



Privacy and information gathering

Access detailed information about your privacy and information gathering practices.

Information management

Access detailed information about how we manage information we collect and hold.

Privacy policy

How the ATO privacy policy deals with the collection, storage, access to, use and disclosure of personal information.

Privacy impact assessment register

The Privacy Code requires the ATO to undertake and maintain a register of certain privacy impact assessments (PIAs).

Our approach to information gathering

Learn how we approach information gathering as part of our compliance checks.

How we use data matching

Find out how we receive data from a range of sources and match

Data-matching protocols



We prepare and publish a protocol for each of our data-matching programs to explain the program's purpose, what data is collected and how the data will be used.

QC 56885

ATO privacy policy

How the ATO privacy policy deals with the collection, storage, access to, use and disclosure of personal information.

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About our privacy policy

Our privacy policy seeks to:

- communicate our personal information handling practices
- enhance the transparency of our operations
- give individuals a better and more complete understanding of the personal information we hold and the way in which we deal with that information.

We review our privacy policy regularly and publish it on our website. If you would like to access a copy of our privacy policy in another form, or have feedback on our privacy policy, you can [contact us](#).

The Privacy Act

The [Privacy Act 1988 \(Privacy Act\)](#) [!\[\]\(5361750c22c4e047a52f4eac1ec2d4cc_img.jpg\)](#) protects personal information and requires that we comply with the Australian Privacy Principles (APPs) set out in Schedule 1 of the Privacy Act in our handling of personal information.

Under the Privacy Act, 'personal information' means 'information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information is true or not and whether the information is recorded in a material form or not'.

We also comply with the requirements of the [Australian Government Agencies Privacy Code 2017](#) [!\[\]\(4fe57c3593bf1b21d272ae7ac8dfaf77_img.jpg\)](#) which is registered under the Privacy Act.

Under the Privacy Act, we:

- have a Privacy Champion and a Privacy Officer

- undertake privacy impact assessments (PIAs) and publish a version of those PIAs on our [Privacy impact assessment register](#).

Our undertaking to you

We undertake to collect personal information about you in a fair and lawful way and in a manner that is not unreasonably intrusive. This means that we will not use any form of deception or threat when we collect personal information, either from you or from anyone else.

We undertake to respect your privacy and to keep your information confidential. We handle your personal information as required by the Privacy Act and the *Australian Government Agencies Privacy Code 2017*.

We will be transparent and open about what personal information we collect, hold, use and disclose, as well as how you can make a [privacy complaint](#) if you think your privacy has been interfered with.

Why we collect, hold, use and disclose personal information

In administering the tax and superannuation (super) laws, we collect, hold, use and disclose a wide range of personal information. We have detailed privacy notices for every tax and super collection.

We also collect, hold, use and disclose personal information in relation to our other functions and activities, including:

- as custodian of the [Australian Business Register](#) 
- for data matching purposes
- for prosecution and law enforcement processes
- to manage enquiries and other contacts with us
- to verify your identity
- as the lead agency for the Australian Government's [Digital ID System](#) 
- in the course of procuring goods and services
- as an employer under the *Public Service Act 1999*.

Personal information we collect, hold, use and disclose

We collect, hold, use and disclose personal information about individuals and taxpayers that is necessary for or related to the administration of tax and super laws and other programs of work we administer.

Taxpayer records

Personal information includes:

- names, addresses, email addresses, phone and fax numbers
- dates of birth, occupations, gender, marital status, residency status, names of partners and relatives, unique identifiers such as tax file numbers (TFNs), Australian business numbers (ABNs) and director identification numbers (director IDs)
- business and financial information, bank account and financial institution details
- income which includes salary and wages
- shareholding and investment interest details
- student numbers and institution codes
- trustee and tax agent details
- health fund and super fund details
- Australian Transaction Reports and Analysis Centre (AUSTRAC) reports
- business ownership details, business transaction reports, **business tax debt**, property ownership and sales data.

For more information on the different types of personal information in taxpayer records that we collect, hold, use and disclose, see [Appendix 1](#).

Superannuation records



We collect, hold, use and disclose personal information about:


- super guarantee obligations and entitlements of employers and employees

- self-managed super fund members, trustees and directors of corporate trusts, so the funds can be registered, administered and regulated
- lost members, to maintain a central register of lost super member entitlements
- individual super holding account special accounts to enable accounts to be established for individuals where we have transferred unclaimed co-contribution or guarantee charge amounts to a special account
- individual taxpayer super excess contribution records, to enable excess super contributions to be identified and liabilities for excess contributions tax to be determined and assessed
- super co-contribution system records, so that super co-contribution entitlements can be determined and paid for eligible individuals
- the super unclaimed money register, to maintain a register of unclaimed super money paid to us.

Tax file numbers

A tax file number (TFN) is a unique identifier. We issue TFNs and use them to help us identify you and administer tax and super laws.

TFNs are protected by sections 8WA and 8WB of the [Taxation Administration Act 1953](#)  and the [Privacy \(Tax File Number\) Rule 2015](#) . We handle TFN information in accordance with those pieces of legislation.

For further TFN guidance and advice, see [The Privacy \(Tax File Number\) Rule 2015 and the protection of tax file number information](#) .

If you have concerns about the security of your TFN or are concerned that your TFN has been lost, stolen or misused, refer to **Lost or stolen TFN** advice or phone us on **13 28 61** between 8:00 am and 6:00 pm, Monday to Friday.

Digital identity program

We are participating in the government's digital identity program, giving Australian citizens and permanent residents a single and secure way to access online government services.

Under this program, we manage both:

- myID
- Relationship Authorisation Manager (RAM).

Personal information that we collect, hold, use and disclose for the purpose of administering myID and the RAM service includes your:

- first and last name
- date of birth
- address
- email address
- identity document details, to enable us to verify and validate these details with the government authorities that have issued them.

For further information about the collection, use and disclosure of your personal information for these services, see:

- [myID privacy notice](#) 
- [Relationship Authorisation Manager \(RAM\) privacy notice](#) 

Biometric voiceprints and MBUNs

We maintain a voiceprint biometric database. With your consent, voice recordings may be used to create a biometric voiceprint that can be used to identify you.

Where you have given your consent, and you have a myGov account linked to the ATO and other myGov member services, we may share your voice biometric information with your linked member services.

When sharing your voice biometric information with a linked myGov member service, we will also share your ATO meaningless but unique number (MBUN). This is a unique number linked to your ATO member service that is created when you link your myGov account to the ATO. If you have unlinked then relinked your myGov account to the ATO you will have multiple ATO MBUNs. However, we will only share the MBUN created when you last linked your myGov account to the ATO.

Tax practitioner records

We maintain a record of registered tax and business activity statement agents (tax practitioners) who are authorised to interact with us and

undertake transactions on behalf of taxpayers.

Personal information about tax practitioners that we hold includes the:

- tax practitioner's first name and surname
- business trading name
- address
- phone number
- fax number
- registration number
- ABN
- email address
- bank details
- client lodgment history.

We hold these records so that we can contact tax practitioners about their clients' tax affairs and to monitor lodgment of tax agent prepared returns and business activity statements.

Employee records

We collect, hold, use and disclose personal information in personnel records that is reasonably necessary for the purposes of discharging the Commissioner of Taxation's employer powers. 'Employer powers' means all the rights, duties and powers of an agency head under the *Public Service Act 1999*.

Forms on our website

Forms on our website are designed to support your interactions with us and some are designed to help you meet your lawful obligations under tax and super laws. Personal information we collect through online forms is used to contact you and administer the tax and super laws. If you do not provide that information, we may not be able to take further action on the form you submit.

- Our forms clearly indicate the information you must provide (mandatory fields) before you can submit a form.

- Where possible, we highlight that you shouldn't include sensitive information in free-text fields.
- Any additional information you provide to support your enquiry is done so at your discretion.

Web browsing records

When you visit ato.gov.au we'll collect information from your browser relating to:

- your server address, operating system and top-level domain name
- the date and time of your visit
- the pages you accessed and documents you downloaded
- the previous site you visited
- the type of browser you used.

No attempt is made to identify users or their browsing activities except in the event of an investigation where a law enforcement agency may exercise a warrant to inspect our internet web server logs.

When you authenticate with online ATO systems directly or indirectly (for example, through myGov), certain information about your device, your browser and the authentication process will also be logged by us, such as:

- your internet provider number (IP address)
- the date and time of the use of the authentication service
- the authentication information you provided
- successful and unsuccessful attempts at authenticating.

We may use this information to:

- confirm your identity
- compile statistics and reports to enhance our systems and services
- identify and respond to issues that may indicate authentication integrity is at risk
- detect, investigate and prosecute criminal offences.

We don't share this information with other government agencies or other organisations without your permission unless that is required or authorised by law.


Cookies

Cookies are pieces of information that a website can transfer to an individual's computer hard drive or mobile device for record keeping. Cookies can make websites easier to use by storing information about your preferences on a particular website. The information remains on your device after the internet session finishes.

The first time you visit our website one cookie will be stored on your device. On each visit to our website the system checks whether there is an ato.gov.au cookie on your device. If so, it simply notes its presence and records your visit as a 'previous user'. If not, it will store one and record your visit as a 'first time visitor'. This cookie will be stored permanently unless you choose to delete it. The information is used by us to help improve our website by understanding how it is used. There is no attempt made to identify individual users in any way.

On each use a 'session cookie' is temporarily placed on your device, which is used to maintain navigation information during your site visit. These session cookies are deleted from your device at the end of each internet session.

In addition, we make use of third-party sites such as X (formerly Twitter), VioStream, Facebook, LinkedIn and YouTube to deliver content. Such third-party sites may send their own cookies to your device. We do not control the setting of third-party cookies and suggest you check the third-party websites for more information about their cookies and how to manage them.

We use Google Analytics to understand how our websites are being used in order to improve the services we offer. Google Analytics uses cookies to analyse how you use our websites. No identifying information is collected by Google Analytics and parts of your IP address are masked so your identity remains anonymous. Data captured by Google Analytics is processed and stored in the USA. If you don't want your data being used by Google Analytics when visiting our website, you can opt out by using the [Google Analytics opt-out browser add-on](#) .

You can also disable cookies and JavaScript in your browser. However, this may prevent you from accessing certain services and functionality.

ATO app Google API service

The ATO app includes the myDeductions tool to make it easier and more convenient for you to keep your expense and income records in one place. We have provided myDeductions to you only as a record keeping tool.

If you are an Android user, we have provided you with the option to connect the ATO app to your personal Google Drive account, to make backing up myDeductions records quick and easy. We do not access, collect, use, store or share the personal information you input into the myDeductions tool, or the personal information you back up to your Google Drive account, including your Google user data. While we do not access personal information you input into the myDeductions tool, you can choose to upload myDeductions data to pre-fill your tax return.

For more information about your privacy when using Google services, see the [Google Privacy Policy](#) .

How we collect personal information

We collect personal information:

- directly from you
- from other persons acting on your behalf
- from third parties, including
 - other government agencies
 - employers
 - your clients or customers (if applicable)
 - publicly available sources.

We collect personal information when we ask for it, or by using our formal access and information-gathering powers.

If we receive unsolicited information, we will handle it in accordance with Australian Privacy Principle 4.

When we ask a third party for information about you

Tax and super laws allow us to obtain information about you from other parties. We will normally tell you about this before seeking to obtain it.

However, there are some circumstances where it may not be reasonable or practicable in the circumstances to tell you that we are collecting your personal information from a third party. This may include when we collect information about a large number of individuals in similar circumstances, such as when we collect information from:

- financial institutions
- government agencies
- tax authorities in other jurisdictions
- investment managers
- listed public entities such as companies and trusts
- share registries
- health funds and super funds
- employers.

How we hold personal information

We take steps to ensure that the personal information we collect about you is accurate, up-to-date and complete. These steps include updating personal information when you tell us that your personal information has changed and at other times as necessary.

We take steps to protect the personal information we hold against:

- misuse
- interference
- loss
- unauthorised access, modification and disclosure.

We apply industry-best security methods, including:

- information technology and physical security audits
- penetration testing
- industry best practice risk management
- system security technologies.

Our staff may not access personal information contained in records we hold unless they are doing so in the course of exercising powers or performing functions under or in relation to the tax, super or other relevant laws.

When you contact us

We must be certain of your identity before we can discuss your tax or super affairs with you. If you contact us to discuss your affairs, you must be able to prove your identity. This ensures that we are able to protect your personal information by only giving it to you or someone who can prove that they are lawfully authorised to act on your behalf.

For example, if you phone us, you can prove your identity by giving us your:

- date of birth
- address (as notified to us previously)
- details from an ATO-generated notice.

Other information can be used as proof of identity, depending on the circumstances.

If you have a general enquiry that does not involve discussing your personal information, you do not have to provide identification. In these situations, you will be able to deal with us without identifying yourself.

When we contact you

You have the right to be told why we are asking for your personal information and what legal authority we are relying on to request it from you.

Generally, when we collect personal information from you, we will tell you:

- about your rights and obligations under the law as early as possible, including the main consequences of not providing the requested information
- of any other entity to whom we usually disclose your personal information
- whether your personal information is likely to be disclosed overseas

- how you can make a complaint if you think your privacy has been compromised.

Data matching and data exchange

We do checks to test whether taxpayers are complying with relevant law. These checks include audit and verification programs and device-based information matching.

This is known as data matching. It allows information from a variety of sources to be brought together, compiled and applied to a range of public policy purposes.

In the ATO, data matching helps us to both identify people who are not complying with their obligations and to detect fraud against the Commonwealth. If we check your information, it doesn't mean we think you're dishonest in your tax affairs. But if we find discrepancies, we'll take follow-up action.

Data sources we acquire

Some of our data sources include investment income information from banks, financial institutions and investment bodies, employment information and welfare payment information. The supply of this data is authorised by law. We match this data with our own information to detect those who may not be correctly reporting all of their income.

We also undertake large scale activities involving information exchange with other government agencies. These exchanges of information are authorised by law. Additionally, we undertake data-matching projects relating to particular risks, issues or industries.

Action we take with data

We compare externally sourced data with information that we already hold.

We check the external data with information provided to us in tax returns, business activity statements and other forms. We may use this information to detect people who are not in the tax system or are not meeting other obligations, such as:

- lodging documents
- paying debts

- meeting super obligations.

The data is also used to check trends within industries and helps us to focus on future compliance risks.

Protecting your personal information in data matching

Detailed rules set out in the *Data-matching Program (Assistance and Tax) Act 1990* apply to some data-matching activities. To better protect your privacy, we also comply with voluntary guidelines about data matching issued by the Privacy Commissioner.

Learn more about our current data-matching protocols.

For more information on the different types of data-matching records we hold, see [Appendix 1](#).

Disclosures authorised by law

The law prohibits tax officers from disclosing taxpayer information, except in specified circumstances.

Tax officers can disclose taxpayer information in the course of performing their duties. They are also permitted to disclose it to a range of Commonwealth, state and territory entities for government purposes, to Ministers, and for law enforcement and related purposes.

For more information, see [Procedures for disclosing protected information](#).

Disclosing to advisers, contractors and outsourcing

Sometimes we engage recognised expert advisers from outside the ATO, such as independent legal advisers, for assistance and advice. The taxpayer confidentiality provisions in the tax legislation allow us to disclose personal information to these advisers.

If a third party is contracted to carry out some of our functions, such as processing forms, the contractor and its employees are bound by privacy and taxpayer confidentiality provisions when dealing with your information. We also ensure that the privacy and confidentiality of your personal information is addressed in these contracts.

How we dispose of personal information

When we receive personal information about you (whether solicited or unsolicited) the information will, in almost all cases, be treated as a Commonwealth record.

We are bound by the *Archives Act 1983* to retain Commonwealth records until we can lawfully dispose of them, generally either in accordance with:

- a 'records authority' issued or agreed to by the National Archives – a records authority determines how long we hold information and when we dispose of it
- 'normal administrative practice' – which permits the destruction of information that is duplicated, unimportant or of short-term facilitative value.

Disclosing personal information to overseas recipients

While most of the personal information we collect about you is retained in Australia, there are circumstances where we provide personal information to overseas recipients. We do this in accordance with international tax treaties and tax information exchange agreements.

Tax treaties

Tax treaties are also referred to as tax conventions or double tax agreements. The purpose of these agreements is to exchange tax information relevant to the tax administration of the respective countries to the agreement. We do this to prevent double taxation, tax fraud and tax evasion.

Tax information exchange agreements

We also use tax information exchange agreements (TIEA) to combat overseas tax evasion. The agreements allow us to exchange information with our TIEA partners. TIEAs promote fairness and enhance our ability to administer and enforce Australia's own domestic tax laws.

Countries and other jurisdictions personal information is disclosed to

The countries and other jurisdictions that currently have tax treaties and tax information exchange agreements with Australia are listed in [Appendix 2](#).

How you can access your personal information and seek its correction

You can update your own personal information via our online services.

You can access copies of your personal taxation information via myGov. Personal records you can access include your:

- tax returns
- notices of assessments
- payment summaries and income statements.

Your authorised representative may also have access to your personal information or can request it on your behalf through Online services for agents. For more information about accessing your personal taxation information through our online services, refer to **Copies of tax documents request**.

Where you require access to documents that you cannot obtain through our online services or through our administrative access arrangements, you can lodge a request for those documents under Australian Privacy Principle (APP) 12 or the *Freedom of Information Act 1982* (FOI Act).

Access to personal information – Australian Privacy Principle 12

You have a right to request access to your own personal information under APP 12.

However, if we can refuse to give you access to the requested personal information under the FOI Act or any other Commonwealth Act, we do not have to give you access to the personal information under APP 12.

We will respond to your request for access to your personal information within 30 days.

In circumstances where we refuse to provide you with access to your own personal information, we will give you a written notice that sets

out the reasons for the refusal (unless it would be unreasonable to do so).

We will advise you how to complain about a refusal.

We will not charge you for making a request or for giving you access to your own personal information.

Correction of personal information – Australian Privacy Principle 13

We will take reasonable steps to correct personal information that we hold about you to ensure that, having regard to the purpose for which the information is held, it is accurate, up to date, complete, relevant and not misleading. We will also take reasonable steps to correct personal information in circumstances where you request us to correct the information.

We will respond to an amendment request within 30 days.

If we refuse your amendment request, we will give you a written notice that sets out the reasons for the refusal, except to the extent that it would be unreasonable to do so.


We will advise you how to complain about a refusal.

We will not charge you for making an amendment request or for correcting personal information about you.

Making an FOI request

You can also make a freedom of information (FOI) request.

The FOI Act gives you the right to:

- access copies of documents (except exempt documents) held by us
- ask for information concerning you to be amended or annotated if it is incomplete, out of date, incorrect or misleading
- seek a review of our decision not to allow you access to a document or not to amend your personal record (this review can be done by us or by the [Information Commissioner](#) .


A FOI request must:

- be in writing

- state that the request is an application for the purposes of the FOI Act
- provide such information concerning the document requested as is reasonably necessary to enable a tax officer to identify it
- provide details of how notices under the FOI Act may be sent to you (for example, by providing an email or postal address for correspondence).

You can send your request to us by email at FOI@ato.gov.au with your name and the words FOI REQUEST in the subject line. You can use our [FOI application form](#) available on our website.

We prefer email but you can also send your FOI request to the postal address of our central or regional offices as given in a current phone directory, clearly marked FOI REQUEST on the envelope and on the enclosed request.

For more information about FOI requests see [How to access government information](#) .

What to do about a suspected breach of privacy

You can enquire or complain about a suspected breach of the Australian Privacy Principles (APPs) or the *Australian Government Agencies Privacy Code 2017*.

General privacy questions

If you have a general question about privacy or wish to report an instance where you think your privacy may have been compromised, you can call our Privacy Hotline on **1300 661 542** and speak to a tax officer. If the officer is not available to speak with you, leave a message and an ATO officer will contact you to respond to your question or to obtain further information.

Privacy complaints

If you are not satisfied with how we have collected, held, used or disclosed your personal information, or another matter in relation to the APPs or the *Australian Government Agencies Privacy Code 2017*, you can make a formal complaint.


You can lodge a complaint by:

- using our **online complaints form**
- phoning our complaints line on **1800 199 010**
- phoning the National Relay Service on **13 36 77** (if you have a hearing, speech or communication impairment)
- phoning the Translating and Interpreting Service (for people of non-English speaking backgrounds) on **13 14 50**
- writing to
 - **ATO Complaints**
PO Box 1271
ALBURY NSW 2640.

How we deal with privacy complaints

We treat complaints seriously and try to resolve them fairly and quickly.

If you make a complaint, we aim to contact you within 3 working days. We will work with you to resolve your complaint and keep you informed of its progress.

If you are not satisfied with how we deal with your complaint, the Privacy Commissioner at the Office of the Australian Information Commissioner may be able to help you. Visit the [Office of the Australian Information Commissioner](#)  website for more information, or phone **1300 363 992**.


Privacy information for ATO employees

The ATO cares about the privacy of its employees and we take our obligations under the Privacy Act seriously. If you are an ATO employee and wish to make a complaint about a privacy matter relating to your tax affairs, you may wish to do so using the complaints process described above.

If you are an ATO employee and have concerns that your privacy has been breached at work, or your personal information has not been treated as required under the Privacy Act at work, you can do one or more of the following:

- refer to the ATO Intranet page on privacy breaches and concerns

- speak to your manager – we would recommend this in the first instance where possible
- contact the People Helpline by phone or email (details available on the intranet).

If you are not satisfied with how we deal with your complaint, the Privacy Commissioner at the Office of the Australian Information Commissioner may be able to help you. Visit the [Office of the Australian Information Commissioner](#)  website for more information, or phone **1300 363 992**.

Appendix 1 – What information we collect, hold, use and disclose, and why

Australian Business Register records



The Australian Business Register (ABR) records unique identifiers called Australian business numbers (ABNs). The ABR also records other identity information about entities that carry on enterprises in Australia; or that when they carry on an enterprise, make their supplies in connection with Australia.

The ABR records the details of individuals that a business entity has nominated (called 'nominated representatives') or of individuals who carry on a business themselves, to facilitate that business' electronic dealings with government agencies.

Some of the ABR information is publicly accessible through the ABN Lookup tool at business.gov.au. This is where the public version of the ABR is maintained. A person who does not wish to have their personal details publicly displayed can apply to the Registrar (who is also the Commissioner of Taxation) to not have those details disclosed in ABN Lookup.

Information that is not publicly available may be disclosed to certain government agencies under section 30 of the *A New Tax System (Australian Business Number) Act 1999* so that those other agencies can carry out their functions. Personal information contained in the ABR may also be disclosed to courts and tribunals in connection with proceedings under a tax law.

Director identification numbers (director IDs)

The *Commonwealth Registers Act 2020* and related amendments to a range of existing laws creates a new Commonwealth business registry regime, the [Australian Business Registry Services \(ABRS\)](#) . The ABRS is administered by the Registrar (who is also the Commissioner of Taxation) and is responsible for administering director ID numbers. The Registrar has support from the ATO to administer registry work. The Registrar maintains its own records, and information about its privacy policy is available at [Our privacy policy | Australian Business Registry Services \(ABRS\)](#) .

Prosecution and law enforcement records

We investigate fraud and suspected abuses of the tax system. Alleged offenders may be prosecuted.

We maintain a database of prosecution matters for breaches of tax, super and excise laws.

Personal information collected, held, used and disclosed can include:

- names
- contact details
- phone numbers
- TFNs
- details of alleged offences
- company and trust affiliations
- known assets and liabilities
- land title information
- information from AUSTRAC
- related persons details
- information from financial institutions and other jurisdictions.

We receive requests for personal information from law enforcement agencies in relation to both tax and non-tax matters. We disclose personal information to law enforcement agencies according to the legislative provisions that permit these disclosures. We also make disclosures to law enforcement agencies of our own volition and according to these provisions.

We keep a record of law enforcement agency requests for personal information and of the personal information we disclose to law enforcement agencies.

Prescribed taskforces

Tax laws permit the disclosure of personal information to multi-agency prescribed taskforces. Prescribed taskforces are established to address priority issues and must have protecting the public finances of Australia as one of their purposes.

Personal information disclosed to prescribed taskforces includes:

- names, addresses, contact details
- TFNs
- information from third party sources including AUSTRAC and Australian Securities & Investments Commission (ASIC)
- details of real and personal property
- travel movements.

Excise records

The purpose of these records is to control the manufacture, storage, delivery and movement of excisable goods under the *Excise Act 1901*. Personal information collected, held, used and disclosed includes:


- names and addresses
- email addresses and phone numbers
- TFNs
- criminal history checks
- financial, social security and land titles information.

We also receive information from ASIC, AUSTRAC, the Australian Border Force and the Department of Home Affairs.

Databases and data matching records

We maintain databases and also undertake data-matching related activities which include:

- online selling and trade suppliers

- credit and debit card transactions
- property (including real property) transactions
- information from other government agencies, including states and territories
- compiling **statistics** and de-identified information for [research purposes](#) 

The purpose of these records is to inform improvements to policy, and increase our understanding of the behaviour and compliance profile of businesses and individuals involved in particular industries by:

- identifying employers whose registration status may not accurately reflect their business status
- determining whether tax returns have been lodged correctly
- identifying compliance risks, trends and patterns.

Call recordings


We record all inbound and outbound phone calls routed by our call management system within our contact centre environment. The call recording system also contains a screen capture facility. We use this information to assist with the administration of tax and super laws. We may also use call recordings and screen captures for:

- coaching and quality assurance purposes
- gathering business data
- managing complaints
- staff training
- fraud investigations
- making system and business improvements.

Vendor records

We collect, hold and use personal information about tenderers and suppliers to the ATO. The information is used to evaluate responses from tenderers for our procurement requirements and to manage supplier arrangements. Personal information collected, held and used may include:

- names and addresses
- contract details
- tender responses
- curricula vitae and employment histories of individual contractors
- bank account and payment details
- financial statements, credit ratings, cash securities and bank guarantees
- declarations of pecuniary interests
- character check records
- security clearances
- confidentiality undertakings
- contract performance reports.

Some personal information relating to contractors may be published on the Australian Government's procurement information system ([AusTender](#) ) . This will include the names of contractors, how much the contract was awarded for, business address and ABN.

Employee records

We collect, hold, use and disclose personal information in personnel records for the purpose of discharging the Commissioner's employer powers. 'Employer powers' means all the rights, duties and powers of an agency head under the *Public Service Act 1999*.

Section 103 of the *Public Service Regulations 2023* provides that an agency head may use or disclose personal information in their possession or control where the use or disclosure is necessary or relevant to the performance or exercise of the agency head's employer powers.

Appendix 2 – Countries and other jurisdictions we disclose personal information to

Countries and other jurisdictions that have a tax treaty with Australia

- Argentina
- Austria
- Belgium
- Canada
- Chile
- China
- Czech Republic
- Denmark
- Fiji
- Finland
- France
- Germany
- Hungary
- India
- Indonesia
- Ireland
- Israel
- Italy
- Japan
- Kiribati
- Republic of Korea
- Malaysia
- Malta
- Mexico
- The Netherlands
- New Zealand

- Norway
- Papua New Guinea
- Philippines
- Poland
- Romania
- Russia
- Singapore
- Slovakia
- South Africa
- Spain
- Sri Lanka
- Sweden
- Switzerland
- Taiwan
- Thailand
- Turkey
- United Kingdom
- United States of America
- Vietnam

Countries and other jurisdictions that have a tax information exchange agreement with Australia

- Andorra
- Anguilla
- Antigua and Barbuda
- Aruba
- The Bahamas
- Bahrain

- Belize
- Bermuda
- British Virgin Islands
- Brunei
- The Cayman Islands
- Cook Islands
- Costa Rica
- Dominica
- Gibraltar
- Grenada
- Guatemala
- Guernsey
- Isle of Man
- Jersey
- Liberia
- Liechtenstein
- Macao
- Marshall Islands
- Mauritius
- Monaco
- Montserrat
- Netherlands Antilles
- Samoa
- San Marino
- St Kitts and Nevis
- St Lucia
- St Vincent and the Grenadines

- Turks and Caicos Islands
- Uruguay
- Vanuatu

QC 39396

Privacy impact assessment register

The Privacy Code requires the ATO to undertake and maintain a register of certain privacy impact assessments (PIAs).

Last updated 17 December 2024

The [Privacy \(Australian Government Agencies – Governance\) APP Code 2017](#) [↗](#) (Privacy Code) requires us to undertake privacy impact assessments (PIAs).

We undertake PIAs where the project involves a new or changed way of handling personal information, that is likely to have a significant impact on the privacy of individuals.

The Privacy Code also requires us to maintain and publish a register (or a version of the register) of completed PIAs from 1 July 2018 on our website.

Table: Privacy impact assessment register

PIA title	Project name	Date of PIA
DEWR Workforce Australia Initial STP Data Share	SEO Employment Services Reform 5092	09/12/2024
AFCX, Sharing Barred Bank Accounts	Australian Financial Crimes Exchange	18/11/2024

	(AFCX) Project SPC 9108	
ABRS Bulk Data Disclosure – Phoenix Analytical Model Outputs	ABRS – Director ID/ Straw Directors	12/11/2024
Environmental Protection Authority Victoria Bulk Data Disclosure – Phoenix Taskforce	Phoenix Taskforce Bulk Data Disclosure to Environmental Protection Authority Victoria	18/10/2024
AFCX, Proof of Value (POV) PIA	Australian Financial Crimes Exchange (AFCX) Project SPC– 9108	26/08/2024
CASBP–3213 PORO Magic – Privacy Impact Assessment	CASBP–3213 PORO Magic	12/08/2024
Segmentation – Client Debt Population Segments v3.0 (update)	Segmentation – Client Debt Population Segments	25/07/2024
Dept of Education and Dept of Employment and Workplace Relations historic debt – contact details exchange	Dept of Education and Dept of Employment and Workplace Relations historic debt – contact details exchange	19/07/2024
Extending Tax Whistleblower Protections	4931 Extending Tax Whistleblower Protections	15/07/2024
Revenue NSW Bulk Data Disclosure – Phoenix Taskforce	RNSW Bulk Data Disclosure	10/07/2024
UDA – Privacy Impact Assessment Phase 2	Unstructured Data Analytics (UDA)	03/07/2024

TCN Manager Check-In Tool	TCN Manager Check-In Tool	18/06/2024
ATO ASIC MOG Project Registry Transition PIA	ASIC ATO MOG Project	23/05/2024
ABS STOP P2 Weekly Job Holder	ABS STP P2 Weekly Job Holder	20/05/2024
4577 Data Acquisition and Optimisation Phase 2 Privacy Impact Assessment	#4577 Data Acquisition and Optimisation Phase 2	12/04/2024
PIA Sharing Economy 4382	Sharing Economy	10/04/2024
Segmentation – Client Debt Population Segments	N/A	14/03/2024
4561 IODL Replacement PIA	4561 IODL Replacement Project	01/03/2024
Client to agent linking – Privacy Impact Assessment	4675 Client to agent linking	28/02/2024
Sharing Economy Reporting Regime (SERR) v1.1	Project 4012 Sharing Economy Reporting Regime	21/02/2024
4898 TT24 PIA	4898 Tax Time Capacity and Processing	14/02/2024
PIA Microsoft 365	Enable One Drive	13/12/2023
Terminated High-Risk Practitioners Privacy Impact Assessment	High-Risk Practitioners that have been terminated by the Board Conduct Committee	06/12/2023

Disclosure to professional associations	Disclosure to professional associations	04/12/2023
SDSD-65004	High-Risk practitioners that have been terminated by the Board Conduct Committee	04/12/2023
Health Delivery Modernisation Program – Phase Three PIA	Health Delivery Modernisation Phase 3	27/11/2023
Privacy Impact Assessment Sharing Economy	4109 Sharing Economy	21/11/2023
Health Delivery Modernisation Phase 3	Health Delivery Modernisation Phase 3	01/11/2023
Director ID Linking Solution Privacy Impact Assessment	4755 Director ID Interim Linkage Solution	09/10/2023
3352 new ato.gov.au PI threshold and assessment	3352 new ato.gov.au	21/08/2023
Foreign ownership of Australian Asset Register Privacy Impact Assessment	Foreign ownership of Australian Asset Register	21/08/2023
Operation Andes	Operation Andes	07/07/2023
ABRS Director ID Privacy Impact Assessment Threshold Assessment	4755 Director ID Interim Linkage Solution	30/06/2023
Benestar Employee Assistance Program	Employee Assistance Program SPC – 2458	08/05/2023

PIA for the Standing Taskforce Within Shadow Economy Compliance Program	The Standing Taskforce Within 467 Shadow Economy Compliance Program	02/05/2023
TPB ECP Pipeline	TPB ECP Pipeline	04/04/2023
Accounts Payable and Receivable Dashboard	Accounts Payable and Receivable Dashboard	29/03/2023
ATO In-House Mental Health Specialist Service Privacy Impact Assessment	ATO In-House Mental Health Specialist Service	27/01/2023
Private Health Insurance data exchange with ABS	Private Health Insurance data exchange with ABS	01/12/2022
Corporate Project Privacy Impact Assessment	Superannuation Guarantee Assurance Project	28/11/2022
ATO UI Framework Phase 1 PIA	ATO UI Framework Upgrade Phase 1	07/11/2022
3352 New ato.gov.au PI threshold and assessment	3352 new ato.gov.au	3/10/2022
Operation Protego	Operation Protego	19/08/2022
Privacy Impact Assessment IC/SFCT	Operation Bowmore bulk data disclosure	14/07/2022
PIA 4478 Military Super – Part 2	4478 – Superannuation – Protecting Veterans Interests (Military Super)	13/07/2022
Disclosure of Business Tax debt	Disclosure of Business Tax Debt	4/07/2022

Teradata Back-up Replacement Project	Teradata Back-up Replacement	30/06/2022
New Data Pattern (NDP)	New Data Pattern (NDP) Privacy Impact Assessment	24/06/2022
EDH Migration Privacy Impact Assessment	EDH Migration	24/06/2022
Final Privacy Impact Assessment of inclusion of a Family Links File as an ALife dataset	ALife – Family Links File	15/06/2022
Registry Transition Privacy Impact Assessment	Modernising Business Registers (MBR) Program	19/05/2022
DIS Fraud analytics PIA	Digital Identity 4061 – Fraud analytics	19/05/2022
CRS – ability to use ATO data to inform financial capacity assessment	CRS Review	7/04/2022
Director ID PIA. Version 2 – Public beta	MBR Program	17/03/2022
FWB Data Importation from ATO Holdings	FWB Data Importation from ATO Holdings	28/02/2022
SE TDP PIA	Senior Executive Talent Development Program	25/02/2022
People Connect	People Connect	17/12/2021
Benestar Employee Assistance Program	Employee Assistance Program SPC-2458	8/12/2021
Privacy Impact Assessment TAT DA	TAT D&A Project 4072: Client	6/12/2021

Client Grouping ANGIE	Grouping Optimisation – Automated Network & Grouping Identification Engine (ANGIE)	
4053 Unstructured Data Capability Privacy Impact Threshold Assessment	4053 Unstructured Data Capability	4/11/2021
3838 PIA Visibility of Super to parties in a family law proceeding	Visibility of Super to parties in a family law proceeding	14/10/2021
Privacy Impact Assessment – 2816	Single Touch Payroll Phase 2	2/09/2021
4164 ADMS Privacy Impact Assessment	Apprenticeships Data Management System (ADMS)	27/08/2021
myGovID IP3 PIA	Digital Identity 4061	27/08/2021
FOAAR Privacy Impact Assessment	Foreign Ownership of Australian Assets Register (FOAAR)	23/08/2021
Nuix Elasticsearch cloud migration – PIA Threshold Assessment	Nuix Elasticsearch cloud migration	22/06/2021
Preliminary Privacy Impact Assessment of inclusion of a Family Links File as an ALife dataset	ALife – Family Links File	15/06/2021
Privacy Impact Assessment_4262	Evolution of the Client Register	11/06/2021
Data Backbone (DB) Privacy Impact Assessment	Data Backbone (DB)	10/05/2021

ELP Review – 2021 PIA	ELP – Indigenous programs review	7/05/2021
Privacy Impact Assessment (PIA) YFYS	Your Future, Your Super – 4158	2/05/2021
3555 Black Economy Standing Taskforce PITA	3555 Black Economy Standing Taskforce	27/04/2021
2078 Serraview Spatial Management	2078 Serraview Spatial Management	9/04/2021
4079 Country by Country Interact PITA	Unstructured Data Pipelines – Country by Country Interact	26/03/2021
Privacy Impact Assessment – Director Identification Number	Modernising Business Registers Program	19/03/2021
Data Catalogue and Lineage (IT Component)	Data Catalogue and Lineage	4/03/2021
JobMaker Hiring Credit Privacy Impact Assessment	JobMaker Hiring Credit	18/01/2021
DAO Privacy Impact Assessment	Data Acquisition and Optimisation (3929)	8/12/2020
ATO Protecting Client Accounts Privacy Impact Assessment	ATO and Services Australia compromised entity data disclosure	4/11/2020
New policy – Child care sector changes to JobKeeper eligibility	New policy – Child care sector changes to JobKeeper eligibility and introduction of Department of Education, Skills and Employment (DESE)	16/09/2020

	Child care Transition Payment	
Payment Thinking Project 3812	ATO Online Scheduling and Payment Plan Services	21/08/2020
PIA for credit card storage	3812 Payment Thinking – ATO Online Scheduling and Payment Plan Services	21/08/2020
OTE Privacy Impact Assessment	Offshore Tax Evasion Pilot Project	7/07/2020
ATO ASIC Data Fusion Program	MYEFO Combatting Illegal Phoenix Behaviour (ASIC Data Fusion)	26/06/2020
Disclosure of Business Tax Debt PIA	Disclosure of Business Tax Debt	25/06/2020
Privacy Impact Assessment for Bulk Data Disclosure Project	SFCT COVID-19 Bulk Data Disclosure project	22/06/2020
Privacy Impact Assessment – ATO/AIC research	Research Proposal with the Australian Institute of Criminology (AIC) concerning safety for frontline staff.	05/06/2020
PIA for Analytics Execution Platform (AIP) and associated model development lifecycle platforms	3884 – Advanced Analytics Governance Review (AAGR) project and the system it implements (Advanced Analytics, AA)	25/05/2020
JobKeeper Payment Program PIA	JobKeeper Payment Program	13/05/2020

Corporate Project Privacy Impact Assessment	SuperStream rollovers version 3 (including SMSFs)	13/03/2020
eInvoicing Privacy Impact Assessment	eInvoicing onboarding the ATO	13/02/2020
Privacy Impact Assessment – Data Window	3851 Data Window	19/12/2019
Smartphone-based duress application – SafeZone	Smartphone-based duress application – SafeZone	17/12/2019
Tax Integrity Centre (TIC)	PID 3362 Tax Evasion Referral Centre Rebuild	3/12/2019
Activity Statement Financial Processing (ASFP) Privacy Impact Assessment	Activity Statement Financial Processing (ASFP)	3/07/2019
Privacy Impact Assessment Automation and Artificial Intelligence	Automation and Artificial Intelligence	21/05/2019
Enterprise Insights Portfolio (EIP) Privacy Impact Assessment	Enterprise Insights Portfolio (EIP)	29/05/2019
Privacy Impact Assessment – 3241	Superannuation Guarantee Integrity Measures	14/02/2019
IAL External Collection Agency Lodgment Work	External Collection Agency Lodgment Work	7/02/2019
Privacy Impact Assessment – 2929	SuperStream rollovers version 3 (including SMSFs)	18/01/2019
Privacy Impact Assessment for PGI	PG&I Capability Appraisal 2018	15/01/2019

Capability Appraisal 2018		
IODL Upgrade Project Privacy Impact Assessment	IODL Upgrade	11/01/2019
Independent PIA myGovID 2018	myGovID Corporate Project 3234	3/09/2018
Privacy Impact Assessment on the ATO longitudinal Information File for the Australian Taxation Office	ATO Longitudinal Information Files (ALife)	22/08/2017
DCL Privacy Impact Assessment	Digital Capability Locator	20/07/2017
Independent PIA RAM 2017	Project 1743 – Relationship and Authorisation Manager (RAM)	31/03/2017
Relationship and Authorisation Manager – Release One	Relationship Authorisation Manager (RAM)	1/03/2017
Introduction of Streamlined Individual Income Tax Returns	Streamlined Individual Income Tax Returns	16/06/2014

QC 57895

How we use data matching

Find out how we receive data from a range of sources and match it against our own data to identify people and businesses who may not be reporting all their income.

Last updated 15 May 2023

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Find out how we receive data from different sources and match it against our own.

About data matching

We receive data from a range of sources, including:

- banks
- financial institutions
- other government agencies.

We validate this data and match it against our own information to identify where people and businesses may not be reporting all their information correctly.

Legislated data collection

Some organisations (such as banks, employers and other government agencies) have a legal obligation to report information to us. Through our data-matching activities, this legislated data collection helps taxpayers to prepare and complete accurate tax returns.

For example, our pre-filling service provides data for taxpayers to review and include in their tax returns. Helping people get it right the first time reduces the need for follow-up activity.

Where a person has made an error due to poor record keeping or a misunderstanding of the law, we work with them to correct their tax return and to improve their understanding of their obligations.

Using data to check tax returns

When we identify a discrepancy (for example, interest income not declared in a tax return), we also check if the amount has been placed at another label by mistake.

We may identify discrepancies:

- when you lodge your tax return, if it differs from the pre-filled information
- after your tax assessment has been finalised.

If you change pre-filled data when you lodge your tax return, we may adjust it back if we have a high level of confidence in the information we've received.

In some instances, we may **contact you about a discrepancy**. We'll provide you with the details of the data that's been matched. You'll then have an opportunity to check your records to confirm the correct amount.

We look for:

- interest and investment income
- employment income
- government payments
- capital gains tax from the disposal of shares and property
- employment-related foreign source income
- taxable government grants and payments
- payments made to contactors in the building and construction industry
- private health fund information
- distributions from partnerships, trusts and managed funds.

Sources of third-party information

We collect information from a wide range of third-party sources, both public and private, with more than 600 million transactions reported to us annually.

Examples of third-party sources and the information they provide include the following.

- **Banks, financial institutions and investment bodies:** investment income
- **Employers:** payments to employees and contractors
- **State and territory motor vehicle registering bodies:** motor vehicles sold, transferred or newly registered
- **State and territory title offices and revenue agencies:** sales and other transfers of real property
- **Government bodies:** pensions, benefits, rebates, taxable grants and other payments
- **Australian Transaction Reports and Analysis Centre (AUSTRAC) and our international treaty partners:** foreign source income
- **Online selling platforms:** quantity and value of online sales
- **Sharing economy facilitators:** payments to participants
- **Financial institutions providing merchant facilities and administrators of specialised payment systems:** electronic payments processed for business including total credit and debit card payments received
- **Stock exchanges and share registries:** share transactions
- **Businesses in the building and construction industry:** payments made for building and construction services
- **Cryptocurrency designated service providers:** purchase and sale information

Some organisations (such as banks, employers, and other government agencies) have a legal obligation to report your information to us so that it can be used for tax purposes. This is known as legislated data collection.

We also have powers to collect information for data-matching projects designed to address specific industries, issues or risks (such as our data-matching programs for private health insurance and Medicare levy, credit and debit cards, motor vehicles, online selling and share market transactions). This is known as 'special purpose acquisition data'.

In addition, we exchange information with our international treaty partners to ensure correct reporting of income earned overseas by Australian residents and income earned in Australia by foreign residents. We also [exchange data with other Australian Government agencies](#).

In all our data-matching activities we work closely with data suppliers to ensure that only relevant information is provided to us. The Taxpayers' Charter details the fair use of our access and information gathering powers.

Validating the data we receive

Legislated data collected from third-party providers is sent to us in reports through a secure electronic channel. Each report contains information such as tax file number (TFN), name and date of birth, to allow us to match it to the correct person.

Integrity checks are conducted to confirm the quality of the data, including:

- checking the data provider's identity to prevent possible fraudulent reports
- checking for duplicate reports, so we don't end up with two sets of data – if a second data set is received, we generally reject the earlier one
- matching reported data to valid TFN records in our systems
- ensuring overall integrity by identifying recurring quality issues in the data collecting and matching process.


Once a report has passed our integrity checks, we use **algorithms and other analytical methods** to refine the data. This validated data is then matched to information reported in tax returns.

The data we collect for specific data-matching projects is often sourced from providers' systems and may not be available in a format that can be readily processed by our systems. In these instances, we apply extra levels of scrutiny and analytics to verify the quality of the data before matching data to taxpayers' returns.

Your privacy

Your privacy is protected by the *Privacy Act 1988* and the strict secrecy provisions of the *Income Tax Assessment Act 1936*, the *Taxation Administration Act 1953* and other tax laws. We also have an **ATO privacy policy**.

These laws prohibit our staff from accessing, recording or disclosing any persons' tax information except in the performance of their duties. Breaches of these laws can attract fines of up to \$11,000 and jail sentences of up to 2 years.

We also adhere to the Privacy Commissioner's [Guidelines on Data Matching in Australian Government Administration](#) . We do this by preparing and publishing a **data-matching protocol** for each of our programs that obtain information on about 5,000 individuals or more.

In broad terms, each protocol explains:

- the purpose of the program
- what data is collected
- which agencies or organisations will be providing the data
- how the data will be used.

Data-matching programs

Our data-matching programs are designed to increase community confidence in the integrity of the tax system.

We use the data to:

- help individuals and businesses understand their tax obligations, including registration, lodgment, reporting and payment
- protect honest businesses from unfair competition
- make it easier for individual taxpayers by pre-filling their returns
- assess the levels of voluntary compliance of individuals and businesses with their tax obligations.

If we check your information, it doesn't automatically mean we think you're dishonest in your tax affairs. If the data doesn't match, we may contact you to find out why.

Note: If you haven't reported all your income, or if you've made a mistake with your tax records, you should **correct the mistake or**

amend a return.

Report a concern

You can use our **Tip-off form** to tell us anonymously if you suspect a person or business isn't doing the right thing.

This can include things like:

- skimming some, or all, of their cash takings
- running part of their business 'off the books'
- not reporting all their income.

We review all reports and take action where appropriate. We conduct specific data-matching programs in a number of areas.

Specific data-matching programs

We collect data from a range of sources to protect honest businesses. Specific data-matching programs allow us to conduct formal data matching without it being legislated. We do this by identifying businesses that:

- may not be reporting all their income
- operate outside of the system
- are operating but are not lodging returns.

The data is used to understand trends and patterns in industries, including where we need to develop assistance products to help the community understand their tax obligations.

We are currently undertaking specific data-matching activities in the following areas:

- [Credit and debit cards](#)
- [Specialised payment systems](#)
- [Online selling](#)
- [Ride-sourcing](#)
- [Motor vehicle registries](#)
- [Cryptocurrency](#).

See how we have used third-party data to protect honest businesses with the following examples.

Example: under-reporting merchant sales

A clothing retailer with multiple retail stores appeared to be under-reporting merchant sales. We found an \$870,000 discrepancy between their business activity statement and tax return.

The owner made a voluntary disclosure on reporting errors for 36 activity statements across the financial years 2010 to 2013, resulting in unpaid goods and services tax (GST) of \$248,851. Since they were cooperative, no penalties were charged.

Example: cash-only business caught avoiding GST

One of the owners of a cash-only takeaway chicken shop had been previously audited twice for another chicken shop, involving cash wages and inadequate record keeping.

The owners were claiming a large portion of GST-free sales from the sale of cold, uncooked chickens. When we tried purchasing an uncooked chicken, we were told that it was unavailable as the shop is a takeaway.

Our audit revealed they had understated their sales by around \$330,000 and were paying cash wages. The owners had to pay back \$103,371 in GST as well as \$77,528 in penalties.

Example: using benchmarks to determine unreported income

A cleaning services company appeared to be operating on a cash-only basis and was reporting outside benchmarks.

We discovered that not only was the director receiving more payment than his reported wage, but there were also no records of contractor payments, and significant AUSTRAC cash withdrawals existed, which we suspected were to pay employees and contractors. We also identified an undisclosed bank account.

The owner's lack of record keeping and failure to provide all requested documents was enough for us to apply the industry benchmark. This resulted in \$156,179 in unpaid GST and \$283,602 pay-as-you-go withholding, as well as total penalties of \$156,096.

Example: data matching reveals dishonest business

A business selling horse-riding equipment on an online selling platform with sales of \$1,280,003 was selected for review.

We discovered the owner had registered the account in another person's name and was selling unbranded horse saddles made by his parents' company in China.

We also found another online selling account and a website where no income was reported from either source. A specialised payment system account linked to this account and the website were linked to the owner's personal bank account and showed significant AUSTRAC activity to Chinese bank accounts.

Our audit determined the entity had been under-reporting income and over-reporting expenses for the life of the business. They had been doing this by:

- never declaring income on export sales
- including unsubstantiated expenses in their tax return
- including non-business activity statement expenses in activity statement purchases.

The owner had to pay:

- \$103,263 in GST
- \$259,298 unpaid income tax
- \$181,280 in penalties.

Credit and debit cards

We obtain data from banks and financial institutions to identify the total credit and debit card payments received by Australian businesses. This is detailed in the **Credit and debit cards data-matching protocols**.

We don't gather information about individual credit or debit card holders.

Since 1 July 2017, these institutions need to automatically report this information to us each year.

Specialised payment systems

We obtain data on electronic payments made through specialised payment systems to Australian businesses. This data is analysed in conjunction with data collected through our credit and debit card data-matching program.

Online selling

We obtain details of **online sellers** who sell goods and services to the value of \$12,000 or more.

Data is obtained from online selling sites where the data owner or its subsidiary:

- operates a business in Australia that is governed by Australian law
- provides an online market place for businesses and individuals to buy and sell goods and services
- tracks the activity of registered sellers
- has clients whose annual trading activity amounts to \$12,000 or more
- has trading activity for the years in focus.

You can read our [Online selling data-matching protocol](#).

Ride-sourcing

We obtain data from all ride-sourcing facilitators operating in Australia and their financial institutions to identify ride-sourcing drivers.

This information allows us to help drivers understand their tax obligations, including registration, lodgment, reporting and payment obligations.

You can read our [Ride-sourcing data-matching program protocol](#). You can also find out more about the sharing economy.

Motor vehicle registries

We obtain data from all the state and territory motor vehicle registering bodies to identify all motor vehicles sold, transferred or newly registered, where the transfer or market value is \$10,000 or more.

You can read our [Motor vehicle registries data-matching protocol](#).

Cryptocurrency

We obtain data from Australian cryptocurrency designated service providers (DSPs) to ensure people trading in cryptocurrency are paying the right amount of tax.

You can read our [Cryptocurrency data-matching protocol](#).

Exchanging data with other Australian Government agencies

Our data-matching program identifies cases at risk of either:

- incorrect personal financial assistance payments
- tax evasion.

We provide income information derived from tax returns to the Data-Matching Agency (DMA), a separate agency within Services Australia. We do this on a cyclical basis (up to 9 cycles per year) on selected agency clients. This is used to determine the eligibility criteria for benefits and to help detect fraud within the welfare system.

The data is provided by us under the provisions of the *Data-Matching Program (Assistance and Tax) Act 1990*.

Assistance agencies provide client data, including TFN and identity details, to the DMA who give us this data to match. The data is then passed via Centrelink and used for a series of matching exercises before the outcomes are returned to the DMA.

Where we have identified the client from data provided, the following data is returned to the DMA:

- personal identity
- declared income
- date of most recent tax assessment
- amount of the spouse tax offset
- surname and any other name details of the spouse where a spouse offset has been claimed
- surname and any other name details
- an indicator, if the TFN is compromised.

We conduct matching exercises against our internal data to detect cases where:

- individuals are receiving more than one payment simultaneously
- a lesser entitlement or no entitlement exists
- a greater entitlement exists
- income details of assistance agency payments are understated in tax returns.

Other data exchanges

We exchange data with Services Australia programs such as Centrelink and the Child Support Program, as well as other government agencies under separate legislative provisions, as detailed here.

Services Australia

As part of the 2019–20 budget, the government announced the expansion of Single Touch Payroll (STP) to support the social welfare system by enabling the sharing of data in near real-time between us and other Commonwealth agencies.

An expanded STP data set will be provided to Services Australia, to assist in the administration of the welfare system.

Services Australia will use STP data to make it easier for their customers to verify and report employment income and information. This will help streamline claims processes, reduce reporting burden and improve the accuracy of welfare payments.

The STP expansion also aims to streamline a range of employer reporting obligations, such as providing separation certificates, confirming employment income and child support garnishee and deduction reporting.

Collecting this additional information through STP will aim to reduce the need for many of those obligations for employers with employees who are Services Australia customers.

We will only share information with Services Australia where the individual has been identified as a customer of Services Australia.

Refer to the [Services Australia website](#)  for more information about the data-matching protocols between the ATO and Services Australia.

Centrelink

Each week we provide taxpayer identity information, derived from the processing of TFN declarations (previously employment declarations), to Centrelink. Centrelink matches this data against clients receiving unemployment benefits to ensure benefits are not paid after employment has commenced.

We pass approximately 100,000 records to Centrelink each week. Around 12% of these are found to be Centrelink clients. ATO data is provided under table item 1 in table 1 in section 355-65 of Schedule 1 to the *Taxation Administration Act 1953 (TAA)*.

We provide taxpayer income details for the purpose of administering family assistance entitlements. This involves the daily exchange of income, family tax benefit and Child Care Subsidy data between Centrelink and us, via a mutual client register, for family assistance administration and payment reconciliation.

This information is used in the assessment of entitlements, reconciliation of payments and immediate recovery of outstanding debts to the Commonwealth. ATO data is provided under table item 6 in table 1 in section 355-65 of Schedule 1 to the TAA.

To detect Centrelink clients failing to declare assets, we match all beneficiaries against trust data from the tax return database. This identifies welfare beneficiaries who are also recipients of trust distributions. We provide details of trust income to Centrelink, along with the Centrelink reference number as an identifier. Subsequent checks determine if the trust income was declared to Centrelink at the time the entitlement to the benefit was determined. We do not pass TFNs to Centrelink. This data is provided to Centrelink under the Trust beneficiary data-matching program.

Child Support Registrar

The Child Support Registrar has access to our taxpayer income details (employment and investment income) via electronic transfer and direct access, for the purpose of assessing the amount of individuals' child support payments and for garnishee action, where appropriate.

The Child Support Registrar's acquisition of taxpayer information from the Commissioner of Taxation is provided for by the *Child Support (Registration and Collection) Act 1988* and the *Child Support (Assessment) Act 1989*.

We can also provide information to the Child Support registrar voluntarily, for the purposes of administering the two child support Acts referred to above, under table item 7 in table 1 in section 355-65 of Schedule 1 to the TAA.

Department of Home Affairs

Department of Home Affairs (Home Affairs) onshore compliance staff request address information for individuals who have been classified as 'illegal non-citizens', to assist in locating them. Home Affairs provides name and date of birth details to us and we use this to retrieve address details. We are authorised to communicate information to Home Affairs for the purpose of assisting in locating persons who are unlawfully in Australia, under Item 3 in Table 7 in subsection 355-65 of Schedule 1 to the TAA.

Some specific information about persons who are visa holders or sponsors can also be disclosed to Home Affairs for the specific purposes set out in table item 4 in the same table.

Department of Education, Skills and Employment

From October 2021, the Department of Education, Skills and Employment (DESE) will use employment data collected through Single


Touch Payroll (STP) to efficiently administer a range of apprenticeship programs.

Elements of STP, such as wage data, will be used to verify eligibility and help with calculating entitlements available to employers and their apprentices.

STP data will also support DESE to verify continued employment of the apprentice throughout their apprenticeship, reducing overpayments of incentives where the employment relationship ceases.

Our data is provided under Item 4B in Table 1 in section 355-65(2) of Schedule 1 in the TAA.

We will only share information with DESE where the employer and their apprentice (or apprentices) have been identified as a customer of DESE.

Refer to the [DESE website](#)  for more information about the data-matching protocols between the ATO and DESE.

QC 55323

Data exchange

The most used interfaces for the exchange of data are the Data transfer facility and the Portal file transfer function.

Last updated 5 February 2024

We support electronic channels for the two-way transfer of files between the ATO and external partners.

The most widely used channels for exchanging data are the:


- [Data transfer facility](#) – for ad hoc data exchanges and some regular transfers using our secure mailbox
- [File transfer function](#) – for regular data and reports using our online services.

Data transfer facility (DTF)

The data transfer facility (DTF) provides a secure and efficient way of exchanging large volumes of information **below** a 'protected' security classification.

Users connect to the DTF through their internet browser using authentication details (their user ID and password) provided by us.

Next step

- Once you have [access](#), external parties can access the DTF through our website <https://datatransfer.ato.gov.au> .

What the DTF is used for

The DTF is mostly used to support ad hoc bulk data exchanges – that is, files are loaded to a secure mailbox from which they can be accessed by the recipient. It is also used to send data to us where the file type is not supported by the file transfer function.

The DTF is used for some regular data transfers where there are no other enterprise solutions available, such as the distribution of Australian Business Register (ABR) data to government agencies, and to send some superannuation-related data to super funds and their administrators.

Key features

The DTF enables you to:

- transact in a secure online environment
- log in securely, with a user ID and password authentication
- receive confirmation that your data has been received
- upload large files (up to 2GB)
- exchange most file types.

Technical information

- Internet Explorer version 6 or later is recommended
- Browser must be Scripts or JavaScript enabled
- Compatible with WinZip and PKZip file compression tools
- Supports files up to 2GB

Getting access

To lodge files using the DTF you need to obtain a user ID and password. Each user in your organisation will need to register and have a separate user ID.

To obtain a user ID and password, please send a request to ATOBulkDataTransfer@ato.gov.au or contact your liaison officer to arrange access.

Password resets and account unlocks

To request a password reset or account unlock, please submit a request via the email link below.

Ensure the following details are included in your email before submitting to DTFPasswordResets@ato.gov.au

- Contact name (Must be affiliated to account)
- Account user ID
- Email address
- Contact mobile number (Australian mobile numbers only)
- Is the account locked or do you require a password reset (Select 1)

Requests are actioned between 8:30 am and 4:30 pm AEDT, Monday to Friday. For any further support, please contact us via the details below in Help and Support.

Help and support

For help and support using the DTF, including password resets, you can contact us by sending an email to **ATO Bulk Data Transfer**.

File transfer function

The file transfer function is the preferred channel to support the cyclical exchange of structured data such as:

- annual investment income report (AIIR)
- payment summary annual report (PSAR)
- quarterly tax file number (TFN) declaration (QTFN)
- superannuation member contributions statement (MCS)
- taxable payments annual report (TPAR)

- TFN declaration.

Benefits

The file transfer function allows you to test and lodge files that have been created from your software.

When you submit your file, you will receive on-screen confirmation that your file has been received. Your file will be validated to ensure it is compatible and you can download a validation report to see if the file has been successfully lodged or tested, successfully lodged with warnings or rejected due to errors.

Other key features include:

- the ability to upload large files without needing to split the file
- the option to send multiple files as a single compressed file
- reduced upload time if the file is compressed before submitting
- an easy to use, fast and efficient service
- reduced risk of errors and faster processing times than paper or electronic media
- a service that it is provided free of charge, with help available to answer your technical queries.

Note: You can't lodge scanned images or forms, screen prints, spreadsheets and word processing files (for example, .pdf, .doc, .xls, .jpg, .tif) via the file transfer function.

Next step

- You can access the file transfer function through the
 - ATO online services
 - Online services for agents

Commonwealth electoral roll details – data matching program protocol

Commonwealth electoral roll - ongoing data matching program protocol.

Last updated 25 October 2016

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At a glance

The Australian Electoral Commissioner (AEC) is permitted to provide us with specified information provided by individuals in the course of making an application to be included on the electoral roll, or when they update their enrolment information.

We are permitted to use this information for the purposes of:

- identifying or locating taxpayers
- preventing, detecting or investigating taxation fraud
- administering Australia's Foreign Investment Framework.

The AEC provides a complete and up to date extract of this information on a quarterly basis.

Program objectives

The objectives of this data matching program are to:

- identify taxpayers that are not registered with us when they are required to be
- locate taxpayers that may have outstanding taxation and superannuation lodgment, correct reporting or payment obligations
- identify potential instances of taxation or superannuation fraud
- assist with the administration of the Australia's Foreign Investment Framework.

How the data will be used

The data will assist our staff:

- identify those people that may be operating outside of the taxation and superannuation systems
- trace taxpayers with outstanding obligations where their contact details are not up to date with us
- deal with potential cases of taxation and superannuation fraud
- administer foreign investment requirements in residential and agricultural land, where a person acquires Australian property and does not appear on the electoral role.

See also:

- [What we will do before amending a return](#) or update our records

Data related matters

Data matching and user agency

Commonwealth electoral laws and associated regulations require or permit the AEC to make information available to nominated government agencies, political parties and members of parliament.

In this data matching program we are the matching agency and sole user of this data set. The electoral laws and regulations prohibit us from sharing this data with anyone else.

Data providers

Data will be obtained from the Australian Electoral Commission.

Data elements

We will obtain the following information from the AEC on an ongoing basis:

- name of the registered voter
- residential address of the registered voter
- sex of the registered voter
- date of birth of the registered voter
- occupation of the registered voter.

If the electoral laws or regulations are amended to permit the AEC to provide us with additional information we will update this list and publish a new gazette notice.

Number of records

Each quarter we obtain approximately 15 million records, all relating to individuals.

Data quality

Based on the acquisition and use of this data previously, we know the data is of high quality.

Data will be transformed into a standardised format and validated to ensure that it contains the required data elements prior to loading to our computer systems.

See also:

- [How we undertake data matching](#)
- [How we protect your personal information](#)
- [Our quality assurance framework](#)
- [Why we undertake data matching](#)
- [The costs and benefits of data matching](#)

Data retention

The information we obtain from the AEC is refreshed in its entirety every three months. This ensures we have the most up to date information available from the AEC.

Public notification of the program

We will notify the public of our intention to undertake this program by:

- publishing a notice in the Australian government notices gazette in the week commencing 11 April 2016 - [view the content of the gazette notice](#)
- publishing this data matching program protocol on our website at www.ato.gov.au/dmprotocols
- advising the data providers they
 - can notify their clients of their participation in this program and provided written materials to assist with this
 - should update their privacy policies to note that personal information is disclosed to us for data matching purposes.

Gazette notice content

Commissioner of Taxation - Notice of a data matching program

The Australian Taxation Office (ATO) will acquire details of registered voters on the Commonwealth electoral view from the Australian Electoral Commissioner. This data will be collected on an ongoing basis and is refreshed every three months.

The data items that will be obtained are personal details of:

- name of the registered voter
- residential address of the registered voter
- sex of the registered voter
- date of birth of the registered voter
- occupation of the registered voter.

It is estimated that records for 15 million individuals will be obtained each quarter.

These records will be electronically matched with ATO data holdings to identify non-compliance with registration, lodgment, reporting and payment obligations under taxation laws.

The objectives of this data matching program are to:

- identify taxpayers that are not registered with us when they are required to be
- locate taxpayers that may have outstanding taxation and superannuation lodgment, correct reporting or payment obligations
- identify potential instances of taxation or superannuation fraud
- assist with the administration of Australia's Foreign Investment Framework.

A document describing this program has been prepared in consultation with the Office of the Australian Information Commissioner. A copy of this document is available at www.ato.gov.au/dmprotocols

The ATO complies with the Office of the Australian Information Commissioner's Guidelines on data matching in Australian government administration (2014) which includes standards for data matching to protect the privacy of individuals. A full copy of the ATO's privacy policy can be accessed at www.ato.gov.au/privacy

Legal matters

Find out about:

- Our privacy policy
- [Making a privacy complaint](#)
- [Our lawful role](#)
- [Our legal authority to undertake a data matching program](#)

More information

What we will do before we amend a return or update our records

Where we detect a discrepancy that requires verification we will contact the taxpayer usually by phone, letter or email.

Before any administrative action is taken, taxpayers will be provided with the opportunity to verify the accuracy of the information obtained by us. Taxpayers will be given at least 28 days to respond before administrative action is taken.

For example, where discrepancy matching identifies that a taxpayer is not reporting all of their income, but in fact they are reporting the income under another entity, the taxpayer will be given the opportunity to clarify the situation.

The data may also be used to ensure that taxpayers are complying with their other taxation and superannuation obligations, including registration requirements, lodgment obligations and payment responsibilities.

In cases where taxpayers fail to comply with these obligations, after being reminded of them, escalation for prosecution action may be instigated in appropriate circumstances.

Where a taxpayer has correctly met its obligations, the use of the data will reduce the likelihood of contact from us.

How we undertake data matching

We use sophisticated identity matching techniques to ensure we identify the correct taxpayer when we obtain data from third parties. This technique uses multiple details to obtain an identity match. For example, where a name, address and date of birth are available all items are used in the identity matching process. Very high confidence matches will occur where all fields are matched.

Additional manual processes may be undertaken where high confidence identity matches do not occur, or a decision taken to destroy the data with no further action.

Where administrative action is proposed, additional checks will take place to ensure the correct taxpayer has been identified. The taxpayers will be provided with the opportunity to verify the accuracy of the information before any administrative action is taken.

Data analysts use various models and techniques to detect potential discrepancies, such as under-reported income or over-reported deductions. Higher risk discrepancy matches will be loaded to our case management system and allocated to compliance staff for actioning.

Lower risk discrepancy matches will be further analysed and a decision made to take some form of compliance or educational activity, or to destroy the data. In accordance with Guideline 7, where a decision is made not to take further action, the information that has been collected will be destroyed within 90 days of the decision not to take further action.

How we protect your personal information

Our staff are subject to the strict confidentiality and privacy provisions contained in Division 355 of Schedule 1 to the *Taxation Administration Act 1953* and include terms of imprisonment in cases of serious contravention of these provisions.

There are also restrictions in the *Commonwealth Electoral Act 1918* which prohibit us from on-disclosing the information obtained in the course of this data matching program to any other person or agency.

All ATO computer systems are strictly controlled, with features including:

- system access controls and security groupings
- login identification codes and password protection
- full audit trails of data files and system accesses.

We will utilise our secure internet-based data transfer facility to obtain the data from source agencies.

Our quality assurance framework

Quality assurance processes are integrated into our processes and computer systems and are applied throughout the data matching cycle.

These assurance processes include:

- registering the intention to undertake a data matching program on an internal register
- obtaining approval from the data matching gatekeeper and relevant Senior Executive Service (SES) officers prior to any activity being undertaken
- conducting program pilots or obtaining sample data to ensure the data matching program will achieve its objectives prior to full data

sets being obtained

- notifying the Office of the Australian Information Commissioner of our intention to undertake the data matching program and request permission to vary from the data matching guidelines (where applicable)
- maintaining access management logs recording details of who has access to the data, why access is required and how it will be used
- processes embedded into compliance activities, such as
 - review of risk assessments, taxpayer profiles and case plans by senior officers prior to client contact
 - ongoing reviews of cases by subject matter technical experts at key points during the life cycle of a case
 - regular independent panel reviews of samples of case work to provide assurance of the accuracy and consistency of case work.

These processes ensure data is collected and used in accordance with our data management policies and principles, and complies with the Information Commissioner's data matching guidelines.

Why we undertake data matching

We have considered a range of alternatives to this data matching program to ensure entities are complying with their taxation and superannuation obligations. Relying only on data already held by the ATO is of limited value for the following reasons:

- we only receive data from taxpayers that are correctly registered and meeting their lodgment obligations
- we have no other data to cross-reference to ensure taxpayers are reporting their obligations correctly other than by directly contacting every taxpayer.

This data matching program will allow us to identify taxpayers who are not fully complying with their obligations, as well as those that may be operating outside the taxation and superannuation systems. It will also reduce the likelihood of the ATO unnecessarily contacting taxpayers who appear to be complying with their taxation obligations.

Data matching is an effective method of examining records of thousands of taxpayers to ensure compliance with lodgment and reporting obligations that would otherwise be a resource intensive exercise.

Data matching also assists us in effectively promoting voluntary compliance by notifying the public of areas and activities under scrutiny.

Costs and benefits of data matching

Costs

There are some incidental costs to us in the conduct of this data matching program, but these will be more than offset by the total revenue protected. These costs include:

- data analyst resources to identify potential instances of non-compliance
- compliance resources to manage casework and educational activities
- governance resources to ensure that the Guidelines and Privacy Act are complied with, and quality assurance work to ensure the rigour of the work undertaken by analysts and compliance staff
- storage of the data.

Benefits

Benefits from conducting this data matching programs include:

- maintaining community confidence in both the taxation and superannuation systems by creating a level playing field, as well as maintaining community confidence in the ATO's capacity to fairly administer those systems
- integrity of the taxation and superannuation systems – there are inherent risks in taxpayers not complying with their obligations, including those that deliberately abuse these systems – this program will assist the ATO in detecting, dealing with and deterring those that are not meeting their obligations
- enabling enforcement activity and recovery of taxation revenue – without undertaking this data matching program and subsequent

compliance activity there are no assurances that a wider risk to revenue does not exist.

Making a privacy complaint

If a taxpayer is not satisfied with how we have collected, held, used or disclosed its personal information, they can make a formal complaint by:

- using the online complaints form at www.ato.gov.au/complaints
- phoning our complaints line on **1800 199 010**
- phoning the National Relay Service on **13 36 77** (if you have a hearing, speech or communication impairment)
- sending us a free fax on **1800 060 063**
- writing to us at
ATO Complaints
PO Box 1271
ALBURY NSW 2640

If a taxpayer is not satisfied with the outcome of the privacy complaint, they can contact the Office of the Australian Information Commissioner.

See also:

- Lodge a privacy complaint with us | OAIC [🔗](#)

Our lawful role

The Commissioner of Taxation has responsibility for ensuring taxpayers meet their taxation and superannuation obligations. Compliance with these obligations is a matter we take seriously and failure to address non-compliant behaviour has the potential to undermine community confidence in the integrity of the taxation and superannuation systems and our capacity to administer those systems.

Our data matching program is one of the strategies used to identify and deal with non-compliant behaviour. Data matching programs also provide a degree of assurance that taxpayers are meeting their obligations.

Our legal authority to undertake a data matching program

Electoral laws and regulations

Item 4 in the table in sub-section 90B(4) of the *Commonwealth Electoral Act 1918* permits the AEC to provide specified information to other government agencies prescribed in the regulations.

We are an agency prescribed at item 10 in the table in Schedule 1 to the *Electoral and Referendum Regulation 2016* and the purposes described in this protocol are specified in this regulation.

Privacy Act

Data will only be used within the limits prescribed by Australian Privacy Principle 6 (APP6) contained in Schedule 1 of the *Privacy Act 1988* and in particular:

- APP6.2(b) – the use of the information is required or authorised by an Australian law
- APP6.2(e) – the ATO reasonably believes that the use of the information is reasonably necessary for our enforcement related activities.

QC 48680

Real Property Transactions – 20 September 1985 to 30 June 2017 data matching program protocol

Real Property Transactions - 20 September 1985 to 30 June 2017 data matching program protocol.

Last updated 2 January 2018

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At a glance

This protocol has been prepared to meet the requirements of the *Guidelines on Data Matching in Australian Government Administration 2014* (Guidelines) published by the Office of the Australian Information Commissioner (OAIC).

We use property transaction data from the state and territory revenue and land title authorities to assist taxpayers in meeting their capital gains tax (CGT) and other taxation obligations. This is achieved through prefilling income tax returns, educational strategies and compliance activities. We have conducted this program for more than 12 years, since property transfer data matching first commenced in 2005 as state and territory based exercises under the CGT Compliance Challenge.

Disposal of a property may trigger a CGT event. This can occur after an asset has been held for many years. To determine a CGT liability real property transaction history dating back to 20 September 1985 (the introduction of the CGT regime) is required. Collecting data back to 1985 does not change our general compliance approach of reviewing CGT events within the standard period of review.

In the 2013–14 Federal Budget the government announced it would legislate to make the reporting of property transfers to the ATO mandatory. Legislation enacted in *Tax and Superannuation Laws Amendment (2015 Measures No. 5) Bill 2015* with the reporting regime commencing from 1 July 2016. Property transfers that occur after this date will be reported under the legislative regime.

The 2016–17 financial year is the last collection year for the real property data matching program. The data acquired under this data

matching program will continue to be required until all properties have been transferred within the legislative reporting regime, potentially upwards of 60 years.

This data matching protocol has been amended from the version published in December 2015 to extend the timeframe for retention of Property transfer data, which will now be reviewed on a rolling basis at intervals of no longer than seven years. Each review will determine whether a new request to extend the exemption is required.

Additionally, we will no longer acquire Rental bond data under this program protocol. A separate rental bond data matching protocol will be developed in accordance with the Guideline for any programs wanting to acquire data from the state and territory rental bond authorities to identify properties that are income producing.

Program objectives

The objectives of the real property transactions data matching program are to:

- promote voluntary compliance and strengthen community confidence in the integrity of the taxation and superannuation systems and other programs administered by the ATO
- obtain intelligence about the acquisition and disposal of real property and identify risks and trends of non-compliance across the broader compliance program
- identify a range of compliance activities to address risks with real property transactions by taxpayers and others that are required to notify the ATO of dealings in real property
- work with real property intermediaries to obtain an understanding of risks and issues as well as trends of non-compliance
- support compliance strategies to minimise future risks to revenue
- ensure compliance with registration, lodgment, correct reporting and payment of taxation, superannuation and other obligations.

How the data will be used

The data collected under this program will be compared with information included in tax returns. We will match this data against our

records and other data we hold to identify taxpayers that may not be meeting their registration, reporting, lodgment and/or payment obligations.

The data will also support client engagement and voluntary compliance through initiatives such as education and pre-filling information in tax returns.

Learn more about [what we will do before amending a return](#).

Previous/Pilot programs

This is an ongoing data matching program that we have conducted since 2005.

During the 2016-17 financial year, we identified over 5,431 cases where real property dealings were not treated correctly and which raised an additional \$65 million in revenue. This demonstrates the effectiveness of this program in protecting public revenue.

Data related matters

Data matching and user agency

We are the matching agency and, in most cases the sole user of the data obtained during this data-matching program. The data matching program will be conducted on our secure systems in accordance with approved policies and procedures.

In very limited and specific circumstances we may be permitted by law to disclose individual records to other government agencies. In some permitted circumstances this may include de-identified data.

Learn more about [our on-disclosure provisions](#).

Data providers

Data will be obtained from the following data providers:

- New South Wales Office of State Revenue
- New South Wales Department of Finance & Services – Land & Property Information
- Victorian State Revenue Office
- Australian Capital Territory Environment & Planning Directorate

- Australian Capital Territory Office of Regulatory Services (Land Titles Office)
- (Northern) Territory Revenue Office
- Northern Territory Department of Lands, Planning and the Environment
- Queensland Office of State Revenue
- Tasmanian Department of Primary Industries, Parks, Water & Environment
- Tasmanian State Revenue Office
- Revenue SA
- South Australian Department of Planning, Transport & Infrastructure – Land Services Group
- Western Australian Office of State Revenue
- Western Australian Land Information authority (Landgate)

We have removed the state and territory rental bond authorities from the data providers listing as we will no longer be acquiring Rental bond data under this program protocol.

Data elements

We will obtain the following information from the data providers for the period 20 September 1985 to 30 June 2017.

Date of property transfer	Full street address of the property transferred
Municipality identifier of the property transferred	Property sale contract date
Property sale settlement date	Property land area
Property sub-division date	Total property transfer price
Land usage code	Transferor's full name

Transferor's full address	Transfer property share percentage and manner of holding
Transferor's date of birth	Transferor's Australian Company Number (ACN) or Australian Business Number (ABN)
Transferee's full name	Transferee's full address
Transferee's property share percentage and manner of holding	Transferee's date of birth
Transferee's ACN or ABN	Land tax and applicable exemption details
Purchase duty and applicable exemption details	Valuation details

We have removed the data elements previously provided by the state and territory rental bond authorities as we will no longer be acquiring Rental bond data under this program protocol.

Number of records

It is estimated that we will match records relating to over 2 million individuals each year of this program.

Data quality

We have worked extensively with the data providers since the inception of this data matching program and are confident the data will continue to be of high quality.

State and territory laws require all property transfers to be recorded so that the appropriate stamp duty can be calculated and the correct legal entity is recorded as owning the property on title deeds. The states and territories must maintain high quality data as there are legal ramifications that may impact on a number of external bodies such as banks (where title deeds are sought as collateral) and municipal

councils (in application of rates notices) if ownership is not recorded correctly.

Data will be transformed into a standardised format and validated to ensure that it contains the required data elements prior to loading to our computer systems.

Learn more about:

- [How we undertake data matching](#)
- [How we protect your personal information](#)
- [Our quality assurance framework](#)
- [Why we undertake data matching](#)
- [The costs and benefits of data matching](#)

Data retention

The collection of data under this program will occur quarterly, with the final quarter's data obtained in August/September 2017.

We are seeking to have the Information Commissioner exercise his discretion and allow the ATO to vary from the data destruction requirements contained in the Guidelines.

We are seeking to extend the timeframe for retention of this data, with a review on a rolling basis at intervals of no longer than seven years. The retention of this data is required for the protection of public revenue. We were previously granted a single exception of five years.

Destroying the data in the timeframes contained in the Guidelines would hinder our ability to protect public revenue as it would impact our capability to correctly determine capital gains tax liabilities where the property purchase was prior to the commencement of the legislative reporting regime of 1 July 2016.

See the [submission to the Information Commissioner](#) setting out the basis for seeking the variation to the data destruction guidelines and its impacts on individual privacy.

We destroy information that is no longer required in accordance with the Guidelines and the National Archives of Australia's General Disposal Authority 24 - Records relating to Data Matching Exercises (GDA24).

Public notification of the program

We undertook public notification of our intention to commence this program by:

- publishing a notice in the Federal Register of Legislation - Gazettes on 8 December 2015.
- publishing our original data matching program protocol and updating with amendments in December 2017 on our website at www.ato.gov.au/dmprotocols
- advising data providers they
 - should notify their clients of their participation in this program and provide written materials to assist with this
 - should note that personal information is disclosed to the ATO for data matching purposes in their privacy policies.

Gazette notice content*

Commissioner of Taxation

Notice of a data matching program

The Australian Taxation Office (ATO) will acquire details of real property transactions for the period 20 September 1985 to 30 June 2017 from the following sources:

- New South Wales Office of State Revenue
- New South Wales Department of Finance & Services – Land & Property Information
- New South Wales Office of Fair Trading – Rental Bond Board
- Victorian State Revenue Office
- Residential Tenancies Bond Authority – Consumer Affairs Victoria
- Australian Capital Territory Environment & Planning Directorate
- Australian Capital Territory Office of Regulatory Services (Land Titles Office)
- (Northern) Territory Revenue Office

- Northern Territory Department of Lands, Planning and the Environment
- Queensland Office of State Revenue
- Queensland Residential Tenancies Authority
- Tasmanian Department of Primary Industries, Parks, Water & Environment
- Tasmanian State Revenue Office
- Tasmanian Department of Justice
- Revenue SA
- South Australian Department of Planning, Transport & Infrastructure – Land Services Group
- Western Australian Office of State Revenue
- Western Australian Land Information authority (Landgate)

The data items that will be obtained are:

Rental Bond Authorities

- Rental bond number or identifier for rental bond
- Unique identifier for the landlord
- Full name of the landlord
- Full address of the landlord
- Date of birth of the landlord
- Contact telephone numbers for the landlord
- Unique identifier of the managing agent
- Full name of the managing agent
- Full address of the managing agent
- Unique identifier of the rental property
- Full address of the rental property
- Period of lease
- Commencement and expiration of the lease

- Amount of rental bond held
- Number of weeks the rental bond is for
- Amount of rent payable for each period
- Period of rental payments (weekly, fortnightly, monthly)
- Type of dwelling
- Number of bedrooms

Revenue and land title authorities

- Date of property transfer
- Full street address of the property transferred
- Municipality identifier of the property transferred
- Property sale contract date
- Property sale settlement date
- Property land area
- Property sub-division date
- Total property transfer price
- Land usage code
- Transferor's full name
- Transferor's full address
- Transferor's share percentage and manner of holding
- Transferor's date of birth
- Transferor's Australian Company Number (ACN) or Australian Business Number (ABN)
- Transferee's full name
- Transferee's full address
- Transferee's property share percentage and manner of holding
- Transferee's date of birth
- Transferee's ACN or ABN

- Land tax and applicable exemption details
- Purchase duty and applicable exemption details
- Valuation details

It is estimated the total number of records that will be obtained is:

- Rental bond authorities – approximately 1 million records for each year
- Revenue and land title offices – approximately 30 million records for each year

Based on current data holdings it is estimated that records relating to 11.3 million individuals will be matched.

The purpose of this data matching program is to ensure that taxpayers are correctly meeting taxation and other program obligations administered by the ATO in relation to their dealings with real property. These obligations include registration, lodgment, reporting and payment responsibilities.

The objectives are to:

- obtain intelligence about the acquisition and disposal of real property and identify risks and trends of non-compliance across the broader compliance program
- identify a range of compliance activities appropriate to address risks with real property transactions by taxpayers
- work with real property intermediaries to obtain an understanding of the risks and issues, as well as trends of non-compliance
- gain support and input into compliance strategies to minimise future risk to revenue
- promote voluntary compliance and strengthen community confidence in the integrity of the tax system by publicising the outcomes of the data matching program
- ensure compliance with registration, lodgment, correct reporting and payment of taxation and superannuation obligations.

A document describing this program has been prepared in consultation with the Office of the Australian Information Commissioner. A copy of this document is available:

- at www.ato.gov.au/dmprotocols
- by sending an email to SpecialPurposeDataSteward@ato.gov.au with reference to real property transactions data matching program

The ATO complies with the Office of the Australian Information Commissioner's Guidelines on data matching in Australian government administration (2014) which includes standards for data matching to protect the privacy of individuals. A full copy of the ATO's privacy policy can be accessed at www.ato.gov.au/privacy

** published in December 2015, as outlined throughout this amended protocol we are no longer acquiring information from Rental Bond Authorities. We will also provide a copy of this amended program protocol to the Office of the Australian Information Commissioner as required by the Guidelines.*

[Go back](#)

Legal matters

Learn more about:

- Our privacy policy
- [Making a privacy complaint](#)
- [Our lawful role](#)
- [Our legal authority to undertake a data matching program](#)

Submission to the Information Commissioner

Varying from the data destruction requirements

The Australian Taxation Office (ATO) is seeking approval for the real property data matching program for the period 20 September 1985 to July 2017 to deviate from one or more of the conditions detailed in Guideline 7 of the Office of the Australian Information Commissioner's *Guidelines on data matching in Australian government administration 2014* (the Guidelines).

We are initially seeking to extend the retention period to seven years from the original five year extension granted by the Australian

Information Commissioner in December 2015. We will undertake a review at the seven year anniversary to determine whether the extension should be renewed. The data will continue to be necessary until all properties contained in the data set have been transferred within the mandatory reporting regime. We will conduct a rolling review of the ongoing data requirements at intervals of no longer than seven years.

We consider exemption from the normal data destruction rules in this circumstance is in the public interest (10.1(c) of the Guidelines) as:

- the ATO is responsible for the administration of the CGT regime
- CGT legislation requires the establishment of a cost base to determine an individual's taxation liability upon disposal of real property assets
- The Commonwealth government enacted legislation for mandatory reporting of property transactions to the ATO commencing 1 July 2016, however the historical data captured under this program will be required on an ongoing basis for cost base calculations when a real property asset is disposed of
- individuals may retain real property for many years, at times their whole life, before disposing of it and potentially triggering a capital gains event
- To determine CGT liabilities, real property transfer history dating back to 20 September 1985 (the introduction of the CGT regime) is required until all properties have been reported under the new legislative reporting regime
- This real property transfer data set is static and no future years are to be added. If we deleted the data earlier than requested, it would necessitate seeking to acquire the same data set again, imposing unnecessary costs on data providers and the ATO
- The real property transfer data enhances our analytics capability and assists individuals to comply with their taxation obligations through prefilling alert services.

The destruction of the historical data would:

- limit the effectiveness of the legislative real property transaction regime

- restrict the ATO's prefilling alert service and our ability to assist individuals to comply with their obligations
- inhibit the ATO's ability to identify those taxpayers who may be subject to administrative action, and
- result in a loss of government revenue.

This program will continue to be subject to an evaluation within three years and every three years after which remains consistent with the requirements of Guideline 9. Every second evaluation cycle will include an assessment of whether the data is no longer required or whether the request to retain the data should be renewed.

We have determined that this variation will not affect the privacy of an individual.

Additional information justifying this variation is included in the tables below:

- Table 1 – Matters considered in accordance with 10.2 of the Office of the Australian Information Commissioner's Guidelines on data matching in Australian government administration (2014)
- Table 2 – Consistency with the requirements of the Office of the Australian Information Commissioner's Guidelines on data matching in Australian government administration (2014).

The Commissioner of Taxation does not request that this advice be kept confidential (Guideline 10.6) and has no concerns with the Office of the Australian Information Commissioner placing the information on its website.

Table 1: Matters considered in seeking this variation to the Guidelines

Matter considered	Consideration
10.2.a The effect of not abiding by the specified requirements of the Guidelines would have on individual privacy	<ul style="list-style-type: none"> • Retaining data for a period of seven years will not increase the risks to an individual's privacy. We have in place very secure processes for handling and storing data. The

data is stored on our secure computer systems where access is strictly controlled and full audit logs maintained

- The ATO and our staff operate under stringent confidentiality and privacy legislation that prohibits the improper access to or disclosure of protected information. These obligations are supported by significant penalties, including imprisonment. This substantially mitigates the risks of breaches of privacy.

10.2.b The seriousness of the administrative or enforcement action that may flow from the data matching program

- An extension of the retention period will not affect the seriousness of the administrative action that may flow from the match, but will assist in detecting non-compliance or taxation fraud
- Where we propose to take administrative action where a taxpayer may have reported incorrectly, we differentiate between those that try to do the right thing and those that set out to deliberately avoid their obligations. Documented procedures, including the Taxpayers' Charter and compliance model are followed to ensure fairness and consistency.

10.2.c

The effect that not abiding by the specified requirements of the Guidelines would have on the fairness of the program – including its effect on people's ability to find out the basis for decisions that affect them and their ability to dispute those decisions

- There will be no effect on the fairness of the program or the ability of taxpayers to find out the basis of decisions that impact them or their ability to dispute those decisions
- Before any administrative action is undertaken, taxpayers will be given at least 28 days to verify the accuracy of the information that has been derived from this data matching program
- Where administrative action is to be undertaken, we will adhere to the principles established in the Taxpayers' Charter and compliance model to ensure an equitable and consistent approach is taken
- If a taxpayer does not agree with an assessment, they maintain the right to dispute the decision. They also have the legal right to appeal against those decisions through tribunals and the courts.

10.2.d

The effect that not abiding by the specified requirements of the Guidelines would have on the transparency and accountability of government operations

- There will be no adverse effects on the transparency and accountability of government operations
- A program protocol is submitted to the Office of the Australian

Information
Commissioner and we
will strictly adhere to the
commitments in that
document

- We will publish a notice with general information about the program in the Federal Register of Legislation - Gazettes before administrative action commences. We also make a copy of the program protocol available on our website.

10.2.e The effect that not abiding by the specified requirements of the Guidelines would have on compliance of the proposed program with the Australian Privacy Principles in the *Privacy Act 1988*

- There will be no effect on compliance with the Australian Privacy Principles contained in Schedule 1 to the *Privacy Act 1988* due to longer retention of the data. The data is collected solely for the stated objectives established in the data matching program protocol.

10.2.f The effect that abiding by all of the requirements of the Guidelines would have on the effectiveness of the proposed program

- The effectiveness of the program would be reduced if the data retention period is not extended
- There would be a significant reduction in our ability to detect incorrect reporting and taxation fraud without assessing trends in the data collected
- The destruction of the data in accordance with the current guidelines would impact the

integrity of the taxation system by:

- limiting our ability to identify taxpayers who may be subject to administrative action
- resulting in the loss of revenue.

10.2.g Whether complying fully with the Guidelines could jeopardise or endanger the life or physical safety of information providers or could compromise the source of information provided in confidence

- Not abiding by all the requirements of the Guidelines would not influence or affect the personal safety of any individual identified as part of the program or compromise the source of the information provided in confidence.

10.2.h The effect that abiding by all the requirements of the Guidelines would have on public revenue – including tax revenue, personal benefit payments, debts to the Commonwealth and fraud against the Commonwealth

- Not allowing the variation to the data retention period of the current program would cause us to miss potential breaches of taxation laws and subsequent non-payment of tax. This would result in the Commonwealth foregoing taxation revenue
- There are risks to the integrity of taxation system when people fail to comply with their obligations. Abiding by all of the requirements of the guidelines will reduce the effectiveness of the proposed compliance activity. We would miss the opportunity to educate those

taxpayers trying to do the right thing, and deter those that are non-compliant from repeating the behaviour

- The effect of abiding by all of the requirements in the guidelines could negatively impact both public revenue and the confidence the public and government have in the ATO as an administrator of the taxation system. People not complying with their taxation obligations, including those operating outside the system, set a bad example to compliant taxpayers and may encourage their non-compliance. Maintaining community and government confidence in the taxation system is critical to our ongoing role.

10.2.i Whether abiding by all of the requirements of the Guidelines would involve the release of a document that would be an exempt document under the *Freedom of Information Act 1982*

- Upon receipt of a freedom of information request only information relating to the taxpayer's own affairs will be released to the taxpayer concerned.

10.2.j Any legal authority for, or any legal obligation that requires, the conduct of the proposed data matching program in a way that is inconsistent with the Guidelines

- There is no specific legislative power authorising the conduct of this program inconsistent with the Guidelines
- The Commissioner of Taxation, or his authorised

representative, has formed the opinion that this data is required to enable us to effectively and efficiently carry out its legislated functions under the general powers of administration contained in:

- Section 3A of the *Taxation Administration Act 1953*
- Section 8 of the *Income Tax Assessment Act 1936*
- Section 1-7 of the *Income Tax Assessment Act 1997*
- Section 356-5 in Schedule 1 of the *Taxation Administration Act 1953*

- The reasons for proposing to operate outside requirements of the Guidelines are detailed above.

Table 2: Matters considered in seeking this variation to the Guidelines

This section outlines where we are being consistent with the requirements of the Guidelines.

Paragraph/Guideline		Action taken/To be taken
Paragraph 6	Status of the Guidelines	Our commitment to complying with the Guidelines is embedded in our data management

		<p>policies and principles and clearly stated in the chief executive instruction.</p>
Guideline 1	Application of the Guide	<p>We apply the guidelines for all data matching programs where it is anticipated the program will include records of 5,000 or more individuals.</p> <p>We recognise that programs where there are multiple data sources but with common objectives and algorithms are treated as a single data matching program.</p>
Guideline 2	Deciding to carry out or participate in a data matching program	<p>We conduct a cost-benefit analysis and consider alternate methods prior to proposing to conduct a data matching program.</p> <p>Further, we have rigorous governance arrangements, processes and system controls in place to protect the privacy of individuals.</p>
Guideline 3	Prepare a program protocol	<p>Prior to conducting a data matching program, we prepare a data matching program protocol, submit this to the Office of the Australian Information Commissioner and make a copy publicly available on the ATO website</p> <p>When elements of a data matching program change, the protocol is amended, a copy of the amended protocol is provided to the Office of the Australian Information</p>

Commissioner and
updated on our website

Guideline 4	Prepare a technical standards report	Documentation is prepared and maintained so as to satisfy the requirements of a technical standards report.
Guideline 5	Notify the public	<p>We publish notification of our intention to undertake a data matching program in the Federal Register of Legislation - Gazettes prior to the commencement of the program.</p> <p>This notice will include the following information as required by the Guidelines:</p> <ul style="list-style-type: none">• a brief description of the objectives of the data matching program• the matching agency and source entities involved in the data matching program• a description of the data contained in the data set involved in the data matching program• the categories of individuals about whom personal information is to be matched• the approximate number of individuals affected• reference to our privacy policy.

Notification of the program is also published on our website and data providers are advised they can advertise their participation in the data matching program.

Guideline 6	Notify individuals of proposed administrative action	Prior to taking any administrative action as a result of the data matching programs, individuals and other entities are given at least 28 days to verify the accuracy of the information provided to us by third parties.
Guideline 7	Destroy information that is no longer required	We are seeking to vary from this requirement.
Guideline 8	Do not create new registers, datasets or databases	We do not create new registers or databases using data obtained in the course of a data matching program.
Guideline 9	Regularly evaluate data matching programs	Programs are evaluated within three years of the commencement of the data matching program. These evaluations are provided to the Office of the Australian Information Commissioner on request.
Guideline 10	Seeking exemptions from Guideline requirements	When we intend to vary from the requirements of the Guidelines, we seek the approval of the Office of the Australian Information Commissioner and provide documentation to support the variance.

Guideline
11

Data matching with
entities other than
agencies

We undertake our own
data matching programs.
This function is not
outsourced.

Where data is obtained
from an entity other than
an individual, we usually
do so using our formal
information gathering
powers. In these
instances the entities are
advised they are able to
notify their clients of their
participation in the data
matching program.

Guideline
12

Data matching with
exempt agencies

We do not usually
undertake data matching
with agencies that are
exempt from the
operations of the *Privacy
Act 1988* under section 7
of that Act and that are
subject to the operation
of the Guidelines (i.e. any
data matching
undertaken with an
exempt agency would
usually be for fewer than
5,000 individuals).

In the event a data
matching activity would
otherwise be subject to
these Guidelines except
for the exemption status,
we still adhere to the
principles of the
Guidelines and prepare a
program protocol,
seeking to vary from the
Guidelines by not publicly
notifying of the program
and publishing the
protocol. We would still
lodge a copy of the
protocol with the Office
of the Australian
Information
Commissioner.

Guideline 13	Enable review by the Office of the Australian Information Commissioner	We would not prevent the Office of the Australian Information Commissioner from reviewing our data matching activities and processes. These activities and processes have been reviewed by the Australian National Audit Office and Inspector-General of Taxation.
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More information

What we will do before we amend a return

The property transfer data matching program is used to identify real property disposals during a financial year that potentially triggers a capital gains tax event. This may be used to:

- prompt taxpayers through our prefilling service by identifying the property disposal that may have triggered a capital gains tax event
- identify cases where taxpayers may have omitted to report income or capital gains from property disposals
- identify taxpayers that may not be meeting other obligations under taxation or other laws administered by the ATO.

Where administrative action is proposed, additional checks will take place to ensure the correct taxpayer has been identified. Where we detect a discrepancy that requires verification we will contact the taxpayer by telephone, letter or email.

Before any administrative action is taken, taxpayers will be provided with the opportunity to verify the accuracy of the information obtained by us. Taxpayers will be given at least 28 days to respond before administrative action is taken.

For example, where discrepancy matching identifies that a taxpayer may not be reporting all of their income, but in fact they are reporting

the income under another entity, the taxpayer will be given the opportunity to clarify the situation.

The data may also be used to ensure that taxpayers are complying with their other taxation and superannuation obligations, including registration requirements, lodgment obligations and payment responsibilities.

In cases where taxpayers fail to comply with these obligations, even after being reminded of them, escalation for prosecution action may be instigated in appropriate circumstances.

Where a taxpayer is correctly meeting their obligations, the use of the data will reduce the likelihood of contact from us.

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Our on-disclosure provisions

Division 355 of Schedule 1 to the *Taxation Administration Act 1953* sets out the other government agencies we can disclose taxpayer information to, and the circumstances we are permitted to make those disclosures. These include agencies responsible for:

- state and territory revenue laws
- payments of social welfare and health and safety programs for determining eligibility for certain types of benefits and rebates
- overseeing superannuation funds, corporations and financial market operators to ensure compliance with prudential regulations
- determining entitlement to rehabilitation and compensation payments
- law enforcement activities to assist with specific types of investigations.
- policy analysis, costing and effectiveness measurement.

Each request for information by other agencies will be assessed on its merits and must be for an admissible purpose allowed for by taxation laws. In specific permissible circumstances on-disclosures may include de-identified datasets for statistical analysis.

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How we undertake data matching

We use sophisticated identity matching techniques to ensure we identify the correct taxpayer when we obtain data from third parties. This technique uses multiple details to obtain an identity match. For example, where a name, address and date of birth are available all items are used in the identity matching process. Very high confidence matches will occur where all fields are matched.

Additional manual processes may be undertaken where high confidence identity matches do not occur, or a decision taken to destroy the data with no further action. Our manual identity matching process involves an ATO officer reviewing and comparing third party data identity elements against ATO information on a one-on-one basis, seeking sufficient common indicators to allow confirmation (or not) of an individual's identity. We commonly call this process manual uplifting.

Data analysts use various models and techniques to detect potential discrepancies, such as under-reported income or over-reported deductions. Higher risk discrepancy matches will be reviewed for compliance activity.

Lower risk discrepancy matches will be further analysed and a decision made to take some form of compliance or educational activity, or to destroy the data.

Destruction of data is conducted in accordance with the timeframes and requirements of the Guidelines and GDA24 or an extension of time is sought from the Information Commissioner.

Where administrative action is proposed, additional checks will take place to ensure the correct taxpayer has been identified. The taxpayers will be provided with the opportunity to verify the accuracy of the information before any administrative action is taken.

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How we protect your personal information

Our staff are subject to the strict confidentiality and disclosure provisions contained in Division 355 of Schedule 1 to the *Taxation Administration Act 1953* and include terms of imprisonment in cases of serious contravention of these provisions.

All ATO computer systems are strictly controlled, with features including:

- system access controls and security groupings
- login identification codes and password protection
- full audit trails of data files and system accesses.

We will generally utilise our secure internet-based data transfer facility to obtain the data from source agencies.

Where this is not possible, data providers will be requested to provide the data on a CD, DVD or USB media storage device encrypted to a standard that satisfies Australian government requirements. The media storage device will be password protected, with the password provided under separate cover.

Where media storage device is not collected by an authorised ATO officer, an approved courier service will be used to collect the device. In remote locations not serviced by an approved courier service, the Australia Post 'Express Post Platinum' will be used (this provides both tracking and signature for delivery features).

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Our quality assurance framework

Quality assurance processes are integrated into our procedures and computer systems and are applied throughout the data matching cycle.

These assurance processes include:

- registering the intention to undertake a data matching program on an internal register
- obtaining approval from the Data Steward and relevant Senior Executive Service (SES) officers prior to any activity being undertaken
- conducting program pilots or obtaining sample data to ensure the data matching program will achieve its objectives prior to full data sets being obtained
- notifying the Office of the Australian Information Commissioner of our intention to undertake the data matching program and request permission to vary from the data matching guidelines (where applicable)

- access to the data is restricted to approved users and access management logs record details of who has accessed the data
- quality assurance processes embedded into compliance activities include:
 - review of risk assessments, taxpayer profiles and case plans by senior officers prior to client contact
 - ongoing reviews of cases by subject matter technical experts at key points during the life cycle of a case
 - regular independent panel reviews of samples of case work to provide assurance of the accuracy and consistency of case work.

These processes ensure data is collected and used in accordance with our data management policies and principles, and complies with the Information Commissioner's data matching guidelines.

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Why we undertake data matching

We have considered a range of alternatives to this data matching program to ensure entities are complying with their taxation and superannuation obligations. Relying only on data already held by the ATO is of limited value for the following reasons:

- the taxation system operates on willing participation so our data is derived from taxpayers that are correctly registered and meeting their lodgment obligations
- we have no other data to cross-reference to ensure taxpayers are reporting their obligations correctly other than by directly contacting every taxpayer.

This data matching program will allow us to identify taxpayers who are not fully complying with their obligations, as well as those that may be operating outside the taxation and superannuation systems. It will also reduce the likelihood of the ATO unnecessarily contacting taxpayers who are complying with their taxation obligations.

Data matching is an effective method of examining records of thousands of taxpayers to ensure compliance with lodgment and

reporting obligations that would otherwise be a resource intensive exercise.

Data matching also assists us in effectively promoting voluntary compliance by notifying the public of areas and activities under scrutiny.

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Costs and benefits of data matching

Costs

There are some incidental costs to us in the conduct of this data matching program, but these will be more than offset by the total revenue protected. These costs include:

- data analyst resources to identify potential instances of non-compliance
- compliance resources to manage casework and educational activities
- governance resources to ensure that the Guidelines and *Privacy Act 1988* are complied with, and quality assurance work to ensure the rigour of the work undertaken by analysts and compliance staff
- storage of the data.

Benefits

Benefits from conducting this data matching programs include:

- maintaining community confidence in both the taxation and superannuation systems by creating a level playing field, as well as maintaining community confidence in the ATO's capacity to fairly administer those systems
- integrity of the taxation and superannuation systems – there are inherent risks in taxpayers not complying with their obligations, including those that deliberately abuse these systems – this program will assist the ATO in detecting, dealing with and deterring those that are not meeting their obligations
- enabling enforcement activity and recovery of taxation revenue – without undertaking this data matching program and subsequent compliance activity there are no assurances that a wider risk to revenue does not exist.

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Making a privacy complaint

If a taxpayer is not satisfied with how we have collected, held, used or disclosed their personal information, they can make a formal complaint by:

- using the online complaints form at www.ato.gov.au/complaints
- phoning our complaints line on **1800 199 010**
- phoning the National Relay Service on **13 36 77** (if you have a hearing, speech or communication impairment)
- sending us a free fax on **1800 060 063**
- writing to us at:

ATO Complaints

PO Box 1271

ALBURY NSW 2640.

If a taxpayer is not satisfied with the outcome of the privacy complaint, they can contact the Office of the Australian Information Commissioner. More details on the process can be found on the OAIC website at www.oaic.gov.au/privacy/making-a-privacy-complaint[External Link](#)

For more information and to review our privacy policy visit our website at www.ato.gov.au/privacy

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Our lawful role

The Commissioner of Taxation has responsibility for ensuring taxpayers meet their taxation and superannuation obligations. Compliance with these obligations is a matter we take seriously and failure to address non-compliant behaviour has the potential to undermine community confidence in the integrity of the taxation and superannuation systems and our capacity to administer those systems.

Our data matching program is one of the strategies used to identify and deal with non-compliant behaviour. Data matching programs also

provide a degree of assurance that taxpayers are meeting their obligations.

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Our legal authority to undertake a data matching program

Legislation

The data from the state and territory revenue authorities is negotiated, acquired and managed under the terms and references of Memoranda of Understanding between the relevant authorities and the ATO.

Where appropriate, to ensure statutory requirements are met, the data will be obtained under our formal information gathering powers contained in section 353-10 of Schedule 1 to the *Taxation Administration Act 1953*.

This is a coercive power that obligate the data providers to furnish the information requested. We will use the information for taxation and superannuation compliance purposes.

Privacy Act

Data will only be used within the limits prescribed by Australian Privacy Principle 6 (APP6) contained in Schedule 1 of the *Privacy Act 1988* and in particular:

- APP6.2(b) – the use of the information is required or authorised by an Australian law
- APP6.2(e) – the ATO reasonably believes that the use of the information is reasonably necessary for our enforcement related activities.

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QC 47402

Share transactions – 20 September 1985 to 30 June 2018 data

matching program protocol (amended)

Share Transactions - 20 September 1985 to 30 June 2018
data matching program protocol.

Last updated 29 October 2018

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At a glance

This protocol has been prepared to meet requirements of the Office of the Australian Information Commissioner's *Guidelines on Data Matching in Australian Government Administration* (2014) (the Guidelines).

The share transactions data matching program has been conducted since 2006 to ensure compliance with taxation obligations on the disposal of shares and similar securities. There are taxation implications on the disposal of shares, especially in relation to capital gains tax (CGT).

As taxpayers can hold shares for many years before disposal, the collection of transaction history data dating back to 20 September 1985 (the introduction of the CGT regime) is necessary to enable cost base and capital proceeds calculations. Collecting data back to 1985

does not change our general compliance approach of reviewing share disposals within the standard period of review.

In the 2013–14 Federal Budget, the government announced it would legislate to make the reporting of share transaction data to the ATO mandatory. Legislation was enacted in the *Tax and Superannuation Laws Amendment (2015 Measures No. 5) Bill 2015*, requiring reporting from the Australian Securities and Investments Commission (ASIC) from 1 July 2016. Share registries, brokers and trustees and fund managers were required to report from 1 July 2017.

The legislative reporting regime gathers share transaction information and has done so since its commencement. The regime doesn't gather information retrospectively.

The information acquired under this data matching program will continue to be required until all shares have been transferred within the legislative reporting regime.

This data matching protocol has been **amended** from the original version published in October 2016 to:

- include ASIC as a data provider
- seek an exemption from the Information Commissioner to vary the usual data destruction requirements, now to be reviewed on a rolling basis at intervals of no longer than seven years. Each review will determine whether a new request to extend the exemption is required.

Program objectives

The purpose of this data matching program is to ensure that taxpayers are correctly meeting their taxation obligations in relation to share transactions. These obligations include registration, lodgment, reporting and payment responsibilities.

How the data will be used

Sales and purchase data will be obtained from share registry service providers and ASIC, and compared with information included in income tax returns. We will match this data against ATO records and other data we hold to identify taxpayers that may not be meeting their registration, reporting, lodgment and/or payment obligations. The

program supports client engagement and voluntary compliance through initiatives such as education and pre-filling information in tax returns.

Learn more about [what we will do before amending a return](#).

Previous programs

This is an ongoing data matching program that we have conducted since 2006.

Pre-fill and associated digital service messages are made available to approximately 240,000 taxpayers each year to prompt them to include the disposal of shares at the appropriate capital gains tax labels in their income tax returns.

Data has been used for compliance activity however due to the broad use of this data combined with other third party data we hold it is not possible to provide specific shares results.

Data related matters

Data matching and user agency

We are the matching agency and, in most cases the sole user of the data obtained during this data-matching program. The data matching program will be conducted on our secure systems in accordance with approved policies and procedures.

In very limited and specific circumstances we may be permitted by law to disclose individual records to other government agencies.

Learn more about [our on-disclosure provisions](#).

Data providers

Data will be obtained from the following share registries:

- Link Market Services Limited
- Computershare Limited
- Australian Securities Exchange Limited
- Boardroom Pty Ltd
- Advanced Share Registry Services Pty Ltd

- Security Transfer Registrars Pty Ltd
- Automic Registry Services (Automic Pty Ltd).

Data will also be obtained from ASIC.

Data elements

We will obtain the following information from the share registries listed above for the period 20 September 1985 to 30 June 2018:

- full name
- full address
- holder identity number
- shareholder registry number
- entity name
- entity ASX code
- purchase date and price
- sale date and price
- quantities of shares acquired or disposed of
- corporate actions affecting shareholders (eg corporate reconstructions)
- broker identity
- transaction codes
- entity type
- direction indicator (buy or sell).

ASIC will provide the Australian Market Regulation feed for all products (apart from options and futures) quoted on the Australian Securities Exchange or Chi-X Australia markets to the ATO. We are acquiring this data under legislative reporting from 1 July 2016. This additional data collection goes back to the start of the market surveillance system in July 2014.

We will obtain the following information from ASIC:

- Record Type

- Record Number
- Trade ID
- Transaction Type
- Date
- Time
- Symbol
- Price
- Volume
- Value
- Market Platform ID
- Indicators
- Buy Broker
- Buy Capacity
- Buy Client OOO
- Buy Account ID
- Buy Secondary Account ID
- Buy Intermediary
- Sell Broker
- Sell Capacity
- Sell Client OOO
- Sell Account ID
- Sell Secondary
- Account ID
- Sell Intermediary
- Manual Indicator.

Number of records

It is estimated that the total number of records that will be obtained from share registries will be more than 25 million. The number of unique individuals expected to be involved is around 2.1 million.

Over 500 million records will be obtained from ASIC. We are acquiring data from the start of their market surveillance system in July 2014 for use with the legislative provision of this data from 1 July 2016.

Data quality

We have worked extensively with data providers and are confident the data will be of high quality as it has been in the past. The data will be supplied in accordance with reporting specifications including record layout, file and data format for each record.

Data will be transformed into a standardised format and validated to ensure that it contains the required data elements prior to loading to our analytical systems.

Find out about:

- [How we undertake data matching](#)
- [How we protect your personal information](#)
- [Our quality assurance framework](#)
- [Why we undertake data matching](#)
- [The costs and benefits of data matching](#)

Data retention

The collection of data under this program is expected to occur progressively on a biannual basis during the 2016–17 and 2017–18 financial years.

In June 2018 we asked then acting Information Commissioner to exercise her discretion and allow us to vary from the data destruction requirements contained in the Guidelines. This is further to the exemption sought in October 2016.

We sought to extend the timeframe for retention of this data, with a review on a rolling basis at intervals of no longer than seven years. The retention of this data is required for the protection of public revenue. We had previously sought a single exception of five years.

Destroying the data earlier than requested would put public revenue at risk as we would be limited in our ability to determine capital gains tax liabilities for shares purchased prior to the commencement of the legislative reporting regime (1 July 2016).

See the [Submission to the Information Commissioner](#) setting out the basis for seeking the variation to the data destruction guidelines and its impacts on individual privacy. We destroy information that is no longer required in accordance with the Guidelines and the National Archives of Australia's General Disposal Authority 24 - Records Relating to Data Matching Exercises (GDA 24).

Public notification of the program

To support public notification of our data matching program we have:

- published an original program notice in the Federal Register of Legislation - Gazettes on 26 October 2016
- publishing this amended data matching program protocol on **Data matching protocols**
- advising the data providers they
 - should notify their clients of their participation in this program
 - should update their privacy policies to note that personal information is disclosed to us for data matching purposes.

Gazette notice content

Commissioner of Taxation

Notice of a data matching program – Share transactions - 20 September 1985 to 30 June 2018 (*amended*)

The Australian Taxation Office (ATO) will continue to acquire details of share transactions. Data will be acquired for the period 20 September 1985 to 30 June 2018 from the following sources:

- Link Market Services Limited
- Computershare Limited
- Australian Securities Exchange Limited

- Boardroom Pty Ltd
- Advanced Share Registry Services Pty Ltd
- Security Transfer Registrars Pty Ltd
- Automic Registry Services (Automic Pty Ltd).
- Australian Securities and Investments Commission (ASIC).

The data items that will be obtained are:

- full name
- full address
- holder identity number
- shareholder registry number
- entity name
- entity ASX code
- purchase date and price
- sale date and price
- quantities of shares acquired or disposed of
- corporate actions affecting shareholders (e.g. corporate reconstructions)
- broker identity
- transaction codes
- entity type
- direction indicator (buy or sell).
- record type
- record number
- trade ID
- transaction Type
- time
- symbol

- volume
- value
- market platform ID
- indicators
- buy broker
- buy capacity
- buy client OOO
- buy account ID
- buy secondary account ID
- buy intermediary
- sell broker
- sell capacity
- sell client OOO
- sell account ID
- sell secondary
- account ID
- sell intermediary
- manual indicator

It is estimated that the number of unique individuals expected to be involved is around 2.1 million.

The objective of this data matching program is to ensure that taxpayers are correctly meeting their taxation obligations in relation to share transactions. These obligations include registration, lodgment, reporting and payment responsibilities.

A document describing this program has been prepared in consultation with the Office of the Australian Information Commissioner. A copy of this document is available at [Data matching protocols](#).

Legal matters

Find out about:

- Your privacy
- [Making a privacy complaint](#)
- [Our lawful role](#)
- [Our legal authority to undertake a data matching program](#)

Submission to the Information Commissioner

Varying from the data destruction requirements

In correspondence during June 2018 we sought approval for the share transactions 20 September 1985 to 30 June 2018 data matching program to vary from one or more of the conditions detailed in Guideline 10 of the Office of the Australian Information Commissioner's *Guidelines on data matching in Australian government administration* (2014) (the Guidelines).

We sought to extend the retention period to seven years, from the original five year extension request to the Information Commissioner in October 2016. We outlined our intention to undertake a review by the seven year anniversary to determine whether the extension should be renewed. This data will be necessary until all shares contained in the dataset have been transferred within the mandatory reporting regime. We will conduct a rolling review of the ongoing data requirements at intervals of no longer than seven years, where we will seek further exemption from the Information Commissioner should it be required.

We consider that a variation from the usual retention periods for this data matching program is in the public interest (10.1(c) of the Guidelines) as:

- the ATO is responsible for the administration of the capital gains tax regime.
- capital gains tax legislation requires the establishment of a cost base to determine an individual's taxation liability on disposal of shares and other securities in certain circumstances.
- although recently enacted legislation makes reporting of share transaction information mandatory from the commencement date,

the historical data captured under this program will be required on an ongoing basis for cost base and capital proceeds calculations.

- individuals may retain shareholdings for many years, at times for their whole life, before disposing of them and potentially triggering a capital gains event.
- destruction of the data earlier than requested would inhibit our ability to identify taxpayers who may be subject to administrative action and therefore result in loss of public revenue.
- it enhances our analytics capability and the ATO's ability to assist individuals to comply with their taxation obligations through prefilling alert services.

Whilst increased data retention periods may increase privacy risks, we have implemented a range of safeguards to appropriately manage and minimise any increased risk.

This program will continue to be subject to an evaluation within three years and every three years after, which remains consistent with the requirements of Guideline 9.

Every second evaluation cycle will include an assessment of whether the data is no longer required and can be destroyed or whether the exemption to retain the data should be renewed.

Additional information justifying this variation is included in the tables below:

- [Table 1](#) – matters considered in accordance with Guideline 10.2 in seeking this variation
- [Table 2](#) – consistency with requirements of the other guidelines issued by the Office of the Australian Information Commissioner.

Table 1: Matters considered in seeking this variation to the Guidelines

Matter considered		Consideration
10.2.a	The effect that not abiding by the Guidelines would have on individual privacy	<ul style="list-style-type: none">• Retaining data for a period of seven years could increase the risks to an individual's privacy. As such, we have in place very

secure processes for handling and storing data. Once acquired, all data will be stored on our secure computer systems where access is strictly controlled and full audit logs maintained

- The ATO and our staff operate under stringent confidentiality and privacy legislation that prohibits the improper access to or disclosure of protected information. These obligations are supported by significant penalties, including imprisonment. This substantially mitigates the risks of breaches of privacy.

10.2.b The seriousness of the administrative or enforcement action that may flow from a match obtained through the data matching program

- An extension of the retention period will not affect the seriousness of the administrative action that may flow from the match, but will assist in detecting non-compliance or taxation fraud
- Where we propose to take administrative action where a taxpayer may have reported incorrectly, we will differentiate between those that try to do the right thing and those that set out to deliberately avoid their obligations. Documented procedures, including the Taxpayers' Charter

and compliance model will be followed to ensure fairness and consistency.

10.2.c The effect that not abiding by the Guidelines would have on the fairness of the data matching program — including its effect on the ability of individuals to determine the basis of decisions that affect them, and their ability to dispute those decisions

- There will be no effect on the fairness of the program or the ability of taxpayers to find out the basis of decisions that impact them or their ability to dispute those decisions
- Before any administrative action is undertaken, taxpayers will be given at least 28 days to verify the accuracy of the information that has been derived from this data matching program
- Where administrative action is to be undertaken, we will adhere to the principles established in the Taxpayers' Charter and compliance model to ensure an equitable and consistent approach is taken
- If a taxpayer does not agree with an assessment, they maintain the right to dispute the decision. They also have the legal right to appeal against those decisions through the courts and tribunals.

10.2.d The effect that not abiding by the Guidelines would have on the transparency

- There will be no adverse effects on the transparency and

and accountability of
agency and
government operations

accountability of
government operations

- A program protocol is submitted to the Office of the Australian Information Commissioner and we will strictly adhere to the commitments in that document
- We will publish a notice with general information about the program in the Federal Register of Legislation - Gazettes before administrative action commences. We will also make a copy of the program protocol available on our website.

10.2.e The effect that not abiding by the Guidelines would have on compliance of the proposed data matching program with the Australian Privacy Principles in the *Privacy Act 1988*

- There will be no effect on compliance with the Australian Privacy Principles contained in Schedule 1 to the *Privacy Act 1988* due to longer retention of the data. The data is collected solely for the stated objectives established in the data matching program protocol.

10.2.f The effect that complying with the Guidelines would have on the effectiveness of the proposed data matching program

- The effectiveness of the program would be reduced if the data retention period is not extended
- There would be a significant reduction in our ability to detect incorrect reporting and taxation fraud without

assessing trends in the data collected

- The destruction of the data in accordance with the current guidelines would impact the integrity of the taxation system by:
 - limiting our ability to identify taxpayers who may be subject to administrative action
 - resulting in the loss of revenue

10.2.g Whether complying fully with the Guidelines could jeopardise or endanger the life or physical safety of information providers or could compromise the source of information provided in confidence

- Not abiding by all the requirements of the Guidelines would not influence or affect the personal safety of any individual identified as part of the program or compromise the source of the information provided in confidence.

10.2.h The effect that complying fully with the Guidelines would have on public revenue – including tax revenue, personal benefit payments, debts to the Commonwealth and fraud against the Commonwealth

- Not allowing the variation to the data retention period of the current program would cause us to miss potential breaches of taxation laws and subsequent non-payment of tax. This would result in the Commonwealth foregoing taxation revenue
- There are risks to the integrity of taxation system when people fail to comply with their obligations. Abiding by

all of the requirements of the guidelines will reduce the effectiveness of the proposed compliance activity. We would miss the opportunity to educate those taxpayers trying to do the right thing, and deter those that are non-compliant from repeating the behaviour

- The effect of abiding by all of the requirements in the guidelines could negatively impact both public revenue and the confidence the public and government have in the ATO as an administrator of the taxation system. People not complying with their taxation obligations, including those operating outside the system, set a bad example to compliant taxpayers and may encourage their non-compliance. Maintaining community and government confidence in the taxation system is critical to our ongoing role.

10.2.i Whether complying fully with the Guidelines would involve the release of a document that would be an exempt document under the *Freedom of Information Act 1982*

- Upon receipt of a freedom of information request only information relating to the taxpayer's own affairs will be released to the taxpayer concerned.

10.2.j	Any legal authority for, or any legal obligation that requires, the conduct of the proposed data matching program in a way that is inconsistent with the Guidelines.	<ul style="list-style-type: none"> • There is no specific legislative power authorising the conduct of this program inconsistent with the Guidelines • The Commissioner of Taxation, or his authorised representative, has formed the opinion that this data is required to enable us to effectively and efficiently carry out its legislated functions under the general powers of administration contained in: <ul style="list-style-type: none"> – Section 3A of the <i>Taxation Administration Act 1953</i> – Section 8 of the <i>Income Tax Assessment Act 1936</i> – Section 1-7 of the <i>Income Tax Assessment Act 1997</i> – Section 356-5 in Schedule 1 of the <i>Taxation Administration Act 1953</i> • The reasons for proposing to operate outside requirements of the Guidelines are detailed above.
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Table 2: Matters considered in seeking this variation to the Guidelines

This section outlines where we are being consistent with the requirements of the Guidelines.

Paragraph/Guideline		Action taken/To be taken
Paragraph 6	Status of the Guidelines	Our commitment to complying with the Guidelines is embedded in our data management policies and principles and clearly stated in the chief executive instruction.
Guideline 1	Application of the Guide	<p>We apply the guidelines for all data matching programs where it is anticipated the program will include records of 5,000 or more individuals.</p> <p>We recognise that programs where there are multiple data sources but with common objectives and algorithms are treated as a single data matching program.</p>
Guideline 2	Deciding to carry out or participate in a data matching program	<p>We conduct a cost-benefit analysis and consider alternate methods prior to proposing to conduct a data matching program.</p> <p>Further, we have rigorous governance arrangements, processes and system controls in place to protect the privacy of individuals.</p>
Guideline 3	Prepare a program protocol	Prior to conducting a data matching program, we prepare a data matching program protocol, submit this to the Office of the Australian Information Commissioner and make a copy publicly available on the ATO website

When elements of a data matching program change, the protocol is amended, a copy of the amended protocol is provided to the Office of the Australian Information Commissioner and updated on our website

Guideline 4	Prepare a technical standards report	Documentation is prepared and maintained so as to satisfy the requirements of a technical standards report.
Guideline 5	Notify the public	<p>We publish notification of our intention to undertake a data matching program in the Federal Register of Legislation - Gazettes prior to the commencement of the program.</p> <p>This notice will include the following information as required by the Guidelines:</p> <ul style="list-style-type: none">• a brief description of the objectives of the data matching program• the matching agency and source entities involved in the data matching program• a description of the data contained in the data set involved in the data matching program• the categories of individuals about whom personal information is to be matched• the approximate number of individuals affected• reference to our privacy policy. <p>Notification of the program is also published on our website and data providers</p>

are advised they can advertise their participation in the data matching program.

Guideline 6	Notify individuals of proposed administrative action	Prior to taking any administrative action as a result of the data matching programs, individuals and other entities are given at least 28 days to verify the accuracy of the information provided to us by third parties.
Guideline 7	Destroy information that is no longer required	We are seeking to vary from this requirement.
Guideline 8	Do not create new registers, data sets or databases	We do not create new registers or databases using data obtained in the course of a data matching program.
Guideline 9	Regularly evaluate data matching programs	Programs are evaluated within three years of the commencement of the data matching program. These evaluations are provided to the Office of the Australian Information Commissioner on request.
Guideline 10	Seeking exemptions from Guideline requirements	When we intend to vary from the requirements of the Guidelines, we seek the approval of the Office of the Australian Information Commissioner and provide documentation to support the variance.
Guideline 11	Data matching with entities other than agencies	<p>We undertake our own data matching programs. This function is not outsourced.</p> <p>Where data is obtained from an entity other than an individual, we usually do so</p>

using our formal information gathering powers. In these instances the entities are advised they are able to notify their clients of their participation in the data matching program.

Guideline 12

Data matching with exempt agencies

We do not usually undertake data matching with agencies that are exempt from the operations of the *Privacy Act 1988* under section 7 of that Act and that are subject to the operation of the Guidelines (i.e. any data matching undertaken with an exempt agency would usually be for fewer than 5,00 individuals).

In the event a data matching activity would otherwise be subject to these Guidelines except for the exemption status, we still adhere to the principles of the Guidelines and prepare a program protocol, seeking to vary from the Guidelines by not publicly notifying of the program and publishing the protocol. We would still lodge a copy of the protocol with the Office of the Australian Information Commissioner.

Guideline 13

Enable review by the Office of the Australian Information Commissioner

We would not prevent the Office of the Australian Information Commissioner from reviewing our data matching activities and processes. These activities and processes have been reviewed by the Australian National Audit Office and Inspector-General of Taxation.

During July 2018 the then acting Information Commissioner approved our request to retain information collected during our data matching program for a period longer than 90 days. On the understanding that the information will not be retained beyond seven years from the receipt of all data files from source entities, unless a further exemption is approved.

More information

What we will do before we amend a return

Where we detect a discrepancy that requires verification we will contact the taxpayer by telephone, letter or email.

Before any administrative action is taken, taxpayers will be provided with the opportunity to verify the accuracy of the information obtained by us. Taxpayers will be given at least 28 days to respond before administrative action is taken.

For example, where discrepancy matching identifies that a taxpayer is not reporting all of their income, but in fact they are reporting the income under another entity, the taxpayer will be given the opportunity to clarify the situation.

The data may also be used to ensure that taxpayers are complying with their other taxation and superannuation obligations, including registration requirements, lodgment obligations and payment responsibilities.

In cases where taxpayers fail to comply with these obligations, even after being reminded of them, escalation for prosecution action may be instigated in appropriate circumstances.

Where a taxpayer is correctly meeting their obligations, the use of the data will reduce the likelihood of contact from us.

Our on-disclosure provisions

Division 355 of Schedule 1 to the *Taxation Administration Act 1953* sets out the other government agencies we can disclose taxpayer information to, and the circumstances we are permitted to make those disclosures. These include agencies responsible for:

- state and territory revenue laws

- payments of social welfare and health and safety programs for determining eligibility for certain types of benefits and rebates
- overseeing superannuation funds, corporations and financial market operators to ensure compliance with prudential regulations
- determining entitlement to rehabilitation and compensation payments
- law enforcement activities to assist with specific types of investigations
- policy analysis, costing and effectiveness measurement.

Each request for information by other agencies will be assessed on its merits and must be for an admissible purpose allowed for by taxation laws. In specific permissible circumstances on-disclosures may include de-identified datasets for statistical analysis.

How we undertake data matching

We use sophisticated identity matching techniques to ensure we identify the correct taxpayer when we obtain data from third parties. This technique uses multiple details to obtain an identity match. For example, where a name, address and date of birth are available, all items are used in the identity matching process. Very high confidence matches will occur where all fields are matched.

Additional manual processes may be undertaken where high confidence identity matches do not occur, or a decision taken to destroy the data with no further action. Our manual identity matching process involves an ATO officer reviewing and comparing third party data identity elements against ATO information on a one-on-one basis, seeking sufficient common indicators to allow confirmation (or not) of an individual's identity. We commonly call this process manual uplifting.

Where administrative action is proposed, additional checks will take place to ensure the correct taxpayer has been identified. The taxpayers will be provided with the opportunity to verify the accuracy of the information before any administrative action is taken.

Data analysts use various models and techniques to detect potential discrepancies, such as under-reported income or over-reported deductions. Higher risk discrepancy matches will be loaded to our

case management system and allocated to compliance officers for actioning.

Lower risk discrepancy matches will be further analysed and a decision made to take some form of compliance or educational activity, or to destroy the data.

Destruction of data is conducted in accordance with the timeframes and requirements of the Guidelines and the General Disposal Authority 24 (GDA24) or an extension of time is sought from the Information Commissioner.

How we protect your personal information

Our staff are subject to the strict confidentiality and disclosure provisions contained in Division 355 of Schedule 1 to the *Taxation Administration Act 1953* and include terms of imprisonment in cases of serious contravention of these provisions.

All ATO computer systems are strictly controlled, with features including:

- system access controls and security groupings
- login identification codes and password protection
- full audit trails of data files and system accesses.

We will utilise our secure internet-based data transfer facility to convey the data from source agencies.

Our quality assurance framework

Quality assurance processes are integrated into our procedures and computer systems and are applied throughout the data matching cycle.

These assurance processes include:

- registering the intention to undertake a data matching program on an internal register
- obtaining approval from the data matching gatekeeper and relevant Senior Executive Service (SES) officers prior to any activity being undertaken
- conducting program pilots or obtaining sample data to ensure the data matching program will achieve its objectives prior to full data

sets being acquired

- notifying the Office of the Australian Information Commissioner of our intention to undertake the data matching program and requesting permission to vary from the data matching guidelines (where applicable)
- access to the data is restricted to approved users and access management logs record details of who has accessed the data
- quality assurance processes embedded into compliance activities include:
 - review of risk assessments, taxpayer profiles and case plans by senior officers prior to client contact
 - ongoing reviews of cases by subject matter technical experts at key points during the life cycle of a case
 - regular independent panel reviews of samples of case work to provide assurance of the accuracy and consistency of case work.

These processes ensure data is collected and used in accordance with our data management policies and principles, and complies with the Information Commissioner's data matching guidelines.

Why we undertake data matching

We have considered a range of alternatives to this data matching program to ensure entities are complying with their taxation and superannuation obligations. Relying only on data already held by the ATO is of limited value for the following reasons:

- the taxation system operates on willing participation so our data is derived from taxpayers that are correctly registered and meeting their lodgment obligations
- we have no other data to cross-reference to ensure taxpayers are reporting their obligations correctly other than by directly contacting every taxpayer.

This data matching program will allow us to identify taxpayers who are not fully complying with their obligations, as well as those that may be operating outside the taxation and superannuation systems. It will also

reduce the likelihood of the ATO unnecessarily contacting taxpayers who are complying with their taxation obligations.

Data matching is an effective method of examining records of thousands of taxpayers to ensure compliance with lodgment and reporting obligations that would otherwise be a resource-intensive exercise.

Data matching also assists us in effectively promoting voluntary compliance by notifying the public of areas and activities under scrutiny.

Costs and benefits of data matching

Costs

There are some incidental costs to us in the conduct of this data matching program, but these will be more than offset by the total revenue protected. These costs include:

- data analyst resources to identify potential instances of non-compliance
- compliance resources to manage casework and educational activities
- governance resources to ensure that the Guidelines and the *Privacy Act 1988* are complied with, and quality assurance work to ensure the rigour of the work undertaken by analysts and compliance staff
- storage of the data.

Benefits

Benefits from conducting this data matching program include:

- maintaining community confidence in both the taxation and superannuation systems by creating a level playing field, as well as maintaining community confidence in the ATO's capacity to fairly administer those systems
- maintaining integrity of the taxation and superannuation systems – there are inherent risks in taxpayers not complying with their obligations, including those that deliberately abuse these systems – this program will assist the ATO in detecting, dealing with and deterring those that are not meeting their obligations

- enabling enforcement activity and recovery of taxation revenue – without undertaking this data matching program and subsequent compliance activity, there are no assurances that a wider risk to revenue does not exist.


Making a privacy complaint

If a taxpayer is not satisfied with how we have collected, held, used or disclosed their personal information, they can make a formal complaint by:

- using the online **Complaints** form
- phoning our complaints line on **1800 199 010**
- phoning the National Relay Service on **13 36 77** (if you have a hearing, speech or communication impairment)
- sending us a free fax on **1800 060 063**
- writing to us at:
ATO Complaints
PO Box 1271
ALBURY NSW 2640

If a taxpayer is not satisfied with the outcome of the privacy complaint, they can contact the Office of the Australian Information Commissioner.

See also:

- [How do I make a privacy complaint](#)  – details on the complaint process
- Privacy

Our lawful role

The Commissioner of Taxation has responsibility for ensuring taxpayers meet their taxation and superannuation obligations. Compliance with these obligations is a matter we take seriously and failure to address non-compliant behaviour has the potential to undermine community confidence in the integrity of the taxation and superannuation systems and our capacity to administer those systems.

Our data matching program is one of the strategies used to identify and deal with non-compliant behaviour. Data matching programs also provide a degree of assurance that taxpayers are meeting their obligations.

Our legal authority to undertake a data matching program

ATO legislation

The data will be obtained under our formal information gathering powers contained in section 353-10 of Schedule 1 to the *Taxation Administration Act 1953*.

This is a coercive power that obligates the data providers to give the information requested. We will use the information for taxation and superannuation compliance purposes.

Privacy Act

Data will only be used within the limits prescribed by Australian Privacy Principle 6 (APP6) contained in Schedule 1 of the *Privacy Act 1988* and in particular:

- APP6.2(b) – the use of the information is required or authorised by an Australian law
- APP6.2(e) – the ATO reasonably believes that the use of the information is reasonably necessary for our enforcement-related activities.

QC 50393


Data-matching protocols

We prepare and publish a protocol for each of our data-matching programs to explain the program's purpose, what data is collected and how the data will be used.

Last updated 17 January 2025

Matching external data with our own helps us to ensure that people and businesses comply with their tax and super obligations. It also helps us to detect fraud against the Commonwealth.

We are required to comply with strict laws to protect your privacy when we collect data from other agencies and organisations for our data-matching programs. These laws include the *Privacy Act 1988*, the secrecy provisions of the *Income Tax Assessment Act 1936*, the *Taxation Administration Act 1953* and other tax laws.

We also adhere to the Privacy Commissioner's [Guidelines on Data Matching in Australian Government Administration](#)  by preparing and publishing a protocol for each of our data-matching programs. In broad terms, each protocol explains the purpose of the program, what data is collected, which agencies or organisations will be providing the data and how the data will be used.

Current data-matching protocols

- AUSTRAC transaction report information 17 June – 2021 to 30 June 2027 financial year
- Australian Electoral Commission
- COVID-19 economic response support 2019–20 to 2021–22 financial years
- Crypto assets data-matching program protocol to 2025–26
- Higher Education Loan Program, Vocational Education and Training Student Loan and Trade Support Loans 2019–20, 2020–21 and 2021–22 financial years
- Department of Home Affairs passenger movement records 2016–17 to 2025–26 financial years
- Department of Home Affairs visa October 2017 to 2025–26 financial years
- Government payments program data-matching program protocol
- Income protection insurance 2021–22 to 2025–26 data-matching program protocol
- Landlord insurance 2021–22 to 2025–26 data-matching program protocol

- Lifestyle assets data-matching program protocol
- Military super 2010–11 to 2021–22 financial years
- Motor vehicle registries – 2016–17 to 2024–25 financial years
- Novated leases 2018–19 to 2025–26 data-matching program protocol
- Officeholder data-matching program protocol
- Online selling matching program protocol
- Private health insurance statement – 2014–15 to 2027–28 financial years
- Property management data-matching program protocol
- Real property transactions 20 September 1985 to 2016–17 financial years
- Rental bond data-matching program
- Residential investment property loan 2021–22 to 2025–26 data-matching program protocol
- Ride sourcing 2015–16 to 2022–23 financial years data-matching program protocol
- Services Australia specified benefits and entitlements – 2019–20 to 2025–26 data-matching program protocol
- Share transactions 20 September 1985 to 2017–18 financial years
- Sharing economy accommodation data-matching program protocol

QC 42190

Our commitment to you

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet your obligations.

If you follow our information and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we will take that into

account when determining what action, if any, we should take.

Some of the information on this website applies to a specific financial year. This is clearly marked. Make sure you have the information for the right year before making decisions based on that information.

If you feel that our information does not fully cover your circumstances, or you are unsure how it applies to you, contact us or seek professional advice.

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