receive biosecurity activity and response levies and the National Residue Survey (NRS) would continue to receive the NRS levies.

Will levy recipient bodies continue to use the levies for the same purposes?

Yes. There would be no changes to what levies can be spent on.

Will the Commonwealth continue to match R&D?

Yes. The Commonwealth would continue to provide matching funding for R&D. The draft legislation specifies that the Commonwealth would match up to 50% of an RDC's eligible R&D expenditure in a financial year, limited by 0.5% of the average gross value of production for that RDC.

What if I have ideas for how to improve the regulations and rules?

The department welcomes your feedback via the Have Your Say survey. You may provide comments in response to the specific questions in the survey or use the additional text areas to give any extra information and feedback.

We will consider all feedback provided by the closing date – 23 April 2024. Please contact us before the closing date via leviestaskforce@aff.gov.au if you have any questions.

Have stakeholders been engaged in developing the draft levies legislation?

The draft levies legislation has been informed by industry groups, levy payers, collection agents, and levy recipient bodies. Key processes include:

- 2017-18: The department reviewed the levies legislative framework and did targeted consultation with 70 stakeholder groups.
- 2019-20: The department released the 'Streamlining and modernising agricultural levies legislation - early assessment regulation impact statement' for public consultation.

- 2021-22: The department conducted further consultation with industry representatives and RDCs.
- 2023: The department conducted public consultation on the draft Bills and select regulations.

When is the new legislative framework expected to commence?

We are working towards key features of the proposed new legislative framework being in place by early 2025, subject to passage through Parliament, as well as consideration by the Governor-General in Council and other instrument makers.

Further details about progress will be available on the [department's website](#).

What will happen to the existing levies legislation?

Any new levies legislation will repeal existing legislation that is no longer required.

What transitional and consequential amendments will be in place while the new legislation commences?

There will be a transitional period to ensure a smooth transition between the conclusion of activities under the existing legislation and the commencement of the proposed legislation. The department will prepare guidance material to help communicate any changes that will be made to levy return forms or record keeping requirements.

More information

Learn more about [modernising agricultural levies legislation](#).

Email leviestaskforce@aff.gov.au

Acknowledgement of Country

We acknowledge the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. We pay our respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

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