



Protecting your tax file number information

August 2015

This fact sheet outlines a number of steps individuals should consider taking to protect the privacy of tax file number (TFN) information.

1. Why is my TFN important?

Tax file numbers (TFNs) are unique numbers created by the Australian Taxation Office (ATO).

Your TFN is generally given to you for life, so it is a **very important** number.

2. What is TFN information?

TFN information is information that connects your TFN with your identity (for example, a document that links your name and date of birth with your TFN).

Make sure that you:

- keep your TFN information in a safe place
- properly destroy any TFN information that you no longer need. This will help prevent other people stealing your identity. **Don't** just throw your old TFN information in the bin
- report a lost or stolen TFN, or unauthorised access of your TFN information to the ATO.

If you consider that your TFN information has not been handled lawfully, you may also make a [complaint to the Office of the Australian Information Commissioner](#) (OAIC).

3. Are there privacy rules about how my TFN information is handled?

Yes.

The Privacy (Tax File Number) Rule 2015 (TFN Rule) outlines how your TFN information should be collected, stored, used, disclosed and kept safe. All people, agencies, organisations and other entities that are allowed to ask for your TFN information must follow the TFN Rule.

The people, agencies, organisations and other entities that are allowed to ask for your TFN information must not record, collect, use or pass on your TFN unless this is permitted under taxation, personal assistance or superannuation law.

The ATO and the Australian Prudential Regulation Authority (APRA) also provide rules and advice about handling TFN information. This information is available from the [ATO](#) and [APRA](#) websites.

4. Can just anyone ask for my TFN?

No.

There are very strict rules about who is allowed to ask for your TFN. Only certain people, agencies, organisations and other entities are authorised by law to ask for your TFN, including:

- the ATO
- your employer
- banks and other financial institutions
- the Department of Human Services (DHS) (which administers the Centrelink, Child Support and Medicare Programs and has the authority to request a TFN from you if you receive personal assistance payments such as pensions, benefits and allowances)
- superannuation funds and retirement savings account providers.

If you are not sure that the person, agency, organisation or other entity asking you for your TFN is allowed to ask for it, talk to the [ATO](#).

5. When can my TFN be used or disclosed?

Your TFN information must only be used or disclosed by TFN recipients for:

- a purpose authorised by taxation law, personal assistance law or superannuation law
- the purpose of giving you TFN information that they hold about you.

For example, the ATO and other lawful TFN recipients may use a TFN to identify you when you:

- lodge a tax return
- apply for income assistance or support payments, such as pensions or benefits from DHS (which administers the Centrelink, Child Support and Medicare Programs) or DVA
- start a new job or change jobs
- have savings accounts or investments that earn income (eg interest or dividends)
- receive a payment under the Higher Education Loan Program
- join a superannuation fund.

TFNs may not be used:

- by a financial institution to confirm your identity
- as part of a national identification system or to match personal information about you (unless this is authorised by taxation, personal assistance or superannuation law).

6. Do I have to give my TFN to someone who is allowed to ask for it?

No.

There is no law in Australia that says you **must** give an authorised person, agency, organisation or other entity your TFN if they ask for it.

However, sometimes there may be financial consequences if you don't give your TFN to someone who is allowed by law to ask you for it.

Examples

- If you are claiming or receiving a personal assistance payment from DHS (such as a pension, benefit or allowance) they may ask for your TFN to check your information with the ATO and other agencies that make payments.

If you do not give DHS your TFN, certain personal assistance payments may not be paid to you. Providing your TFN is a condition of receiving most Australian Government personal assistance payments.

- If you don't give your employer, bank, other financial institution or superannuation fund your TFN, it may affect how much tax you pay and could result in tax being deducted from your income or your interest payments at the highest marginal rate.
- Your superannuation fund may ask for your TFN to facilitate the location and combination of your superannuation accounts. If you decide not to quote your TFN, the fund may not be able to find any additional accounts that you may have.

7. Is there any special information I must be told when an authorised person asks for my TFN?

Yes.

When an authorised person, agency, organisation or other entity asks you for your TFN, they must tell you:

- why they are collecting it (including the name of the law or laws that allow them to collect your TFN and the purpose for which they are collecting it)
- that it is not an offence if you do not give them your TFN
- what will happen if you do not give them your TFN.

This information must be included in any forms that ask you for your TFN. The description of the purposes for collection can be reasonably general as long as it adequately informs you of what the law authorises the person, agency, organisation or other entity to do with your TFN.

Remember: You can ask questions if you don't think you have been given enough information!

8. My TFN is on a document I have been asked to provide. What should I do?

If you are asked for some information and the document includes your TFN, you are allowed to cross out or remove the TFN before you hand over the information. You can do this even if the person, agency, organisation or other entity is authorised to collect your TFN information.

9. Do I have to give my TFN as part of an identity check if I want to rent a flat or buy a car?

No.

Generally, your TFN must never be used as an identity check. If someone wants to use your TFN in this way and you are not sure whether they are allowed to ask for your TFN, you should contact the ATO.

10. Can my TFN be collected when I earn income or invest my money?

Yes.

You have the option of giving your TFN to an employer or investment body in relation to income that you have or will earn. Deciding not to give your TFN may result in you paying tax on your relevant income at the highest marginal rate.

TFNs can be collected in relation to the following investments:

- interest-bearing accounts with a financial institution (like a bank, building society or credit union)
- some interest-bearing deposits with a financial institution
- loans of money to a government body or to a body corporate
- unit trusts
- shares in a public company

- deposits of money with a solicitor for the purpose of:
 - being invested by the solicitor
 - being lent under an agreement to be arranged by or on behalf of the solicitor.

11. Who can I complain to if my TFN information is not handled properly?

If you consider someone has not handled your TFN information properly, you can make a complaint to the OAIC.

Generally, before you can make a complaint to the OAIC, you must first make your complaint to the person, agency, organisation or other entity you consider has mishandled your TFN information. You must also give them a reasonable time (usually 30 days) to respond to your complaint. In some cases the OAIC may hold off investigating where a person, agency, organisation or other entity has advised you within the 30 days that it is taking action but has not yet provided a formal response.

If you are not satisfied with the response you receive, or if you do not receive a response, you can make a complaint to the OAIC.

You can also [report a lost or stolen TFN or unauthorised access of your TFN information to the ATO](#). If your TFN is known by, or being used by, someone who shouldn't have it, this is referred to as a compromised TFN. If the ATO establish that your TFN has been compromised, they will re-establish and confirm your identity, and check your tax records. The ATO may take other action depending on your situation.

For further information

telephone: 1300 363 992

email: enquiries@oaic.gov.au

write: GPO Box 5218, Sydney NSW 2001

Or visit our website at www.oaic.gov.au