

# Information Protection Statement

•

State Revenue Office, Tasmania  
Department of Treasury and Finance

**August 2020**

## Information Protection Statement

The State Revenue Office (SRO) values the privacy and protection of each individual's personal information, including details relating to entities such as companies or trusts, and is committed to protecting the information we collect and use.

The SRO's collection, maintenance and use of the personal information of individuals are regulated by the [Personal Information Protection Act 2004](#) (the PIP Act).<sup>1</sup> In addition, the disclosure of information collected by the SRO and its officers, whether relating to individuals or entities, is also subject to confidentiality and disclosure requirements imposed under the specific taxation and grant legislation administered by the Commissioner of State Revenue (Commissioner).

The following policy sets out the principles that are applied by the SRO in managing the information it obtains.

### What is personal information?

'Personal information' for the purposes of the PIP Act is information or opinion, in any recorded format, about an individual whose identity is apparent or is reasonably ascertainable from the information or opinion. This includes information about individuals who have died in the last 25 years. Information about entities that are not individuals, for example companies, is not personal information for the purposes of the PIP Act.

### Information collected

The SRO only collects information, including personal information, that is necessary for the Commissioner to administer the taxation and grant laws. The SRO also ensures it collects information in a lawful manner.

### Disclosure of information

The SRO will only disclose information obtained under, or in relation to, the taxation and grant laws being administered by the Commissioner if permitted or required under the legislation pursuant to which that information was obtained. For example, information obtained under or in relation to the administration of the [Taxation Administration Act 1997](#) (TAA)<sup>2</sup> can generally only be released:

- with the consent of the person or entity to whom the information relates;
- in connection with the administration or enforcement of a taxation law or a law of another Australian jurisdiction (including the Commonwealth) relating to taxation;
- for the purpose of any legal proceedings arising out of a taxation law or a report of those proceedings;
- in accordance with a requirement imposed under any Act other than the [Right to Information Act 2009](#);
- to other officers within the SRO and the Department of Treasury and Finance who work in taxation policy; or
- to the Ombudsman and various law enforcement and regulatory bodies.

Similar restrictions apply to the release of information obtained by the SRO in the course of administering the [First Home Owner Grant Act 2000](#), the [Payroll Tax Rebate \(Apprentices, Trainees and Youth Employees\) Act 2017](#) and the [HomeBuilder Grants Act 2020](#).

---

<sup>1</sup> However, as a law enforcement agency, within the meaning of the PIP Act, the SRO is also exempt from some requirements imposed by the PIP Act.

<sup>2</sup> The TAA contains the administrative provisions of the *Duties Act 2001*, the *Land Tax Act 2000* and the *Payroll Tax Act 2008*, and provides for the confidentiality of information obtained under those enactments.

## **Quality of information**

The SRO takes reasonable steps to ensure that the information it holds is accurate, complete and up to date. Where practicable, the SRO will check on the accuracy of personal information and whether the information is still relevant to its functions.

## **Security of information**

The SRO uses a number of safeguards to protect the information it obtains from misuse and loss, unauthorised access, modification and disclosure.

Substantial penalties can apply to SRO staff if information obtained under or in relation to the legislation administered by the Commissioner is released contrary to the strict statutory disclosure requirements. In addition, if the SRO releases information as permitted or required by the legislation administered by the Commissioner, the person receiving that information is bound by strict statutory prohibitions against its on-disclosure.

There is an intention that information obtained by SRO is destroyed when it is no longer required, however, stricter requirements may apply to certain records that must be administered under the [Archives Act 1983](#).

## **Anonymity**

Generally, given the nature of the legislation administered by the Commissioner, it is not possible in most circumstances for a taxpayer or applicant's interactions with the SRO to be anonymous.

For example, if logging into Tasmanian Revenue Online, the information you enter will be recorded. However, you can access the [SRO website](#) and browse our site without disclosing information that identifies you. Also, if a person is making a general enquiry about taxation or grant matters, it may not be necessary for them to identify themselves.

If a person wants to obtain specific advice about taxation or grant matters, identification may be necessary and a note of any contact may be recorded.

## **Access to and correction of information collected**

On receipt of a written request, the PIP Act and the taxation and grant laws administered by the Commissioner allow a person to access personal information concerning them that is held by the SRO. Should a person consider that the personal information held by the SRO is inaccurate, incomplete or misleading, he or she can request (in writing) that the information be amended.

However, the SRO can refuse a request i) for access to personal information, or ii) to amend personal information. In the event that such requests are refused, the SRO will provide reasons for its decision.

If a person is not satisfied with the outcome of their request for access to, or the correction of, their personal information, they can lodge a complaint with or seek a review by the Ombudsman Tasmania.

Requests to access or to correct personal information held by the SRO should be sent to: [taxhelp@treasury.tas.gov.au](mailto:taxhelp@treasury.tas.gov.au)

or

The Commissioner of State Revenue  
GPO Box 1374  
HOBART Tas 7001

To contact the [Ombudsman Tasmania](#):  
Phone 1800 001170 or Email [ombudsman@ombudsman.tas.gov.au](mailto:ombudsman@ombudsman.tas.gov.au).

**Review**

This Policy will be reviewed every three years.

Last reviewed: August 2020

**Please note**

This information protection statement does not extend beyond this website. When linking to other sites from this website, we recommend that you read the relevant privacy statement of those sites to familiarise yourself with the privacy policy that applies to them.