



Australian Government

AUSTRAC

AUSTRAC industry contribution (levy) 2025-26

Stakeholder consultation paper

February 2026

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Stakeholder submissions

AUSTRAC invites stakeholders to make submissions on the proposed arrangements for the 2025-26 industry contribution levy.

AUSTRAC administers the consultation process at its discretion, including for issues such as the consultation period and mechanisms for consultation.

Submissions will be reviewed and considered to identify potential areas for improvement or change to the levy components and variables, serving as key input into the design of future levy arrangements.

AUSTRAC has issued this consultation paper prior to making recommendations to the Minister for Home Affairs to make a final levy determination (the ministerial determination), which sets out the amount of levy payable and the method of calculation.

Submission requirements

Submissions should include:

1. the name of your organisation (or your name if the submission is made as an individual)
2. contact details for the submission, including an email address and contact telephone number where available.

Submissions should be sent by email to Industry_levy@austrac.gov.au.

The closing date for submissions is close of business Friday 20 March 2026. All submissions, and the names of people or organisations that make a submission, will be treated as public and may be published on AUSTRAC's website, unless the author clearly marks the submission as 'confidential'. A request made under the *Freedom of Information Act 1982* for access to a submission marked 'confidential' will be determined in accordance with that Act.

Following this consultation process, AUSTRAC intends to issue invoices for the industry contribution for 2025-26 in May 2026.

Who is required to pay the industry contribution?

A *leviable entity* is a reporting entity that is required to be enrolled with AUSTRAC and that is not an exempt entity on the census¹ day for a financial year. A full definition of leviable entity can be found in the [Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011](#) (Industry Contribution Act).

For the purposes of clarity, a Tranche 2 entity, or entity that provides the additional designated services included in the *Anti-Money Laundering and Counter-Terrorism Financing Amendment Act 2024* (the AML/CTF Amendment Act 2024), is not subject to the 2025-26 Industry Contribution.

Unless an entity's enrolment information as recorded in AUSTRAC Online (that is, in the AUSTRAC Business Profile Form, or ABPF) indicates that an entity is an 'exempt entity' on census day, the industry contribution levy will be payable.

Exempt entities, or entities that are otherwise not liable to pay the levy, include the following classes of entity:

- An entity that is an affiliate of a registered remittance network and did not provide a designated service in any other capacity (that is, where the affiliate does not provide any designated services under the AML/CTF Act except as a remittance affiliate). Affiliates are excluded on the basis that AUSTRAC's primary regulatory relationship is with the registered remittance network provider, rather than with individual affiliates.
- An entity that has been exempted from Part 7 of the AML/CTF Act.
- An entity that, on the census day, is a 'Market Generator' within the meaning of the [National Electricity Rules](#).
- An entity that is a body corporate established for a public purpose by an Act passed by the Federal Parliament.

Each entity is responsible for ensuring its enrolment information is correct at the census day. If you are a leviable entity, you are required to provide certain details relating to your entity's earnings. All AUSTRAC reporting entities must update this earnings information each

¹ The census date is the specified date on which data is gathered for the levy calculations. The census date for the 2025-26 levy year is set at 1 July 2025.



year, within 14 days of finalising and publishing the annual financial reports or statements. The definition of 'earnings' is provided in the ministerial determination, and further guidance can be found at this link: [Calculating earnings fact sheet](#).

About AUSTRAC

AUSTRAC is Australia's anti-money laundering and counter-terrorism financing (AML/CTF) regulator and financial intelligence unit. This dual role helps build resilience in the financial system and enables AUSTRAC to use financial intelligence and regulation to disrupt money laundering, terrorism financing and other serious and organised crime.

Our work is underpinned by the objectives of the Anti-Money Laundering and Counter Terrorism Financing Act 2006 (AML/CTF Act). We regulate more than 19,000 businesses that provide financial, gambling, bullion, remittance and digital currency exchange services. We ensure they comply with their obligations to have robust processes, systems and controls in place to effectively identify and mitigate their money laundering and terrorism financing (ML/TF) risks.

AUSTRAC currently receives over half a million financial reports each day from our regulated businesses. Our specialist analysts draw on the information in these reports and other sources to generate actionable financial intelligence products to identify risks and threats to the Australian community. Our unique specialist financial intelligence expertise enables us to develop targeted intelligence products to support law enforcement, national security investigations and prosecutions of serious criminal activity.

[Read more about AUSTRAC regulation.](#)

[Read more about AUSTRAC's intelligence capabilities.](#)

The [AUSTRAC 2025-29 corporate plan](#) describes how AUSTRAC will deliver on the expectations of the Federal Government, industry partners and the broader Australian community in protecting the financial system and Australians from the adverse impacts of money laundering and terrorism financing.

Information on budgeted expenditure is published in [AUSTRAC's 2025-26 Portfolio Budget Statements \(PBS\)](#).

Industry contribution authority and background

AUSTRAC funds its activities as Australia's AML/CTF regulator and financial intelligence unit through an industry contribution levy. The legislative authority for the levy is the [Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011](#) and [Australian](#)

[Transaction Reports and Analysis Centre Industry Contribution \(Collection\) Act 2011](#). While the primary basis for the industry contribution is the operating costs that are incurred in undertaking AUSTRAC's regulatory and intelligence activities, the industry contribution is classified as general taxation and is therefore not subject to the Australian Government Charging Framework.

The current industry contribution levy arrangements were introduced in the May 2014 Federal Budget and commenced from the 2014-15 financial year. AUSTRAC's activities have been fully funded through the collection of the AUSTRAC industry contribution since 2016-17.

Future Levy Model

The 2025-26 industry contribution amounts payable are calculated using the same underlying methodology that has been adopted since 2016-17. With the introduction of the recent *AML/CTF Amendment Act 2024* reforms and the upcoming regulation of Tranche 2 entities it is appropriate that the levy calculation methodology is revisited. Preliminary analysis of possible options has been undertaken, with the following next steps anticipated:

#	Step	Indicative timeframe*
1	Additional data collection – both existing entities and Tranche 2 entities will be asked to provide additional information that will facilitate model development	July – August 2026
2	Data analysis and option development	September 2026
3	Industry consultation on options developed	October 2026
4	Government consideration	May 2027

*Dates and process may be subject to change.

Entities will be notified of the data collection requirements, along with the channels and tools to be used, using the contact details provided during the enrolment process. Similarly, entities will be notified when the consultation paper is made available on the AUSTRAC website.

AUSTRAC industry contribution for 2025-26

Levy base – total amount to be recovered

AUSTRAC's operations comprise the following types of expenditure:

- operating and capital expenses covered by appropriations from government
- expenses covered by funding from external parties, and
- non-cash expenses, for example depreciation and amortisation.

All expenses funded by external parties such as other government agencies, or the Confiscated Assets Account, are excluded from the industry contribution levy.

New policy proposals that are agreed by government specify whether or not they are to be funded by the levy, or if there are any other conditions. If they are not to be funded by the levy, the cost of that proposal will also be excluded from the levy calculations.

The recovery of AUSTRAC's capital expenses is based on the annual depreciation charge and not on annual capital expenditure. This approach eliminates any large variations that might otherwise occur from year to year due to the uneven demand for what is typically project-based capital funding.

Where an amount from the prior year levy is under or over recovered that amount will also be included in the current year calculation.

The table below summarises the recoverable amount for the 2025–26 financial year.

Table 1 – 2025-26 industry levy base

Levy base	2025-26 \$'000
Revenue from government – total appropriation ¹	204,903
Add depreciation and amortisation (not funded through appropriation)	18,077
Add recovery of amounts not recovered in prior year due to waivers	6,128
Less – amounts excluded from the levy	97,993
Total industry contribution amount to be recovered	131,115

Note 1 – Refer to 2025-26 Portfolio Additional Estimates Statements

Division of base into components

The methodology for apportioning the levy amount across leviable entities remains consistent with the approach taken since 2022-23. The two parts of the recoverable amount for 2025-26 are:

Part one – Recoverable amount excluding Specific Measure

The part one amount is equal to the total contribution amount to be recovered, less the part two amount. This will be allocated to all leviable entities in line with the model outlined below and as specified in the ministerial determination.

Part two – Isolation of Specific Measure

The part two amount is equal to the cost of the government measure, Strengthening Australia's Defences against Money Laundering and Terrorism Financing (the measure). The measure is to be funded through a higher levy on the reporting entities that report the highest value of transaction reports. The threshold to determine those entities remains unchanged from 2024-25 and is again set at \$15 billion.

The part two amount will be pro-rated across the largest reporting entities and added to the levy for those entities that are calculated in part one. The number of entities falling into this category is expected to remain consistent with last year.

Table 2 – Industry levy base components

Base components	\$'000
Part one - Recoverable amount excluding the Measure	119,570
Part two - Recoverable amount relating to the Measure	11,545
Total recoverable amount for 2025-26	131,115

Industry contribution charging model

The charging model determines how the levy base is divided among liable entities. The two primary components for the charging model remain unchanged from previous years and comprise:

- an earnings component
- a transaction reporting component

Earnings component

Earnings threshold

The earnings component applies to liable entities with annual earnings of \$100 million or more. The earnings threshold remains unchanged from previous years and reflects AUSTRAC's ability to collect earnings information from entities with earnings over \$100 million. This authority is specified in the *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)*.

The definition of 'earnings' is provided in detail in the ministerial determination. The definition accounts for the fact that not all entities use an annual accounting period that ends on 30 June. If an entity is part of a group and related to other liable entities, the earnings component is based on the total earnings of the group and then divided among the individual group members.

Earnings component factor

The principle behind setting the earnings component factor is that the amount of the levy to be collected based on earnings versus the amount to be collected based on transactions reports should be as close as the model allows to a 50:50 ratio. This principle was first established in 2022-23 and remains unchanged for 2025-26. Maintenance of this principle realises an earnings component factor for 2025-26 of 0.18 per cent.

Maximum earnings charge

The maximum earnings component charge is capped at \$6 million.

For 2025-26 levy calculations, it is anticipated that this maximum cap will apply to entities with earnings equal to or higher than \$3.33 billion. Any amounts over the \$6 million maximum charge will be redistributed to other liable entities that have reported transactions in the 2024 calendar year.

Table 3: Summary of earnings component inputs

Earnings component	Actual 2023-24	Actual 2024-25	Indicative 2025-26
Minimum earnings threshold	\$100 million	\$100 million	\$100 million
Earnings component factor	0.15 per cent	0.15 per cent	0.18 per cent
Maximum earnings charge	\$5 million	\$6 million	\$6 million

Transaction reporting component

The transaction reporting component applies to leviable entities that lodge transaction reports. This includes threshold transaction reports (TTRs) and international funds transfer instruction (IFTI) reports submitted by an entity during the 2024 calendar year—that is, from 1 January 2024 to 31 December 2024.

An entity's total payable transaction reporting component is made up of two elements:

- **volume** – comprising a set unit cost per report multiplied by the number of reports submitted by the entity during the 2024 calendar year, and
- **value** – comprising a set unit cost multiplied by the value of the reports submitted during the 2024 calendar year.

The transaction reporting component in the 2025-26 levy represents approximately 50 per cent of the overall levy.

Transaction report volume factor

The transaction report volume factor will remain unchanged at \$0.014 per report for 2025-26.

Transaction report value

There are two components for the transaction report value element, and they remain unchanged from previous years:

- High-reporting value component – this will apply to reporting entities that have lodged reports with AUSTRAC with a total annual value equal to or exceeding \$15 billion. This threshold remains unchanged from previous years.
- Lower-reporting value component – this will apply to reporting entities that have lodged reports with a total annual value of less than \$15 billion.

The high and lower-transaction report value components are in Table 4.

Maximum transaction reporting component

The maximum transaction reporting charge is now \$9,344,613.63. This cap imposes a maximum amount that will be levied for the transaction reporting component. This means that the total of the reporting volume and report value charges will not exceed that amount. Any amounts over the \$9.345 million² maximum charge will be redistributed to other entities eligible to pay a high-reporting transaction value component.

Table 4: Summary of transaction component inputs

Transaction Report Component	Actual 2023–24	Actual 2024-25	Indicative 2025-26
Transaction report volume	\$0.014 per report	\$0.014 per report	\$0.014 per report
Transaction report value less than \$15 billion: % of leviable report value	0.00035091	0.00038089	0.00047459
Transaction report value of \$15 billion or more: % of leviable report value	0.00065737	0.00070412	0.00080199
Maximum transaction reporting charge ³	\$7.5 million	\$8.0 million	\$9.3 million

Minimum charge and maximum amount payable

Minimum levy charge

The minimum levy charge issued will remain unchanged from prior years at \$1,100. Where an entity's charge is calculated to be less than \$1,100, the charge will be reduced to nil, and that amount redistributed to the remaining entities.

Maximum levy charge

The maximum possible amount payable under the levy is \$15.345 million⁴. This reflects the sum of the maximum amount payable of the two primary components of the levy contribution:

² rounded

³ rounded

⁴ rounded

- earnings component: \$6 million, and
- transaction-reporting component: \$9.345 million

For 2025-26 it is anticipated that the maximum amount payable will be approximately \$13.876 million and this will apply to entities with earnings equal to or higher than \$8 billion.

For entities within a business group with earnings over \$8 billion, the calculated levy for each group is combined and the average calculated. Unless an alternate method is requested, that average then becomes the levy issued to each business group within this category.

Table 5: Summary of minimum and maximum amounts payable

Charging model component	Actual 2023–24	Actual 2024-25	Indicative 2025-26
Minimum payment threshold	\$1,100	\$1,100	\$1,100
Maximum payment amount	\$12,548,415.20	\$13,997,419.57	\$15,344,613.18

Census date and data

The census date for the 2025-26 levy is 1 July 2025. Leviable entities should have submitted their most recent annual financial results available on this date. As this consultation process is occurring after the census date, the levy factors included in the consultation paper are based on the actual census data for the 2025-26 levy year.

Some changes may still occur to the census day data in relation to declared earnings. This will typically happen where updated earnings information, specifically relating to the census date, is submitted by a reporting entity in the period between the date of this consultation paper and the signing of the ministerial determination. Census data may also be adjusted where it becomes apparent that transaction data is incorrect, or where reporting exemptions under the Act have been granted subsequent to the census date. Such changes may result in minor adjustments to the transaction report value factors. These factors will be adjusted to recover the correct total levy amount based on the updated data.

Ministerial determination

Ministerial determination context

Subsection 9(1) of the [Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011](#) provides for the Minister, by legislative instrument, to determine the amount of levy payable by a liable entity for a financial year. The determination is made by the Minister for Home Affairs.

Subsection 9(3) of the Act provides that a ministerial determination made for the purposes of subsection 9(1) may do one or more of the following:

- specify an amount or a method for determining an amount
- specify different amounts or methods for different classes of liable entities
- specify a nil amount or a method resulting in a nil amount.

The draft ministerial determination in **Attachment 1** determines the amount of instalment of the industry contribution for 2025-26.

The draft explanatory statement for the ministerial determination is in **Attachment 2**.

Attachment 1: **Draft** ministerial determination



Australian Transaction Reports and Analysis Centre Industry Contribution (2025-26) Determination 2026 (No.1)

Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011

I, the Hon Tony Burke MP, Minister for Home Affairs, make this Determination under subsection 9(1) of the *Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011*.

[Signed]

Minister for Home Affairs

[Date]

1 Name of Determination

This Determination is the *Australian Transaction Reports and Analysis Centre Industry Contribution (2025-26) Determination 2026 (No.1)*.

2 Commencement

This Determination commences on the day after it is registered.

3 Definitions

(1) In this Determination:

the Act means the *Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011 (Cth)*.

ADI (short for authorised deposit-taking institution) has the same meaning as in the AML/CTF Act.

AML/CTF Act means the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)*.

acquired refers to coming into possession or control of a business or entity.

AUSTRAC has the same meaning as in the AML/CTF Act.

AUSTRAC CEO has the same meaning as in the AML/CTF Act.

census day, for the 2025-26 financial year is 1 July 2025.

earnings, in relation to a leviable entity, means:

- (a) if the leviable entity is an ADI or a registered financial corporation – the total profit before tax, depreciation and amortisation (PBTDA), not adjusted for significant items; or
- (b) if the leviable entity is a member of a group of leviable entities and any member of that group is an ADI or a registered financial corporation – the total profit before tax, depreciation and amortisation (PBTDA) not adjusted for significant items; or
- (c) in any other case – the total earnings before tax, interest, depreciation and amortisation (EBITDA) not adjusted for significant items;

of the leviable entity, for a 12-month accounting period ending between 1 June 2024 and 31 May 2025, the details of which have been recorded in accordance with the requirements for the roll maintained by the AUSTRAC CEO under section 51C of the AML/CTF Act.

Note 1: The above definition recognises that leviable entities have differing annual accounting period end dates.

Note 2: The operation of the above definition in relation to leviable entities that are foreign companies or subsidiaries of foreign companies is affected by subitem (2) of this item 3.

financial year means the financial year beginning on 1 July 2025.

foreign company has the same meaning as in the *Corporations Act 2001* (Cth).

group of leviable entities means all leviable entities that are related bodies corporate.

leviable entity, in relation to the financial year, has the same meaning as in the Act.

leviable report, in relation to a leviable entity, means one of the following reports given to the AUSTRAC CEO during the calendar year beginning on 1 January 2024:

- (a) a report given by the leviable entity under subsections 43(2) or 45(2) of the AML/CTF Act (including a report given by the leviable entity in the form required for subsections 43(2) or 45(2), whether or not such a report was required to be given under either of those subsections); or
- (b) a report of the type referred to in paragraph (a) that was given by another leviable entity that, as at the time the report was given, was a remittance affiliate of the leviable entity; or
- (c) a report of the type referred to in paragraph (a) that was given by another leviable entity that, prior to the census day, was acquired by the leviable entity;

but does not include a report that has a value of \$1,000,000,000 or more where the transaction to report was not completed and was marked as such in the report.

National Electricity Rules means the Rules made under the *National Electricity Law* set out in the schedule titled 'Schedule – National Electricity Law' to the *National Electricity (South Australia) Act 1996* (SA).

previous financial year means the financial year beginning on 1 July 2024.

registered financial corporation has the same meaning as *registered entity* in the *Financial Sector (Collection of Data) Act 2001* (Cth).

related bodies corporate has the same meaning as in the *Corporations Act 2001* (Cth).

remittance affiliate means a leviable entity that:

- (a) provides a designated service covered by item 31 or 32 of table 1 in section 6 of the AML/CTF Act; and
- (b) provides that service as part of a network of persons of a kind referred to in item 32A of that table operated by another leviable entity.

subsidiary has the same meaning as in the *Corporations Act 2001* (Cth).

- (2) A reference in this Determination to the total profit or total earnings of a leviable entity that is a foreign company or a subsidiary of a foreign company is a reference to the total profit or total earnings of the leviable entity which are derived from operations in Australia.

4 Amount of instalment of levy

- (1) Subitem (2) has effect subject to subitems (3), (4), (5), (6) and (7).
- (2) For subsection 9(1) of the Act, the amount of the instalment of levy payable by a leviable entity for the financial year is to be calculated in accordance with the following formula:

$$\text{earnings component} + \text{transaction reporting component}$$

Minimum Payment threshold

- (3) If the amount calculated in relation to a leviable entity under subitem (2) is less than \$1,100, then, for subsection 9(1) of the Act, the amount of the instalment of levy payable by the leviable entity for the financial year is nil.

Maximum payment amount

- (4) For subsection 9(1) of the Act, the amount of the instalment of levy payable by a leviable entity for the financial year is:
- (a) for a leviable entity that is not a part of a group of leviable entities, the amount of the instalment of levy payable by the leviable entity for the financial year will not exceed \$15,344,613.18; or
 - (b) for leviable entities that are part of a group of leviable entities, the sum of all amounts of all instalments of levy payable by all leviable entities in the group for the financial year will not exceed \$15,344,613.18

Other

- (5) For subsection 9(1) of the Act, the amount of the instalment of levy payable for the financial year by a leviable entity that, in the previous financial year:
- (a) provided a designated service or services only in the capacity of a remittance affiliate; and
 - (b) did not provide a designated service in any other capacity;
- is nil.
- (6) For subsection 9(1) of the Act, the amount of the instalment of levy payable for the financial year by a leviable entity that, on the census day for the financial year, was a 'Market Generator' within the meaning of the National Electricity Rules, is nil.

(6A) Where a liable entity that, on the census day for the financial year, was a 'Market Generator' within the meaning of the National Electricity Rules, is part of a group of liable entities:

(a) the earnings of that entity shall not contribute to the total earnings of the group; and

(b) the entity shall not be included in the number of liable entities in the group;

for the purpose of calculating the amount of instalment of levy for any liable entities in that group.

(7) For subsection 9(1) of the Act, the amount of the instalment of levy payable for the financial year by a liable entity that is a body corporate established for a public purpose by an Act passed by the Parliament of the Commonwealth is nil.

5 Earnings component

(1) Subitem (2) has effect subject to subitems (3) and (4).

(2) The earnings component for a liable entity is:

(a) for a liable entity that is not part of a group of liable entities – 0.18 per cent of the earnings for the liable entity; or

(b) for a liable entity that is part of a group of liable entities – 0.18 per cent of the total earnings for the group of liable entities, divided by the number of liable entities in the group.

Earnings component threshold

(3) The earnings component for a liable entity:

(a) that is not part of a group of liable entities and has earnings of less than \$100,000,000; or

(b) that is part of a group of liable entities the total earnings for which are less than \$100,000,000;

is nil.

Earnings component cap

(4) If the earnings component calculated for a liable entity under subitem (2) is greater than \$6,000,000, then:

(a) for a liable entity that is not part of a group of liable entities – the earnings component for the liable entity is \$6,000,000; or

(b) for a liable entity that is part of a group of liable entities – the earnings component for the liable entity is \$6,000,000, divided by the number of liable entities in the group.

6. Transaction reporting component

- (1) Subitem (2) has effect subject to subitems (3), (5) and (6).
- (2) The transaction reporting component for a liable entity is to be calculated in accordance with the following formula:
 - (a) if the total value of the liable reports that the entity gave in the 2024 calendar year was less than \$15 billion:
$$\begin{array}{rcc} 1.4 \text{ cents for each} & & 0.00047459 \text{ per cent of the} \\ \text{liable report} & \text{plus} & \text{value of the liable report} \end{array}$$

or
 - (b) if the total value of the liable reports that the entity gave in the 2024 calendar year was \$15 billion or more:
$$\begin{array}{rcc} 1.4 \text{ cents for each} & & 0.00080199 \text{ per cent of the} \\ \text{liable report} & \text{plus} & \text{value of the liable report} \end{array}$$
- (3) If a liable report of the type referred to in paragraph (b) or (c) of the definition of *liable report* is used in the calculation of a liable entity's transaction reporting component, the same report cannot be used in the calculation of any other liable entity's transaction reporting component.
- (4) In this item, a reference to the value of a liable report is a reference to the value of the transaction to which the liable report relates.

Transaction reporting component caps

- (5) If the total of the transaction reporting component calculated for a liable entity under subitem (2)(a) is greater than \$9,344,613.18, then the total transaction reporting component for the entity is \$9,344,613.18.
- (6) If the total of the transaction reporting component calculated for a liable entity under subitem (2)(b) is greater than \$9,344,613.18, then the total transaction reporting component for the entity is \$9,344,613.18.

Attachment 2: **Draft** explanatory statement to the ministerial determination

EXPLANATORY STATEMENT

Issued by the authority of the Minister for Home Affairs

Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011
Australian Transaction Reports and Analysis Centre Industry Contribution (2025-26)
Determination 2026 (No.1)

OUTLINE

The determination is made by the Minister for Home Affairs under subsection 9(1) of the *Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011* (Industry Contribution Act) for the financial year 1 July 2025 to 30 June 2026 (2025-26).

Section 8 of the Industry Contribution Act imposes a levy on certain entities ('leviable entities') regulated and supervised by the Australian Transaction Reports and Analysis Centre (AUSTRAC). The purpose of the levy is to recover the costs of the performance of AUSTRAC's regulatory and intelligence functions. It is intended that the levy will recover 100 per cent of those costs (including depreciation) in 2025-26, with some exclusions.

Section 7 of the *Australian Transaction Reports and Analysis Centre Industry Contribution (Collection) Act 2011* provides that the levy is payable in one or more instalments. The amount of each instalment is dealt with in Section 9 of the Industry Contribution Act. The purpose of making the levy payable in instalments is to enable more than one instalment to be made payable in a single financial year, if this is necessary to recover AUSTRAC's costs. For the 2025-26 financial year, only one instalment of levy will be payable.

Subsection 9(1) of the Industry Contribution Act provides for the Minister, by legislative instrument, to determine the amount of an instalment of levy payable by a leviable entity for a financial year. Paragraph 9(2)(a) requires the Minister to make at least one determination under subsection (1) for each financial year. Paragraph 9(2)(b) puts a cap, called the 'statutory limit', on the sum of all amounts of all instalments of levy payable by all leviable entities for a financial year. The term 'statutory limit' is defined by subsection 7(1) of the Industry Contribution Act to mean, in relation to a financial year, 'the amount that is two times the sum of all amounts appropriated by the Parliament for the purposes of AUSTRAC for the financial year'.

The determination determines the amount of the instalment of levy for 2025-26.

Subsection 9(3) of the Industry Contribution Act provides that a determination made for the purposes of subsection 9(1) may do one or more of the following:

- specify an amount or a method for determining an amount.

- specify different amounts or methods for different classes of leviable entities.
- specify a nil amount or a method resulting in a nil amount.
- specify methods that refer to acts done or circumstances existing before either the commencement of the determination or the commencement of the Industry Contribution Act, or both.

Subsection 9(4) of the Industry Contribution Act provides that a determination made for the purposes of subsection 9(1) for a financial year may, despite subsection 12(2) of the *Legislation Act 2003*, be made after the beginning of that financial year.

Details of the determination are set out below. The determination is a legislative instrument for the purposes of the *Legislation Act 2003* (Legislation Act).

LEVY STRUCTURE

The development and refinement of the structure of the industry contribution charging model was undertaken during the 2014–15 financial year, following the Federal Government’s budget announcement on 13 May 2014 that it was replacing the cost recovery arrangements administered by AUSTRAC (known as the AUSTRAC supervisory levy) with an industry contribution levy to fund its regulatory and financial intelligence functions.

The underlying structure of the charging model for the 2024-25 financial year is unchanged from the model that was used for 2014–15 and subsequent years. There have been some changes to the factors for individual components and caps, to reflect the change in the total amount to be recovered.

The industry contribution levy is considered a general taxation item.

CONSULTATION

The consultation paper for the 2025-26 industry levy was released to leviable entities and industry bodies on 23 February 2026 and closed on 20 March 2026. The paper provided further detail and explanations on the proposed arrangements for the Industry Contribution for 2025-26 and the intended next steps in respect of the future levy design consultation.

DETAILS OF THE DETERMINATION

Item 1 – Name of Determination

This item sets out the name of the determination as the *Australian Transaction Reports and Analysis Centre Industry Contribution Determination (2025-26) 2026 (No. 1)*.

Item 2 – Commencement

This item provides that the determination will commence the day after it is registered as a legislative instrument.

Item 3 – Definitions

Subitem 3(1) defines terms used in the determination, the more significant of which are:

- ‘census day’. This term is defined, in relation to 2025-26, to have the same meaning as in the Industry Contribution Act. The census day for the 2025-26 financial year is 1 July 2025.
- ‘earnings’. The amount of a liable entity’s ‘earnings’, as defined, is used to calculate the earnings component of the instalment of levy, under item 5 or the determination. For a liable entity that is an authorised deposit-taking institution or a registered financial corporation, or is part of a group of liable entities that includes such an entity, ‘earnings’ means total profit before tax, depreciation and amortisation (PBTDA). For all other entities the measure is total earnings before interest, tax, depreciation and amortisation (EBITDA). Neither PBTDA nor EBITDA is to be adjusted for significant items.
- ‘liable entity’. This term is defined, in relation to 2025-26, to have the same meaning as in the Industry Contribution Act.
- ‘liable report’. This means, in relation to a liable entity, a report given to the AUSTRAC CEO in the 2024 calendar year under subsection 43(2) or 45(2) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) (or in the form required for subsection 43(2) or 45(2), whether or not such a report was required to be given under either subsection), being:
 - a report given by the liable entity; or
 - a report given by a remittance affiliate of the liable entity; or
 - a report given by another liable entity that was acquired by the liable entity prior to the census day.

Sections 43 and 45 of the AML/CTF Act respectively deal with threshold transaction reports (TTRs) and international funds transfer instructions reports (IFTIs).

- ‘National Electricity Rules’. This means the Rules made under the *National Electricity Law* set out in the schedule titled ‘Schedule – National Electricity Law’ to the *National Electricity (South Australia) Act 1996* (SA).
- ‘remittance affiliate’. This means a liable entity that provides a designated service covered by item 31 or 32 of table 1 in section 6 of the AML/CTF Act as part of a network of persons of a kind referred to in item 32A of that table operated by another liable entity.
- ‘registered financial corporation’. This term is defined to have the same meaning as the term ‘registered entity’ in the *Financial Sector (Collection of Data) Act 2001*.

Subitem 3(2) limits references in the determination to the total profit or total earnings of a liable entity that is a foreign corporation or a subsidiary of a foreign corporation to the total profit or total earnings of the liable entity that are derived from operations in

Australia. This affects the operation of the definition of the term ‘earnings’ in subitem 3(1) of the determination.

Item 4 – Amount of instalment of levy

Item 4 sets out a general method for determining the amount of the instalment of levy payable by a liable entity for 2025-26, which is subject to five exceptions.

The general method is specified in subitem 4(2). It involves adding together the ‘earnings component’ for the liable entity, dealt with in item 5 of the determination, and the ‘transaction reporting component’ for the liable entity, dealt with in item 6 of the determination.

The exceptions to the general method are specified in subitems 4(3), (4), (5), (6) and (7).

Subitem 4(3) provides a minimum payment threshold of \$1,100 for the levy instalment. If the amount calculated in relation to a liable entity under subitem (2) is less than \$1,100, then the amount payable by that entity is nil.

Subitem 4(4) provides a maximum payment amount for the levy instalment. The amount payable by a liable entity that is not part of a group of liable entities and has met both the earnings component cap at item 5(4) and the transaction reporting component at 6(5) is \$15,344,613.18. The amount payable by a liable entity that is part of a group of liable entities and has met both the earnings component cap at item 5(4) and the transaction reporting component at 6(5) is \$15,344,613.18 divided by the number of liable entities in the group.

Subitem 4(5) sets the levy instalment at nil for a liable entity that, in the financial year 1 July 2024 to 30 June 2025, provided designated services only in the capacity of a remittance affiliate. Entities to which subitem 4(5) applies have no amount payable on the basis that AUSTRAC’s primary regulatory relationship will be with remittance network providers rather than remittance affiliates.

Subitem 4(6) sets the levy instalment at nil for a liable entity that, on the census day, was a ‘Market Generator’ within the meaning of the National Electricity Rules.

Subitem 4(7) sets the levy instalment at nil for a liable entity that is a body corporate established for a public purpose by an Act passed by the Commonwealth Parliament.

Item 5 – Earnings component

Item 5 sets out a general method for determining the earnings component for a liable entity, which is subject to two exceptions.

The general method is specified in subitem 5(2). For a liable entity that is not part of a group of liable entities, the general method involves multiplying the earnings for the liable entity by 0.18 per cent. For a liable entity that is part of a group of liable entities, the general method involves multiplying the total earnings for the group by 0.18 per cent and dividing the result by the number of liable entities in the group.

The exceptions to the general method are specified in subitems 5(3) and (4).

Subitem 5(3) provides a payment threshold for the earnings component. It does so by setting the earning component at nil for a liable entity that is not part of a group of liable entities and has earnings of less than \$100,000,000, or a liable entity that is part of a group of liable entities the total earnings for which are less than \$100,000,000.

Subitem 5(4) provides a payment cap for the earnings component for a liable entity if the amount calculated for that entity under subitem (2) is greater than \$6,000,000. For a liable entity to which subitem 5(4) applies that is not part of a group of liable entities, the earnings component is set at \$6,000,000. For a liable entity to which subitem 5(4) applies that is part of a group of liable entities, the earnings component is set at \$6,000,000 divided by the number of liable entities in the group. This division could be equally, or as otherwise advised.

Item 6 – Transaction reporting component

The transaction reporting component is calculated by reference to the TTRs and IFTIs that were lodged with AUSTRAC during the 2024 calendar year.

Subitem 6(2) contains a formula for working out a liable entity's transaction reporting component. The formula is made up of two elements, one for report volume and one for report value. The report value element that is to be applied is dependent on the total value of reports lodged with AUSTRAC during the 2024 calendar year.

A higher report value element applies to entities that lodged reports with a total annual value of \$15 billion or more.

The transaction reporting component is calculated as follows:

- For entities with a total annual report value of less than \$15 billion:
 - 1.4 cents for each liable report made by a liable entity in the 2024 calendar year; and
 - 0.00047459 per cent of the value of the transaction to which the liable report relates.
- For entities with a total annual report value of \$15 billion or more:
 - 1.4 cents for each liable report made by a liable entity in the 2024 calendar year; and
 - 0.00080199 per cent of the value of the transaction to which the liable report relates.

Subitem 6(3) prevents 'double-counting' of liable reports in the application of the formula in subitem (2) to different liable entities.

Subitem 6(4) is included to avoid doubt as to what is meant by the 'value of a liable report' in subitem (2).



Subitem 6(5) provides a payment cap for the transaction component for a liable entity if the amount calculated for that entity under subitem (2)(a) is greater than \$9,344,613.18. If the total of the transaction reporting component calculated for a liable entity under subitem (2)(b) is greater than \$9,344,613.18, then the total transaction reporting component for the entity is \$9,344,613.18.

Attachment 3: Statement of Compatibility with Human Rights

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Australian Transaction Reports and Analysis Centre Industry Contribution Determination (2025-26) 2026 (No. 1)

This Determination is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

The *Australian Transaction Reports and Analysis Centre Industry Contribution Act 2011* (Industry Contribution Act) imposes a levy on certain entities ('leviable entities') which are regulated under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* and supervised by the Australian Transaction Reports and Analysis Centre. Subsection 9(1) of the Industry Contribution Act provides for the Minister, by legislative instrument, to determine the amount of an instalment of levy payable by a leviable entity for a financial year.

This determination is made by the Minister for Home Affairs under subsection 9(1) of the Industry Contribution Act for the financial year 1 July 2025 to 30 June 2026. It specifies the amount, or the method for determining the amount, of the first instalment of levy payable by each leviable entity for the financial year. Different amounts and methods are specified for different classes of leviable entities.

Human rights implications

This determination does not engage any of the applicable rights or freedoms.

Conclusion

This determination is compatible with human rights as it does not raise any human rights issues.

Minister for Home Affairs