

## Summary of the proposed information requirements

The table below summarises the information requirements proposed in the Bill, our proposals and how the requirements may work in practice.

	<b>Notice to be issued to the recipient of the supply</b>	<b>Ensuring certain information is included in the customs documents for goods</b>	<b>Notification requirements to prevent GST from being charged at the border</b>
<b>What does the Bill require?</b>	<p>When you are supplying (or treated as supplying) low value goods that are subject to GST under the proposed amendments, you will be required to issue a notice to the recipient of the supply.</p> <p>This notice should be issued when the recipient agrees to the price of the goods. However, penalties are only proposed to apply if you fail to provide this notice within 5 business days of the recipient requesting it.</p>	<p>The Bill requires you to ensure that certain information is included in the customs documents for the goods, if you are the supplier or treated as the supplier of low value goods for GST purposes.</p> <p>However, if this information is not provided on the customs documents for goods, you will not be penalised if you have taken reasonable steps to ensure it was included. When you supply goods, we consider that you will have taken reasonable steps where you include the information on the commercial documents provided for use in completing the customs documents.</p> <p>If you operate an EDP, you will be considered to have taken reasonable steps if you provide commercial documentation which includes the information required, and if you require merchants using your platform to provide these documents for use in completing the customs documents.</p>	<p>When GST has applied to the supply of low value goods that later are imported into Australia in a consignment with a customs value exceeding \$1,000, GST will not apply at the border if notification requirements are met.</p> <p>If this notification is not provided prior to the completion of border processes and the application of GST at the border, the recipient will need to seek a refund of the GST charged by the supplier (or entity treated as the supplier under the Bill).</p> <p>However, GST will still be payable at the border if GST has been incorrectly charged on a supply of goods (for example, where GST is charged on the supply of an item which has a customs value exceeding \$1,000).</p> <p>More information is included in our <a href="#">draft Law Companion Guideline</a>, at paragraphs 187 to 226.</p>
<b>When does the requirement</b>	This requirement applies when a supply of low value goods is subject to GST	This requirement applies if you are registered, or required to be registered for	This notification must be provided in the approved form, prior to the completion of

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<b>apply?</b>	<p>under the Bill.</p> <p>The entity that is treated as the supplier for GST purposes is required to issue this notice (however, another entity could issue the notice on their behalf).</p> <p>If you make such a supply to a recipient who is not a consumer (as they disclose their Australian Business Number (ABN) and declare that they are registered for GST), GST will not apply to the supply. In this situation, you should not charge GST or issue a notice or a tax invoice with an amount of GST payable. .</p>	<p>GST, and you are the supplier or are treated as the supplier of an offshore supply of low value goods.</p> <p>This requirement applies for each supply where:</p> <ul style="list-style-type: none"> <li>■ you charge GST on a supply of low value goods under the proposed amendments</li> <li>■ you do not charge GST on a supply, because the recipient is not a consumer (for example, because they disclose their ABN and declare they are registered for GST)</li> <li>■ you do not charge GST on a supply, because after taking reasonable steps to obtain information (including by using your business systems and processes), you reasonably believe that GST will apply to the goods at the border.</li> </ul>	<p>border processes and the application of GST at the border.</p>
<b>What information is proposed to be required?</b>	<p>We propose that the notice issued to the recipient should include sufficient information to enable the following to be clearly ascertained:</p> <ul style="list-style-type: none"> <li>■ the identity and registration number of the entity treated as the supplier for GST purposes</li> </ul> <p>For example, if the goods are supplied through an EDP which is</p>	<p>Under the Bill, the information required to be included on the customs documents is:</p> <ul style="list-style-type: none"> <li>■ your registration number</li> <li>■ the extent to which the supply was a taxable supply, and</li> <li>■ the ABN of the recipient, if it was disclosed to you.</li> </ul>	<p>We propose that the notification requirement will be met where the import declaration for the goods contains:</p> <ul style="list-style-type: none"> <li>■ your registration number, and</li> <li>■ the extent to which the goods were supplied as a taxable supply.</li> </ul> <p>This will be the case where an exemption code is used to show that GST applied to</p>

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	<p>responsible for GST on the supply under the Bill, this would be the platform operator's registration number and identity.</p> <ul style="list-style-type: none"> <li>■ the identity of the recipient, if the price of the supply is above \$1,000</li> <li>■ the date of issue of the document</li> <li>■ a description of what is supplied, including the quantity (if applicable) and the price</li> <li>■ the amount of GST payable on the transaction</li> <li>■ if GST does not apply to the supply of all the goods in the transaction, information that identifies which of the goods were supplied as a taxable supply.</li> </ul> <p>If you supply a number of goods, all of which are subject to GST under the proposed amendments, you can meet the requirements by including the GST-inclusive price of the goods supplied and the fact that this price includes GST.</p> <p>If you're registered for GST in Australia as a full domestic registrant, you may choose to issue a tax invoice for supplies that are connected with Australia under the proposed amendments.</p>	<p>This information is required in proposed section 84-93, rather than being an approved form that the ATO sets.</p> <p>DIBP will be making changes to border systems to capture this information.</p>	<p>the supply of the goods.</p> <p>If only some of the goods were subject to GST, the exemption code should only be applied to the tariff lines for those goods.</p>

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<b>How could this requirement relate to the other information requirements?</b>	<p>With some modifications, you can use a copy of this notice to meet the other two requirements, by providing it as the commercial document which is used to complete the customs reporting and documentation requirements when the goods are imported.</p>	<p>You can meet this requirement by providing a copy of the notice issued to the recipient as the commercial document which is used to complete the customs reporting and documentation requirements when the goods are imported.</p> <p>However, as the requirement to ensure information is included on customs documents applies more broadly than the requirement to issue a notice to the recipient, you will need to do this in a broader range of situations.</p> <p>To do this, you would also need to provide the notice for supplies where:</p> <ul style="list-style-type: none"> <li>■ GST does not apply because the recipient is not a consumer (for example, because they provided you with their ABN and declared they are registered). In this case, you would also need to include the recipient's Australian Business Number on the notice.</li> <li>■ GST does not apply because, after taking reasonable steps to obtain information (including by using your business systems and processes), you reasonably believe that GST will apply to the goods at the border.</li> </ul>	<p>The notification requirement will be met where you have ensured the relevant information (in this case, your registration number and the extent to which GST applied to the supply) are included on the customs documents, prior to the point at which GST is applied at the border.</p> <p>The importer, who is usually the recipient of the supply, is responsible for completing the import declaration. This is usually done on their behalf by a customs broker. If the relevant information has not been input into the import declaration, the importer can provide a copy of the notice issued to them, to show that GST applied on the supply of the goods. The import declaration would need to be amended to reflect the GST status of the goods.</p>

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<b>What section of the Bill contains this requirement?</b>	Proposed section 84-89	Proposed section 84-93	Proposed section 42-15