



Farm ownership and crops -

 This cover sheet is provided for information only. It does not form part of *Farm ownership and crops* -

 This publication is extracted from the Primary Production Industry Partnership - issues register. See issue 2.9.2 of that register. This publication should be read in conjunction with the related content of that register where further context is required.



Primary Production Industry Partnership

Farm ownership and crops

❗ This publication provides you with the following level of protection:

This publication (excluding appendixes) is a public ruling for the purposes of the *Taxation Administration Act 1953*.

A public ruling is an expression of the Commissioner's opinion about the way in which a relevant provision applies, or would apply, to entities generally or to a class of entities in relation to a particular scheme or a class of schemes.

If you rely on this ruling, the Commissioner must apply the law to you in the way set out in the ruling (unless the Commissioner is satisfied that the ruling is incorrect and disadvantages you, in which case the law may be applied to you in a way that is more favourable for you – provided the Commissioner is not prevented from doing so by a time limit imposed by the law). You will be protected from having to pay any underpaid tax, penalty or interest in respect of the matters covered by this ruling if it turns out that it does not correctly state how the relevant provision applies to you.

Farm ownership and crops

Question

1. Does a business operator own annual crops growing on a land owner's land when the business operator pays all the expenses for the crops?

Answer

2. Yes.

Explanation

3. Provided no agreement to the contrary exists between the business operator and the land owner, the ATO accepts that a business operator owns annual crops growing on another entity's land when the business operator pays all expenses for the crops.