mycompliance.ai

**Submission my mycompliance technology pty ltd (mycompliance)
for modernising Australian business registers**

Who is mycompliance?

mycompliance is a software provider that develops solutions to help small businesses and accountants to manage their compliance obligations.

mycompliance is currently developing a corporate compliance and incorporation technology solution to help accountants to incorporate new companies and manage the registry requirements for existing entities that they manage.

What do you see as the main strengths and weaknesses with existing business registry services?

Key Strength

- Comprehensive set of ASIC end points available to enable software developers to offer incorporation, and company secretariat software solutions. These end points enable software developers such as mycompliance to develop feature rich solutions which enable accountants and SMEs to manage their compliance obligations.

Key Weaknesses

mycompliance has experience with two particular weaknesses of the business registers:

1. The business data that is available to private sector operators does not include ANZSIC Code, business address & geo-coding data, which is a withholding of data that is difficult to justify; and
2. The reliability of the end points and the testing infrastructure is questionable ie. ASIC test servers are frequently not available.
3. The ATO and ASIC registers are not co-ordinated (ie. different technology, infrastructure and level of detail)

This submission deals with the first of these weaknesses in detail on the basis that we see an increase in the level of the data available is a benefit to the community.

We understand that the second and third points (reliability of the API's and co-ordination between agencies) is best raised by other players that have had more direct experience with those topics.

What would you like modernised business registry services to deliver for you in the future?
- Enable access to a broad set of data to enable a range of new and improved products and services to be offered.

- The simple creation and management of the end to end process for the creation of new and management of existing entities (business name, ABN, ACN, all other registrations eg. PAYG, etc. in a single workflow despite some of these registrations being managed by different government entities (eg. ATO, ASIC and the Department of Industry).

Do you have a view on the steps the Government could take to make registry data more open and accessible?
- Converting certain ABR data from non-public to public, specifically, making ANZSIC code data ANZSIC Code, business address & geo-coding data public information available (*this ANZSIC data is currently classified as non-public information).

Proposal:
- Convert the ANZSIC Code, business address & geo-coding data data held in the ABR to be 'public information' to enable users of the data to understand the industry and location of businesses.

Background:
- The ABR collects ANZIC data at the time that it issues an ABN, but unfortunately, the specific data point on the industry code for each business is held back because it is classified as 'non-public information' and is therefore not released by the Department of Industry to be made available on the ABN-Lookup service.

The decision on what is public and non-public data appears to have been made as part of the establishment of the ABR back in ~2000 and hasn't changed since. I understand that it was based on a perspective from the ATO at the time to be protective of tax related data to ensure that personal or business financial information is not made public, and that thinking was applied to the ABR when it did not need to.

The list of public vs non-public information is excerpted in Appendix One. A small change to the relevant legislation would likely be needed to convert this information from non-public, to public. It also seems incongruous that the address of many businesses is already available on google – but not available via the official register.

Benefits:
Knowing the industry of a business would enable service providers to tailor the experience for those businesses. For example, by knowing the ANZSIC code for a business, accounting software players could offer those businesses a custom chart of accounts and tailor the language and suggested add-ons for a new client.

Appendix One

List of public and non-public info is here

ABN details	Public information	Non-public information
ABN	Yes	
ABN registration - status and date of effect and cancellation* of the ABN registration	Yes	
Approved worker entitlement fund status* - your status as a (trust) fund for employee long service leave, sick leave or redundancy payments.	Yes	
Australian Company Number or Australian Registered Body Number*	Yes	
Australian Charities and Not-for-profits Commission (ACNC) registration – status and date of effect*	Yes	
Deductible gift recipient – fund name, status and date/s of effect and cancellation*	Yes	
Entity legal name	Yes	
Entity type (for example, individual/sole trader, superannuation fund, company, trust)	Yes	
GST registration – status and date/s of effect and cancellation*	Yes	
Income tax exempt fund status*	Yes	
Postcode of the main business address	Yes	
Registered business name	Yes	
Registrable Superannuation Entity (RSE) Licensees status*	Yes	
Registrable Superannuation Fund (RSF) status*	Yes	
State of the main business address	Yes	
Tax concession and/or charity status and date/s of effect and cancellation*	Yes	
Trading name#	Yes	
Associate details		Yes
Australian & New Zealand Standard Industrial Classification (ANZSIC) code and description		Yes
Business address		Yes
Geocoding – (latitude and longitude of business addresses and additional locations)		Yes
Mailing address for the service of notices		Yes
Telephone numbers		Yes

1. Australian & New Zealand Standard Industrial Classification (ANZSIC) code and description
2. Business address
3. Geocoding – (latitude and longitude of business addresses and additional locations)

There is a long list of government entities which have access to the non-public information. See Appendix Two and here

Appendix 2

Search for ... 🔍

🏠 | For Business, Super funds & Charities | For Tax professionals | **For Government agencies**

Applying for and updating an ABN | Accessing ABR data | Getting emergency data | AUSkey

Accessing ABR data

▸ ABR data explained

▾ Agencies with access to non-public data

   Federal agencies

   Australian Capital Territory

   New South Wales

   Northern Territory

   Queensland

   South Australia

   Tasmania

   Victoria

   Western Australia

▸ ABR data in use

▸ ABR Data Dictionary

▸ ABR Explorer

   ABR Connect

▸ ABR web services

   Data Transfer Facility

   ABR bulk data files

Agencies with access to non-public data

The following government agencies have access to non-public data from the Australian Business Register.

⚠ 't/a' is the same as 'trading as'.

Federal agencies

Federal agencies with access to non-public data.

Australian Capital Territory

ACT agencies with access to non-public data.

New South Wales

NSW agencies with access to non-public data.

Northern Territory

NT agencies with access to non-public data.

Queensland

QLD agencies with access to non-public data.

South Australia

SA agencies with access to non-public data.

Tasmania

TAS agencies with access to non-public data.

Victoria

VIC agencies with access to non-public data.

Western Australia

Western Australian agencies with access to non-public data.
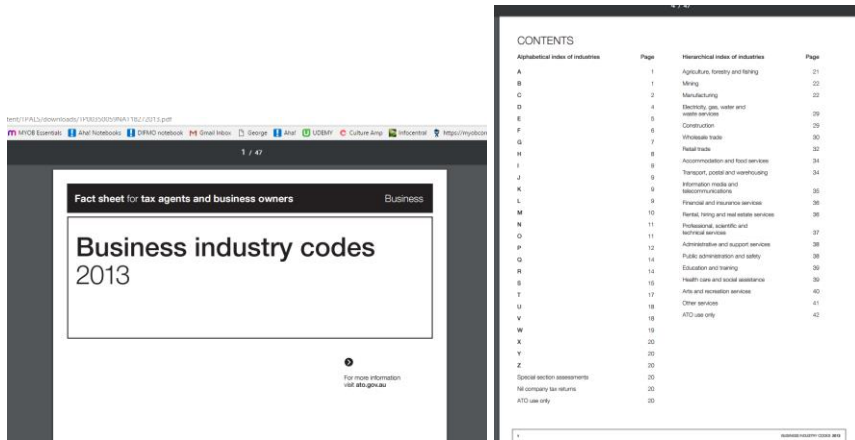
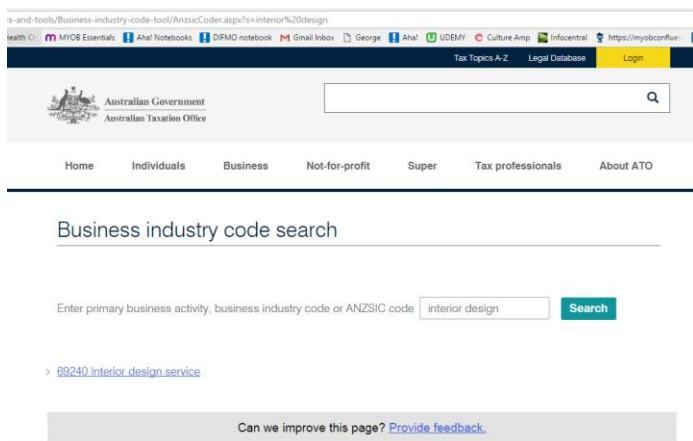Last modified: 01 Nov 2016   QC 459

Appendix Three

The List of Victorian State Agencies includes Melbourne University and all of the local councils
The list is [here](#)
Outside this long list of public agencies, no private entities have access to this this data.

| Applying for and updating an ABN | Accessing ABR data | Getting emergency data |

Victoria

State agencies

Agency	Access to non-public ABR data
City West Water Corporation VIC	Yes
Coliban Region Water Corporation	Yes
Country Fire Authority	Yes
Department of Economic Development, Jobs, Transport and Resources VIC	Yes
Department of Education and Training VIC	Yes
Department of Environment, Land, Water & Planning VIC	Yes
Department of Health & Human Services VIC	Yes
Department of Justice and Regulation VIC	Yes
Department of Premier and Cabinet VIC	Yes
Department of Treasury and Finance VIC	Yes
Emergency Services Telecommunications Authority VIC	Yes
Environment Protection Authority VIC	Yes
Gippsland and Southern Rural Water Corporation t/a Southern Rural Water	Yes
Health Purchasing Victoria	Yes
Independent Broad-based Anti-corruption Commission VIC	Yes
Metropolitan Fire and Emergency Services Board	Yes
Metropolitan Planning Authority VIC	Yes
Primesafe	Yes
Roads Corporation t/a Vic Roads	Yes
South East Water Corporation	Yes
State Emergency Services Victoria	Yes
Transport Accident Commission VIC	Yes
University of Melbourne	Yes
Victoria Police	Yes
Victorian Commission for Gambling and Liquor Regulation	Yes
Victorian Workcover Authority t/a WorkSafe Victoria	Yes

Local agencies

Agency	Access to non-public ABR data
Alpine Shire Council	Yes
Ararat Rural City Council	Yes
Banyule City Council	Yes
Bass Coast Shire Council	Yes
Baw Baw Shire Council	Yes

[List of business industry codes](#) is 40 pages long = very detailed

ATO has a nice lookup [service](#) which could be extended to provide access to industry codes via API.

.. and a [web service exists](#) today for eligible agencies to access the public and non public data, which could be made public.

ABR web services

The Australian Business Register (ABR) is the national directory of business identity information, provided free of charge to government agencies.

It provides web services to eligible government agencies to retrieve public and non-public details of Australian business number (ABN) records.

By accessing data items from the ABR in real time, agencies will no longer need to duplicate this information in separate databases. They can store the ABNs in their systems and access the ABR for all other core business information.

Getting access

To apply for access to ABR web services:

- Confirm your agency's eligibility to access non-public ABR data

- Email abrenquiries@abr.gov.au and include the following information - your name, your agency, state and contact details.

Web service support

This page helps participating government agencies know who to contact during the implementation and post-implementation phases of integration with the Australian Business Register (ABR).

Technical documentation

This page contains all the navigation links to the technical documentation topics

Last modified: 24 May 2016   QC 1073

And there is a process to apply for access at this link

For Business, Super funds & Charities | For Tax professionals | **For Government agencies**

Applying for and updating an ABN | Accessing ABR data | Getting emergency data | AUSkey

Accessing ABR data

ABR data explained
- ABR data
- ABR data quality declaration
- **How to access non-public ABR data**
- ABR data products and services

Agencies with access to non-public data

ABR data in use

ABR Data Dictionary

ABR Explorer

ABR Connect

ABR web services

Data Transfer Facility

ABR bulk data files

ABR access via AURIN

Frequently Asked

Agency access to non-public ABR data

Australian Business Register (ABR) data can be provided to eligible government agencies under Section 30(3) (c) of A New Tax System *(Australian Business Number) Act 1999* (ABN Act).

To access non-public data, government agencies are required to follow three steps.

Step 1 – Determine eligibility

An agency is defined as one of the below:

Commonwealth agencies

- an agency within the meaning of the *Public Service Act (1999)*
- a non-corporate Commonwealth entity within the meaning of the *Public Governance, Performance and Accountability Act 2013.*

State and Territory agencies

- a Department of State of a State or Territory
- a body established for a public purpose by or under a law of a State or Territory.

Local agencies

- a body established for a public purpose by or under a law of a state or territory (including a local governing body).

Step 2 – Complete and submit the ABR data access application

Agencies are required to complete an ABR data access application and provide details including:

However private individuals and companies are not eligible to non-public ABR data per Section 30(3) (c) of A New Tax System *(Australian Business Number) Act 1999* (ABN Act).