

Treasurer's Instruction No	1003
Title	Business Activity Statements
Effective date	31 January 2006
Objective and Background	Agency requirements for the lodgement of Business Activity Statements with the Australian Taxation Office
Last Reviewed Date	31 January 2006

This Instruction was previously known as Treasurer's Instruction No 518 – Business Activity Statements (BAS).

Black letter (or bold) items within these Instructions are mandatory and other plain font items are instructional or for the purpose of providing guidance only.

- (1) Agencies must lodge a monthly Business Activity Statement (BAS) with the Australian Tax Office (ATO) by the 15th of the following month except if one or both of the following circumstances apply:**
- (a) there is a net amount of GST payable in respect of the return; or**
 - (b) agencies have a PAYG withholding obligation that will either totally or materially offset the GST refund and that PAYG withholding obligation is payable after the 15th day of the month but on or before the 21st day of the month.**

In these circumstances, agencies shall defer lodgement of BAS until the 21st day of the month, the last day permitted for lodgement under the Commonwealth legislation.

Under section 31–10 of the Australian Government's *A New Tax System (Goods and Services Tax) Act 1999*, a Business Activity Statement (BAS) must be lodged on or before the 21st day of the month following the end of a tax period. However, to minimise the month on month cash flow impacts of GST, each agency is required to lodge its BAS with the ATO by the 15th of the month where a refund is due. Where the Agency will pay GST, or has a PAYG withholding obligation that will offset the GST, the Agency should defer lodgement until the 21st of the month. The ATO is required under the Tax Administration legislation to pay interest on any refunds not made within 14 days of the receipt of the claim. Lodgement by the 15th of each month should ensure that tax credits are received before month end.