

A New Tax System (GST, Luxury Car Tax and Wine Tax) Directions 2025

I, Katy Gallagher, Minister for Finance, make the following directions.

Dated 20 September 2025

Katy Gallagher

Minister for Finance

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Part 1—Preliminary

1 Name

 This instrument is the *A New Tax System (GST, Luxury Car Tax and Wine Tax) Directions 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 October 2025; and(b) the day after this instrument is registered. |  |

Note: This table relates only to the provisions of this instrument as originally made.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 following provisions:

 (a) subsection 177‑1(2) of the *A New Tax System (Goods and Services Tax) Act 1999*;

 (b) subsection 21‑1(2) of the *A New Tax System (Luxury Car Tax) Act 1999*;

 (c) subsection 27‑20(2) of the *A New Tax System (Wine Equalisation Tax) Act 1999*.

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

 (1) In this instrument:

***GST Act*** means the *A New Tax System (Goods and Services Tax) Act 1999*.

***LCT Act*** means the *A New Tax System (Luxury Car Tax) Act 1999*.

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

Note:An expression used in this instrument that is defined in the GST Act, the LCT Act or the WET Act has the same meaning in this instrument as it has in the GST Act, the LCT Act or the WET Act, as the case requires.

 (2) A reference in this instrument to the Commonwealth includes a reference to an untaxable Commonwealth entity.

 (3) A reference in this instrument to the GST Act includes a reference to the *A New Tax System (Goods and Services Tax Transition) Act 1999*.

6 Purpose of instrument

 This instrument is made to give effect to the Parliament’s intention in relation to the application to the Commonwealth of the GST Act, the LCT Act and the WET Act.

Note 1: The Commonwealth and untaxable Commonwealth entities are not liable to pay GST, luxury car tax or wine tax. However, the Parliament’s intention (see subsection 177‑1(1) of the GST Act, subsection 21‑1(1) of the LCT Act and subsection 27‑20(1) of the WET Act) is that the Commonwealth and untaxable Commonwealth entities should:

(a) be notionally liable to pay GST, luxury car tax and wine tax payable under those Acts; and

(b) be notionally entitled to input tax credits arising under the GST Act and wine tax credits arising under the WET Act; and

(c) notionally have adjustments arising under the GST Act and luxury car tax adjustments arising under the LCT Act.

Note 2: This instrument must be complied with, despite any other Commonwealth law (see subsection 177‑1(3) of the GST Act, subsection 21‑1(3) of the LCT Act and subsection 27‑20(3) of the WET Act).

Part 2—Directions

7 Notional liability to pay GST

 (1) The Commonwealth is notionally liable to pay GST on a taxable supply or taxable importation if:

 (a) the Commonwealth makes the taxable supply or the taxable importation; and

 (b) if a person other than the Commonwealth had made the taxable supply or the taxable importation in the same circumstances—the other person would be liable to pay GST on the supply or importation.

 (2) For the purposes of subsection (1), the amount of notional GST payable is worked out under the GST Act as if the taxable supply or taxable importation were made by a person other than the Commonwealth.

8 Notional entitlement to input tax credits

 (1) The Commonwealth is notionally entitled to an input tax credit on a creditable acquisition or creditable importation if:

 (a) the Commonwealth makes the creditable acquisition or the creditable importation; and

 (b) if a person other than the Commonwealth had made the creditable acquisition or the creditable importation in the same circumstances—the other person would be entitled to an input tax credit on the acquisition or importation.

 (2) For the purposes of subsection (1), the amount of a notional input tax credit is worked out under the GST Act as if the creditable acquisition or creditable importation were made by a person other than the Commonwealth.

9 Notional liability to pay luxury car tax

 (1) The Commonwealth is notionally liable to pay luxury car tax on a taxable supply of a luxury car or a taxable importation of a luxury car if:

 (a) the Commonwealth makes the taxable supply or the taxable importation; and

 (b) if a person other than the Commonwealth had made the taxable supply or the taxable importation in the same circumstances—the other person would be liable to pay luxury car tax on the taxable supply or taxable importation.

 (2) For the purposes of subsection (1), the amount of notional luxury car tax payable is worked out under the LCT Act as if the taxable supply or taxable importation were made by a person other than the Commonwealth.

10 Notional liability to pay wine tax

 (1) The Commonwealth is notionally liable to pay wine tax on a taxable dealing if:

 (a) the Commonwealth is a party to the taxable dealing; and

 (b) if a person other than the Commonwealth had been a party to the taxable dealing in the same way in which the Commonwealth is a party—the other person would be liable to pay wine tax on the taxable dealing.

 (2) For the purposes of subsection (1), the amount of notional wine tax payable is worked out under the WET Act as if a person other than the Commonwealth had been a party to the taxable dealing in the same way in which the Commonwealth is a party.

11 Notional entitlement to wine tax credits

 (1) The Commonwealth is notionally entitled to wine tax credits arising in the circumstances mentioned in Division 17 of Part 4 of the WET Act if a person other than the Commonwealth would be entitled to wine tax credits in the same circumstances.

 (2) For the purposes of subsection (1), the amount of a notional wine tax credit is worked out under the WET Act as if the person to whom the circumstances apply were a person other than the Commonwealth.

12 Registration

 (1) An untaxable Commonwealth entity must be registered under the GST Act.

 (2) The form of registration, and the procedures for registration, must be in accordance with guidelines made by the Finance Minister.

13 GST returns

 (1) This section applies to an untaxable Commonwealth entity’s GST return that is not lodged electronically.

 (2) The GST return must be signed by a person who has authority to sign the return on behalf of the entity.

14 Net amounts

 (1) The net amount for an untaxable Commonwealth entity for a tax period is:



where:

***GST*** is the sum of all the amounts of GST on taxable supplies for which the entity is notionally liable that are attributable to the tax period.

***ITC*** is the sum of all the input tax credits for creditable acquisitions and creditable importations to which the entity is notionally entitled, being input tax credits that are attributable to the tax period.

***LCT*** is the sum of all the amounts of luxury car tax for which the entity is notionally liable that are attributable to the tax period, other than amounts notionally payable on taxable importations of luxury cars.

***WT*** is the sum of all the amounts of wine tax for which the entity is notionally liable that are attributable to the tax period, other than amounts notionally payable on customs dealings.

***WTC*** is the sum of all the wine tax credits to which the entity is notionally entitled that are attributable to the tax period.

 (2) For the purposes of subsection (1), an amount for which an entity is notionally liable, or to which it is notionally entitled, is attributable to the tax period to which it would be attributable if the entity were actually (instead of notionally) liable for, or entitled to, the amount.

15 Notional adjustments

 An untaxable Commonwealth entity has the following notional adjustments, worked out as if the person to whom the adjustment relates were not an untaxable Commonwealth entity:

 (a) any adjustments arising under the GST Act;

 (b) any luxury car tax adjustments arising under the LCT Act.

16 Adjustment of net amounts

 (1) If an untaxable Commonwealth entity has any notional adjustments that are attributable to a tax period, the entity’s net amount for the period is to be altered by:

 (a) adding to the net amount the sum of all the notional increasing adjustments that are attributable to the period; and

 (b) subtracting from the net amount the sum of all the notional decreasing adjustments that are attributable to the period.

 (2) For the purposes of subsection (1):

 (a) an increasing adjustment is worked out under the GST Act or the LCT Act as if the entity were not an untaxable Commonwealth entity; and

 (b) a decreasing adjustment is worked out under the GST Act or the LCT Act as if the entity were not an untaxable Commonwealth entity; and

 (c) an adjustment is attributable to the tax period to which it would be attributable if the entity were not an untaxable Commonwealth entity.

17 Transfer of net amounts to Commissioner

 (1) If the net amount for an untaxable Commonwealth entity for a tax period is greater than zero, the entity must transfer the net amount from a bank account or bank accounts of the entity to an official administered receipts bank account chosen by the Commissioner.

 (2) The net amount must be transferred at the time, or before the end of the period within which, the untaxable Commonwealth entity would be required to pay the net amount to the Commissioner if:

 (a) the entity was a person other than the Commonwealth; and

 (b) the net amount was an assessed net amount within the meaning of the GST Act.

18 Transfer of net amounts by Commissioner

 If the net amount for an untaxable Commonwealth entity for a tax period is less than zero, the Commissioner:

 (a) may offset the net amount, or a part of the net amount, against any of the following:

 (i) any withholding amount notionally due and payable to the Commissioner by the entity under Part 2‑5 in Schedule 1 to the *Taxation Administration Act 1953* (which deals with PAYG withholding);

 (ii) any notional tax debt of the entity that is notionallydue and payable; and

 (b) must transfer an amount corresponding to the net amount, or the remainder of the net amount, from the appropriate official account of the Commissioner to a bank account of the untaxable Commonwealth entity.

19 Transfer of importation amounts to Commissioner

 (1) This section applies in relation any of the following amounts that an untaxable Commonwealth entity is notionally liable to pay:

 (a) an amount of GST on a taxable importation;

 (b) an amount of luxury car tax on a taxable importation of a luxury car;

 (c) an amount of wine tax on a customs dealing.

 (2) The entity must transfer the amount, to an official administered receipts bank account chosen by the Commissioner,at the time, or before the end of period within which, the entity would be required to pay the amount to the Commonwealth if:

 (a) the entity was a person other than the Commonwealth; and

 (b) the amount was an amount of assessed GST, assessed luxury car tax or assessed wine tax (as appropriate) on the taxable importation or customs dealing.

20 General direction to Commissioner

 The Commissioner must:

 (a) collect and account for the notional taxes provided for by this instrument; and

 (b) administer the GST Act, the LCT Act and the WET Act, in their application to the Commonwealth, as if:

 (i) a reference to a tax, credit or adjustment in relation to the Commonwealth were a reference to the notional tax, notional credit or notional adjustment provided for by this instrument; and

 (ii) a requirement for payment of an amount to or by the Commonwealth were a requirement to transfer money between designated accounts in accordance with this instrument.

Part 3—Application provisions

30 Definitions

 In this Part:

***2015 direction*** means the *A New Tax System (GST, Luxury Car Tax and Wine Tax) Direction 2015*.

31 Net amounts

 (1) This instrument applies in relation to a net amount for an untaxable Commonwealth entity for a tax period that starts on or after 1 October 2025.

 (2) Despite the repeal of the 2015 direction on 1 October 2025, that instrument, as in force immediately before the start of that day, continues to apply on and after that day in relation to a net amount for an untaxable Commonwealth entity for a tax period that starts before 1 October 2025.

32 Importation amounts

 (1) This instrument applies in relation to:

 (a) a taxable importation made by an untaxable Commonwealth entity; or

 (b) a taxable importation of a luxury car made by an untaxable Commonwealth entity; or

 (c) a customs dealing in wine to which an untaxable Commonwealth entity is a party;

if the standard payment time in relation to the importation or customs dealing is on or after 1 October 2025.

 (2) Despite repeal of the 2015 direction on 1 October 2025, that instrument, as in force immediately before the start of that day, continues to apply on and after that day in relation to an importation or customs dealing mentioned in paragraph (1)(a), (b) or (c) of this section if the standard payment time in relation to the importation or customs dealing is before 1 October 2025.

 (3) In this section, the ***standard payment time***, in relation to an importation or customs dealing mentioned in paragraph (1)(a), (b) or (c), is the time by which a person other than the Commonwealth, if that person had made the importation or been a party to the customs dealing in the same way in which the untaxable Commonwealth entity is a party, would be required to pay to the Commonwealth an amount of assessed GST, assessed luxury car tax or assessed wine tax (as appropriate) on the importation or customs dealing.

Schedule 1—Repeals

A New Tax System (GST, Luxury Car Tax and Wine Tax) Direction 2015

1 The whole of the instrument

Repeal the instrument.