



# **Primary Industries Levies and Charges Collection Amendment (Wine Export Charge) Rules 2025**

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I, Adam Phillip Fennessy PSM, Secretary of the Department of Agriculture, Fisheries and Forestry, make the following rules.

Dated 29 August 2025

Adam Phillip Fennessy PSM  
Secretary of the Department of Agriculture, Fisheries and Forestry

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# 1 Name

This instrument is the *Primary Industries Levies and Charges Collection Amendment (Wine Export Charge) Rules 2025*.

# 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The later of: (a) 1 September 2025; and (b) the day after this instrument is registered.	1 September 2025 (paragraph (a) applies)

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

# 3 Authority

This instrument is made under the *Primary Industries Levies and Charges Collection Act 2024*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

# Schedule 1—Amendments

## Primary Industries Levies and Charges Collection Rules 2024

### 1 Clause 65-1 of Schedule 2

Omit:

The wine export charge is generally payable after the end of each quarter in a financial year. However, the Secretary may grant a charge payer an approval to pay the charge on an annual basis for that year.

substitute:

The wine export charge is payable after the end of each quarter in a financial year, except in certain circumstances when the charge is payable on an annual basis for that year.

### 2 Subclause 70-1(1) of Schedule 2 (table)

Repeal the table (including the note), substitute:

Wine export charge		
Item	Matter	Rule
1	For charge payable for a quarter in the financial year beginning on 1 July 2025, when is the charge due and payable?	(a) on the last day of the first calendar month after the end of the quarter, unless paragraph (b) applies; or (b) on 31 July 2026, if: (i) there is an automatic entitlement for the charge payer to pay the charge on an annual basis for the financial year beginning on 1 July 2025; or (ii) the charge payer holds an approval under clause 70-3 to pay the charge on an annual basis for the financial year beginning on 1 July 2025
2	For charge payable for a quarter in a financial year beginning on or after 1 July 2026 (the <i>current year</i> ), when is the charge due and payable?	(a) on the last day of the first calendar month after the end of the quarter, unless paragraph (b) applies; or (b) on 31 July in the next financial year after the current year, if: (i) there is an automatic entitlement for the charge payer to pay the charge on an annual basis for the current year; or (ii) the charge payer holds an approval under clause 70-3 to pay the charge on an annual basis for the current year

<b>Wine export charge</b>		
<b>Item</b>	<b>Matter</b>	<b>Rule</b>
3	To whom is the charge payable?	(a) if an agreement is in force under section 12 of the Act for Wine Australia, on behalf of the Commonwealth, to collect the charge—Wine Australia on behalf of the Commonwealth; or (b) otherwise—the Commonwealth

Note 1: For penalty for late payment, see section 9 of the Act.

Note 2: For when a charge payer has an *automatic entitlement* to pay charge on an annual basis for a financial year, see subclause (4).

### **3 Subclause 70-1(2) of Schedule 2**

Omit “item 2”, substitute “item 3”.

### **4 Subclause 70-1(2) of Schedule 2 (table item 1, column headed “Rule”)**

Omit “charge payer holds an approval under clause 70-3 to pay the charge on an annual basis for that year”, substitute “charge payable by the charge payer is due and payable on an annual basis for that year”.

### **5 Subclause 70-1(2) of Schedule 2 (cell at table item 2, column headed “Rule”)**

Repeal the cell, substitute:

The charge payer for wine in relation to which charge is due and payable on an annual basis for that year

### **6 At the end of clause 70-1 of Schedule 2**

Add:

*Automatic entitlement to pay charge on an annual basis*

- (4) A charge payer has an *automatic entitlement* to pay charge on an annual basis for a financial year if:
- (a) for the financial year beginning on 1 July 2025—both of the following apply:
    - (i) the charge payer was liable to pay charge imposed by Schedule 13 to the former *Primary Industries (Customs) Charges Act 1999* on wine for the financial year beginning on 1 July 2024;
    - (ii) the total amount payable by the charge payer on wine for the financial year beginning on 1 July 2024 was less than \$1,000 and that amount was payable on an annual basis; or
  - (b) for a financial year beginning on or after 1 July 2026—both of the following apply:
    - (i) the charge payer was liable to pay charge on wine for the previous financial year;
    - (ii) the total amount of charge on wine payable by the charge payer for the previous financial year was less than \$1,000 and that amount was payable on an annual basis.

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## 7 Subclause 70-3(1) of Schedule 2

After “in a financial year”, insert “(the *current year*)”.

## 8 Subclause 70-3(1) of Schedule 2 (note)

Omit “a financial year”, substitute “the current year”.

## 9 Subclauses 70-3(2) and (3) of Schedule 2

Repeal the subclauses, substitute:

- (2) An application under this clause:
- (a) must be made in writing; and
  - (b) must include all of the following information:
    - (i) the person’s full name;
    - (ii) the person’s business or residential address (not being a post office box or post office bag);
    - (iii) the person’s ABN (if any);
    - (iv) if the person is a company and does not have an ABN—the person’s ACN;
    - (v) the total amount of applicable wine export charge that was payable by the person for each of the previous 3 financial years; and
  - (c) must be made before the end of the first quarter in the current year in which charge is imposed on wine exported by the person; and
  - (d) may include any other information the person considers relevant to the application.

Note: For *applicable wine export charge*, see subclause (11).

- (3) The person may apply only if:
- (a) the person reasonably believes that the total amount of charge that the person will pay, or will be likely to pay, in relation to wine and the current year will be less than \$1,000; and
  - (b) the person does not have an automatic entitlement to pay charge on an annual basis for the current year under subclause 70-1(4).

## 10 Paragraphs 70-3(6)(a) and (b) of Schedule 2

Repeal the paragraphs, substitute:

- (a) the likelihood that the total amount of charge imposed on wine that the person will be liable to pay for the current year will be less than \$1,000;
- (b) the total amount of applicable wine export charge that was payable by the person for each of the previous 3 financial years.

## 11 At the end of clause 70-3 of Schedule 2

Add:

*Applicable wine export charge*

- (11) The *applicable wine export charge* for a financial year is:
- (a) for a financial year beginning before 1 July 2025—the charge imposed by Schedule 13 to the former *Primary Industries (Customs) Charges Act 1999* on wine that is exported from Australia; or



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- (b) for a financial year beginning on or after 1 July 2025—the charge imposed by clause 70-1 of Schedule 2 to the *Primary Industries (Customs) Charges Regulations 2024* on wine that is exported from Australia.