Commonwealth Coat of Arms

A New Tax System (Australian Business Number) Act 1999

No. 84, 1999 as amended

**Compilation start date:** 28 May 2013

**Includes amendments up to:** Act No. 169, 2012

**About this compilation**

**The compiled Act**

This is a compilation of the *A New Tax System (Australian Business Number) Act 1999* as amended and in force on 28 May 2013. It includes any amendment affecting the compiled Act to that date.

This compilation was prepared on 28 May 2013.

The notes at the end of this compilation (the ***endnotes***) include information about amending Acts and instruments and the amendment history of each amended provision.

**Uncommenced provisions and amendments**

If a provision of the compiled Act is affected by an uncommenced amendment, the text of the uncommenced amendment is set out in the endnotes.

**Application, saving and transitional provisions for amendments**

If the operation of an amendment is affected by an application, saving or transitional provision, the provision is identified in the endnotes.

**Modifications**

If a provision of the compiled Act is affected by a textual modification that is in force, the text of the modifying provision is set out in the endnotes.

**Provisions ceasing to have effect**

If a provision of the compiled Act has expired or otherwise ceased to have effect in accordance with a provision of the Act, details of the provision are set out in the endnotes.

Contents

Part 1—Preliminary 1

Division 1—Formalities 1

1 Short title 1

2 Commencement 1

Division 2—Objects 2

3 Objects 2

Division 3—Application of this Act 3

4 Crown bound by this Act 3

5 Application to government entities, non‑profit sub‑entities, superannuation funds and certain RSE licensees 3

5A Application to religious practitioners and religious institutions 3

6 Application of *Criminal Code* 3

7 Application to the external Territories 4

Part 2—Registering for ABN purposes 5

Division 4—Registration 5

8 Are you entitled to an ABN? 5

9 Applying for an ABN 6

9A Applying for registration of representatives 6

10 Registrar must register you if conditions met 6

10A Registrar must register your representative if conditions met 7

11 Steps taken by Registrar to register you 7

11A Steps taken by Registrar to register your representative 8

12 If you are registered, notices may be sent to you at your registered address for service 8

13 Refusal to register 9

Division 5—Your obligations if you are registered 11

14 You must notify Registrar of changes to matters set out in the Register 11

15 Obligation to give Registrar information if requested 11

16 Application of sections 14 and 15 to partnerships, unincorporated associations and bodies and certain RSE licensees 13

Division 6—Variation and cancellation of registration 15

17 Registrar may change your ABN 15

18 When your registration can be cancelled 15

19 Reinstating your registration 17

Division 8—Review of reviewable ABN decisions 18

21 Review of reviewable ABN decisions 18

Division 9—Offences 19

23 Identification offences 19

Part 3—Administration 20

Division 10—The Australian Business Register 20

24 The Australian Business Register 20

25 Entries in the Australian Business Register 20

26 Access to certain information in the Australian Business Register 21

27 Evidentiary value of the Australian Business Register 23

Division 11—Other administrative matters 24

28 The Registrar 24

29 Annual report on operation of this Act 24

29A Adjustments to details 24

30 Protection of confidentiality of information 25

31 Regulations 27

Part 4—Rules for interpreting this Act 28

Division 12—Identifying defined terms 28

32 When defined terms are identified 28

33 When terms are *not* identified 28

34 Identifying the defined term in a definition 28

Division 13—What forms part of this Act 29

35 What forms part of this Act 29

36 What does not form part of this Act 29

Division 15—The Dictionary 30

41 Dictionary 30

Endnotes 34

Endnote 1—Legislation history 34

Endnote 2—Amendment history 39

Endnote 3—Uncommenced amendments [none] 43

Endnote 4—Misdescribed amendments [none] 44

Endnote 5—Modifications [none] 45

Endnote 6—Renumbering tables [none] 46

Endnote 7—Repeal tables [none] 47

Endnote 8—Appendix [none] 48

Endnote 9—Miscellaneous 49

An Act to implement A New Tax System by establishing a Register of Australian Business and providing for the issue of Australian Business Numbers, and for related purposes

Part 1—Preliminary

Division 1—Formalities

1 Short title

This Act may be cited as the *A New Tax System (Australian Business Number) Act 1999*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

Division 2—Objects

3 Objects

Main object

(1) The main object of this Act is to make it easier for businesses to conduct their dealings with the Australian Government. This is done by establishing a system for registering businesses and issuing them with unique identifying numbers so that they can identify themselves reliably:

(a) in all their dealings with the Australian Government; and

(b) for all other Commonwealth purposes.

(2) Without limiting paragraph (1)(b), the main object of this Act includes allowing businesses to identify themselves reliably for the purposes of \*taxation laws.

Reducing registration and reporting requirements

(3) The objects of this Act also include reducing the number of government registration and reporting requirements by making the system available to State, Territory and local government regulatory bodies.

Note: Section 30 facilitates this object by enabling the Registrar to provide information collected under this Act to State, Territory and local government bodies.

Multi‑agency dealings

(4) The objects of this Act also include allowing the \*Registrar to register and maintain details about representatives of \*businesses that are registered under this Act, for the purpose of facilitating electronic dealings by those businesses with \*government entities.

Division 3—Application of this Act

4 Crown bound by this Act

This Act binds the Crown in each of its capacities, but does not make the Crown liable to be prosecuted for an offence.

5 Application to government entities, non‑profit sub‑entities, superannuation funds and certain RSE licensees

(1) This Act applies to a \*government entity, a \*non‑profit sub‑entity or a \*superannuation fund as if it were an \*entity \*carrying on an \*enterprise in \*Australia.

(2) This Act applies to an \*RSE licensee, or an applicant for an \*RSE licence, that is a group of individual trustees as if the group were an \*entity \*carrying on an \*enterprise in \*Australia.

5A Application to religious practitioners and religious institutions

If a \*religious practitioner:

(a) does an activity, or a series of activities:

(i) in pursuit of his or her vocation as a religious practitioner; and

(ii) as a member of a religious institution; and

(b) does not do the activity, or series of activities, as an employee or agent of the religious institution or another entity;

this Act applies as if the activity, or series of activities, had been done by the religious institution and not by the religious practitioner.

Note: This will mean that such an activity will be an enterprise of the religious institution and not an enterprise of the religious practitioner.

6 Application of *Criminal Code*

The *Criminal Code* applies to all offences against this Act.

7 Application to the external Territories

This Act extends to every external Territory.

Part 2—Registering for ABN purposes

Division 4—Registration

8 Are you entitled to an ABN?

(1) \*You are entitled to have an Australian Business Number (\*ABN) if:

(a) you are \*carrying on an \*enterprise in \*Australia; or

(b) in the course or furtherance of carrying on an enterprise, you make \*supplies that are \*connected with Australia.

ACNC types of entities and deductible gift recipients

(1A) Subsections (1B) and (1C) apply if:

(a) you would be entitled to be endorsed under Subdivision 30‑BA of the *Income Tax Assessment Act 1997* as a deductible gift recipient if you had an \*ABN, because you are described (but not by name) in item 1 or 2 of the table in section 30‑15; or

(b) you meet the description of a type of entity in column 1 of the table in subsection 25‑5(5) of the *Australian Charities and Not‑for‑profits Commission Act 2012*.

(1B) The reference in paragraph (1)(a) of this section to \*Australia is treated as including a reference to the external Territories.

(1C) The reference in paragraph (1)(b) to \*supplies that are \*connected with Australia is treated as including a reference to supplies that would be connected with Australia if, for the purposes of section 9‑25 of the *A New Tax System (Goods and Services Tax) Act 1999*, Australia included the external Territories.

Corporations Act companies

(2) A \*Corporations Act company is entitled to have an Australian Business Number (\*ABN).

9 Applying for an ABN

(1) To get an \*ABN, \*you must apply to the \*Registrar to be registered in the \*Australian Business Register.

Note 1: You may apply yourself or someone may apply on your behalf.

Note 2: If you are registered, you will be allocated an ABN and your ABN will be entered in the Register (see subsection 11(1)).

(2) \*Your application must be in the \*approved form.

(3) That form may request, but not compel, \*you to provide your \*TFN or that of an \*associate.

Note: Including a TFN in an application will not be an offence against subsection 8WB(1) of the *Taxation Administration Act 1953* (see paragraph 8WB(1A)(a) of that Act).

9A Applying for registration of representatives

(1) If \*you are registered in the \*Australian Business Register, or you are applying to be so registered, you may make an application to the \*Registrar requesting the Registrar to register details about a nominated representative (who is an individual) for the purpose of facilitating your electronic dealings with \*government entities.

(2) An application must be in the \*approved form.

(3) That form may request, but not compel, the provision of:

(a) the \*TFN of the representative; and

(b) the TFN of the individual (the ***nominating individual***) who is to sign the declaration in the form.

Note: Including a TFN in an application will not be an offence against subsection 8WB(1) of the *Taxation Administration Act 1953* (see paragraph 8WB(1A)(a) of that Act).

10 Registrar must register you if conditions met

(1) The \*Registrar must register \*you in the \*Australian Business Register if:

(a) you have applied under section 9; and

(b) the Registrar is satisfied that you:

(i) are entitled to have an \*ABN; or

(ii) are likely to be entitled to have an ABN by the date specified in your application; and

(c) the Registrar is satisfied that your identity has been established; and

(ca) if details about an \*associate of yours were requested in the \*approved form for registration—the Registrar is satisfied that the identity of the associate has been established; and

(d) you are not already registered in the Register.

(2) The \*Registrar may request \*you to give the Registrar specified information or a specified document the Registrar needs to be satisfied that:

(a) you are entitled to have an \*ABN; or

(b) your identity, or that of an \*associate referred to in paragraph (1)(ca), is established.

10A Registrar must register your representative if conditions met

(1) The \*Registrar must register \*your representative in the \*Australian Business Register if:

(a) an application has been made under section 9A; and

(b) the Registrar is satisfied that the identity of the nominating individual (see paragraph 9A(3)(b)) has been established; and

(c) if the representative is to be authorised to nominate other representatives of yours—the Registrar is satisfied that the identity of the representative has been established; and

(d) the representative’s details are not already registered in the \*Australian Business Register in relation to you.

(2) If \*your proposed representative is to be authorised to nominate other representatives of yours, the \*Registrar may request you or your proposed representative to give the Registrar specified information or a specified document the Registrar needs to be satisfied that the identity of the proposed representative is established.

11 Steps taken by Registrar to register you

(1) The \*Registrar registers \*you (for an application under section 9) by:

(a) allocating you an \*ABN; and

(b) entering in the \*Australian Business Register:

(i) your name; and

(ii) your ABN; and

(iii) the date of effect of the registration.

Note: A decision setting the date of effect of your registration is a reviewable ABN decision.

(2) The date specified as the date of effect of \*your registration may be any date (including a date before your application for registration was made).

(3) The \*Registrar must give \*you a written notice of:

(a) the fact that you have been registered; and

(b) your \*ABN; and

(c) the date of effect of your registration; and

(d) the other details entered in relation to you in the \*Australian Business Register (see section 25).

Note: Section 12 deals with giving notice to an entity registered under this section.

11A Steps taken by Registrar to register your representative

The \*Registrar registers \*your representative (for an application under section 9A) by entering in the \*Australian Business Register in relation to you:

(a) the name of the representative; and

(b) the representative’s email address; and

(c) the date of effect of the registration.

12 If you are registered, notices may be sent to you at your registered address for service

(1) If \*you are registered in the \*Australian Business Register, a notice under this Act, or the regulations, may be given to you by leaving it at, or sending it by pre‑paid post to, the address shown in the Register as your address for service.

Note: This subsection applies only to entities registered under section 11.

(2) Subsection (1):

(a) does not affect the operation of any other law of the Commonwealth, or any law of a State or Territory, that authorises the service of a document in some other way; and

(b) does not affect the power of a court to authorise service of a document in some other way.

13 Refusal to register

(1) If the \*Registrar refuses \*your application for registration under section 9 or your application for registration of your representative under section 9A, the Registrar must give you written notice of:

(a) the refusal; and

(b) the reasons for the refusal.

Note: A decision refusing to register you or your representative is a reviewable ABN decision.

(2) If the \*Registrar has not decided \*your application for registration under section 9, or your application for registration of your representative under section 9A, within 28 days after your application is made, you may, at any time, give the Registrar written notice that you wish to treat your application as having been refused.

(3) For the purposes of section 21, if \*you give notice under subsection (2), the \*Registrar is taken to have refused your application for registration on the day on which the notice is given.

(4) For the purposes of measuring the 28 days mentioned in subsection (2) for \*your application under section 9, disregard each period (if any):

(a) starting on the day when the \*Registrar requests you under subsection 10(2) to give the Registrar specified information or a specified document; and

(b) ending at the end of the day you give the Registrar the specified information or document.

(5) For the purposes of measuring the 28 days mentioned in subsection (2) for \*your application under section 9A, disregard each period (if any):

(a) starting on the day when the \*Registrar requests you, or your proposed representative, under subsection 10A(2) to give the Registrar specified information or a specified document; and

(b) ending at the end of the day you give the Registrar the specified information or document.

Division 5—Your obligations if you are registered

14 You must notify Registrar of changes to matters set out in the Register

(1) If:

(a) \*you give information to the \*Registrar; and

(b) the information is recorded in relation to you in the \*Australian Business Register under section 25; and

(c) circumstances change so that the information you gave the Registrar is no longer correct;

you must notify the Registrar of the change within 28 days after you become aware of the change.

Note 1: The information may have been given to the Registrar as part of applying for registration or it may have been given in a previous notice under this subsection or section 15.

Note 2: This Act is a taxation law for the purposes of the *Taxation Administration Act 1953*. If you fail to comply with this subsection, you commit an offence against section 8C of that Act.

(2) The notice:

(a) must be lodged with the \*Registrar; and

(b) must be in the \*approved form.

15 Obligation to give Registrar information if requested

(1) The \*Registrar may request an \*entity to give the Registrar information in accordance with the following table. The entity must comply with the request.

| **Entities that can be requested to give information** | | |
| --- | --- | --- |
| **Item** | **These entities ...** | **can be requested to give this information ...** |
| 1 | \*You, if you are registered in the \*Australian Business Register | information that is relevant to:  (a) your entitlement to be registered; or  (b) confirming your identity; or  (c) the details entered in relation to you in the Register |
| 2 | \*Your \*associate (if any) entered in the \*Australian Business Register in relation to you | information relevant to confirming the associate’s identity |
| 3 | Either:  (a) \*your representative (if any) registered in the \*Australian Business Register in relation to you; or  (b) you | information relevant to:  (a) confirming the representative’s identity; or  (b) the details entered in relation to the representative in the Register |

Note: This Act is a taxation law for the purposes of the *Taxation Administration Act 1953*. If an entity fails to comply with this subsection, the entity commits an offence against section 8C of that Act.

(2) A request under subsection (1) to an \*entity:

(a) is to be made by notice in writing to the entity; and

(b) may ask the entity to give the information in writing; and

(c) must specify:

(i) the information the entity is to give; and

(ii) the period within which the entity is to give the information.

The period specified under subparagraph (c)(ii) must end at least 14 days after the notice is given.

Note: Section 12 deals with giving notice to an entity registered under section 11.

(3) If the request asks the \*entity to give the information in writing, the information:

(a) must be lodged with the \*Registrar; and

(b) must be in the \*approved form.

16 Application of sections 14 and 15 to partnerships, unincorporated associations and bodies and certain RSE licensees

Application to partnerships

(1) If, but for this subsection, section 14 or 15 would impose an obligation on a \*partnership, the obligation is imposed on each partner, but may be discharged by any of the partners.

Application to unincorporated association or body

(2) If, but for this subsection, section 14 or 15 would impose an obligation on an unincorporated association or body, the obligation is imposed on each member of the committee of management of the association or body, but may be discharged by any of the members of the committee.

Application to RSE licensee that is a group of individual trustees

(2A) If, but for this subsection, section 14 or 15 would impose an obligation on an \*RSE licensee that is a group of individual trustees, the obligation is imposed on each individual, but may be discharged by any of the individuals.

Defences for partners, members of committee of management and certain RSE licensees

(3) In a prosecution of a \*person for an offence against section 8C of the *Taxation Administration Act 1953* because of subsection (1), (2) or (2A), it is a defence if the person proves that the person:

(a) did not aid, abet, counsel or procure the act or omission because of which the offence is taken to have been committed; and

(b) was not in any way, by act or omission, directly or indirectly, knowingly concerned in, or party to, the act or omission because of which the offence is taken to have been committed.

Application to government entities headed by one person

(4) If, apart from this subsection, section 14 or 15 (as applied by section 5) would impose an obligation on a \*government entity:

(a) that is an unincorporated association or body; and

(b) for whose management a single person is responsible to persons or bodies outside the government entity;

the obligation is imposed on that person.

(5) Subsection (4) has effect despite:

(a) subsection (2); and

(b) sections 14 and 15 as they apply because of section 5.

Division 6—Variation and cancellation of registration

17 Registrar may change your ABN

(1) The \*Registrar may, at any time, change \*your \*ABN by:

(a) making an appropriate change to the \*Australian Business Register (including the date from which the new ABN has effect); and

(b) giving you written notice of the new ABN.

Note: Section 12 deals with giving notice to an entity registered under section 11.

(2) The notice must state the date from which the new \*ABN has effect.

(3) The change to the \*ABN takes effect on the date stated in the \*Australian Business Register.

18 When your registration can be cancelled

On Registrar’s initiative

(1) The \*Registrar may cancel \*your registration in the \*Australian Business Register if satisfied that:

(a) you are registered under an identity that is not your true identity; or

(b) at the time you were registered, you were not entitled to have an \*ABN; or

(c) you are no longer entitled to have an ABN.

Note 1: If your registration is cancelled, you cease to have an ABN (see the definition of ***ABN*** in section 41).

Note 2: A decision to cancel your registration is a reviewable ABN decision.

(1A) The \*Registrar may cancel the registration of \*your representative in the \*Australian Business Register if satisfied that:

(a) your registration is cancelled under subsection (1); or

(b) the representative no longer represents you; or

(c) the representative is registered under an identity that is not the representative’s true identity; or

(d) the representative’s identity is no longer satisfactorily established.

Note: A decision to cancel the registration of your representative is a reviewable ABN decision.

(2) The \*Registrar must give \*you written notice of the cancellation. The notice must state:

(a) the reasons for the cancellation; and

(b) the date of effect of the cancellation.

Note 1: A decision setting the date of effect of a cancellation is a reviewable ABN decision.

Note 2: Section 12 deals with giving notice to an entity registered under section 11.

(3) The date of effect of the cancellation may be any of the following:

(a) the date on which \*you are given notice under subsection (2);

(b) a specified date in the future;

(c) a date before the date on which the notice is given.

At your request

(4) The \*Registrar may:

(a) cancel \*your registration if you apply to the Registrar for cancellation of the registration in the \*approved form; or

(b) cancel the registration of your representative, if you apply to the Registrar for cancellation of the registration in the approved form.

Note: A decision to refuse to cancel your registration or that of your representative is a reviewable ABN decision.

(5) The \*Registrar must give \*you written notice of the cancellation. The notice must state the date of effect of the cancellation.

Note 1: Section 12 deals with giving notice to an entity registered under section 11.

Note 2: A decision setting the date of effect of a cancellation is a reviewable ABN decision.

(6) The date of effect of the cancellation may be any of the following:

(a) the date on which \*you are given notice under subsection (5);

(b) a specified date in the future;

(c) a date before the date on which the notice is given.

19 Reinstating your registration

(1) The \*Registrar must reinstate \*your registration, or the registration of your representative, in the \*Australian Business Register if the Registrar is satisfied that the registration should not have been cancelled.

(2) The \*Registrar must give \*you written notice of the reinstatement.

Note: Section 12 deals with giving notice to an entity registered under section 11.

(3) The reinstatement has effect on and from the day on which the registration was cancelled.

Division 8—Review of reviewable ABN decisions

21 Review of reviewable ABN decisions

(1) \*You may object, in the manner set out in Part IVC of the *Taxation Administration Act 1953*, against a decision you are dissatisfied with that is a \*reviewable ABN decision.

(2) Each of the following decisions is a ***reviewable ABN decision***:

| **Reviewable ABN decisions** | | |
| --- | --- | --- |
| **Item** | **Decision** | **Provision under which decision is made** |
| 1 | Setting the date of effect of \*your registration | subsection 11(1) |
| 2 | Refusing to register \*you or your representative | section 13 |
| 3 | Cancelling \*your registration | subsection 18(1) |
| 4 | Cancelling the registration of \*your representative | subsection 18(1A) |
| 5 | Refusing to cancel \*your registration or that of your representative | subsection 18(4) |
| 6 | Setting the date of effect of a cancellation | subsection 18(2) or (5) |
| 7 | Refusing an application not to disclose details | subsection 26(4) or 27(7) |

(3) Part IVC of the *Taxation Administration Act 1953* applies in relation to a \*reviewable ABN decision as if references in that Part to the Commissioner of Taxation were references to the \*Registrar.

Division 9—Offences

23 Identification offences

(1) \*You must not purport to identify yourself by using:

(a) a number that is not an \*ABN as if it were an ABN; or

(b) an ABN that is not your own.

Penalty: Imprisonment for 2 years.

(2) \*You must not purport to identify an \*entity that is an \*associate of yours by using:

(a) a number that is not an \*ABN as if it were an ABN; or

(b) an ABN that is not the entity’s own ABN.

Penalty: Imprisonment for 2 years.

(3) \*You commit an offence if:

(a) you purport to identify yourself as being registered under this Act as the representative of an \*entity; and

(b) you are not the registered representative of the entity.

Penalty: Imprisonment for 2 years.

Part 3—Administration

Division 10—The Australian Business Register

24 The Australian Business Register

(1) The \*Registrar must establish and maintain an \*Australian Business Register.

(2) The \*Australian Business Register may be kept in any form that the \*Registrar considers appropriate.

25 Entries in the Australian Business Register

(1) Under paragraph 11(1)(b), the \*Registrar enters in the \*Australian Business Register in relation to each \*entity registered in the Register:

(a) the entity’s name; and

(b) the entity’s \*ABN; and

(c) the date of effect of the registration.

(2) The \*Registrar must also enter the following details in the \*Australian Business Register in relation to the \*entity:

(a) an address for service of notices under this Act;

(aa) details about the entity’s \*associates that were requested in the \*approved form for registration in that Register;

(b) the details prescribed in the regulations.

(3) Under section 11A, the \*Registrar enters in the \*Australian Business Register in relation to each representative registered in the Register:

(a) the representative’s name; and

(b) the representative’s email address; and

(c) the date of effect of the registration.

(4) The \*Registrar must also enter in the \*Australian Business Register in relation to a representative the details prescribed in the regulations.

Note 1: Section 30‑229 of the ITAA 1997 also requires the Registrar to make entries in the Australian Business Register about entities gifts to which are tax‑deductible.

Note 2: Section 426‑65 in Schedule 1 to the *Taxation Administration Act 1953* also requires the Registrar to make entries in the Australian Business Register about entities that are endorsed in the ways mentioned in that section.

26 Access to certain information in the Australian Business Register

(1) The \*Registrar may (on receiving payment of any prescribed fee) give a \*person a copy of the entry in the \*Australian Business Register relating to an \*entity.

(2) Before the copy is given to the \*person, the\*Registrar must excise from it:

(a) any detail not listed in subsection (3) or in regulations made under subsection (3); and

(b) any detail that the Registrar is prohibited from disclosing under subsection (4).

(3) The details are the following:

(a) the \*entity’s name;

(b) the entity’s \*ABN;

(c) the date of effect of the registration;

(d) any business name registered to the entity on the Business Names Register established and maintained under section 22 of the *Business Names Registration Act 2011*;

(e) the date of effect of any GST registration under section 25‑10 of the *A New Tax System (Goods and Services Tax) Act 1999*;

(f) the date of effect of any GST cancellation under section 25‑60 of the *A New Tax System (Goods and Services Tax) Act 1999*;

(g) any statement required to be entered in the \*Australian Business Register in relation to the entity under section 30‑229 of the \*ITAA 1997;

(ga) any statement required to be entered in the \*Australian Business Register in relation to the entity under section 426‑65, 426‑104 or 426‑115 in Schedule 1 to the *Taxation Administration Act 1953*;

(h) the entity’s Australian Company Number and Australian Registered Body Number (if any);

(i) the kind of entity;

(j) the State or Territory in which the entity’s principal place of \*business is located, and the postcode relating to the location;

(ja) if the entity is an \*RSE licensee:

(i) the class of licence held by the licensee; and

(ii) the address for the licensee recorded by the Australian Prudential Regulation Authority for the purposes of the *Superannuation Industry (Supervision) Act 1993*; and

(iii) the licensee’s postal address; and

(iv) the licensee’s telephone number;

(jb) if the entity is a registrable superannuation entity within the meaning of the *Superannuation Industry (Supervision) Act 1993*:

(i) the address for the entity recorded by the Australian Prudential Regulation Authority for the purposes of the *Superannuation Industry (Supervision) Act 1993*; and

(ii) the entity’s postal address; and

(iii) the entity’s telephone number; and

(iv) the entity’s contact person; and

(v) the RSE licensee of the entity;

(k) any details prescribed in the regulations for the purposes of this section.

(4) If:

(a) a \*person applies for a detail listed in subsection (3), or in regulations made under subsection (3), in relation to an \*entity, not to be disclosed; and

(b) the \*Registrar is satisfied that it is not appropriate to disclose the detail;

the Registrar must not disclose the detail under this section.

Note: A decision refusing an application not to disclose details is a reviewable ABN decision.

(5) In addition to providing copies under subsection (1), the \*Registrar may make publicly available any details listed in subsection (3), or in regulations made under subsection (3), in relation to an \*entity, other than any detail that the Registrar is prohibited from disclosing under subsection (4).

27 Evidentiary value of the Australian Business Register

(1) The \*Australian Business Register is admissible in proceedings as evidence of the matters registered in it.

(2) If the \*Australian Business Register is kept by the use of a computer, the \*Registrar may issue a document containing the details of a matter taken from the Register.

(3) The document issued under subsection (2) is admissible in proceedings as evidence of the matter.

(4) The \*Registrar may give a \*person a certified copy of, or extract from, the \*Australian Business Register on payment of the prescribed fee (if any).

(5) The certified copy is admissible in proceedings without any further proof of, or the production of, the original.

(6) This section does not limit the manner in which evidence may be adduced, or the admissibility of evidence, under the *Evidence Act 1995*.

(7) If:

(a) a \*person applies for a detail included in the \*Australian Business Register in relation to an \*entity not to be disclosed; and

(b) the \*Registrar is satisfied that it is not appropriate to disclose the detail;

the detail must not be included in any document the Registrar issues or gives under subsection (2) or (4).

Note: A decision refusing an application not to disclose details is a reviewable ABN decision.

Division 11—Other administrative matters

28 The Registrar

(1) There is to be a Registrar of the \*Australian Business Register.

(2) The Commissioner of Taxation is the Registrar of the \*Australian Business Register.

Note 1: Subsections 6B(6) and (6A) of the *Taxation Administration Act 1953* allow a person acting as Commissioner of Taxation to exercise the powers and perform the functions that this Act gives to the Registrar.

Note 2: Subsections 8(1) and (1A) of the *Taxation Administration Act 1953* allow the Registrar to delegate powers and functions that this Act gives the Registrar.

(3) As well as the specific powers and functions conferred on the \*Registrar by this Act, the Registrar has the general administration of this Act.

(4) For the purposes of any other law of the Commonwealth, this Act is taken to be one that the Commissioner of Taxation administers or has the general administration of.

29 Annual report on operation of this Act

(1) The \*Registrar must, as soon as practicable after 30 June in each year, prepare and give to the Minister a report on the working of this Act during the year ending on that 30 June.

Note: Section 34C of the *Acts Interpretation Act 1901* applies to reports under this section.

(2) The Minister must table a copy of the report before each House of the Parliament within 15 sitting days of that House after the day on which the Minister receives the report.

29A Adjustments to details

(1) This section applies if the \*Registrar is satisfied that:

(a) details entered in relation to an \*entity in the \*Australian Business Register; or

(b) details entered in relation to an entity’s representative in that Register;

are incorrect and the Registrar has access to details that the Registrar believes to be the correct ones.

(2) The \*Registrar may adjust the details accordingly.

30 Protection of confidentiality of information

(1) This section restricts what a \*person (the ***entrusted person***) may do with \*protected information, or \*protected documents, that the person has obtained in the course of \*official employment.

(2) The \*entrusted person:

(a) must not make a record of \*protected information; and

(b) must not disclose it to anyone else;

if the recording or disclosure is not done in accordance with subsection (3).

Penalty: Imprisonment for 2 years.

(3) It is not an offence against subsection (2) if any of the following apply to the recording or disclosure:

(a) the recording or disclosure is for the purposes of this Act;

(b) the recording or disclosure happens in the course of the performance of the duties of the \*entrusted person’s \*official employment;

(c) the entrusted person is the \*Registrar and the disclosure is to:

(i) an Agency Head (within the meaning of the *Public Service Act 1999*) for the purposes of carrying out functions of the Agency (within the meaning of that Act); or

(ii) the Chief Executive of a prescribed agency within the meaning of the *Financial Management and Accountability Act 1997* for the purposes of carrying out functions conferred on the agency by a law of the Commonwealth; or

(iii) another \*person for the purpose of that other person carrying out functions under a \*taxation law; or

(iv) the Administrative Appeals Tribunal in connection with proceedings under a taxation law; or

(vi) the head (however described) of a Department of State of a State or Territory for the purposes of carrying out functions of the Department; or

(vii) the head (however described) of a body established for a public purpose by or under a law of a State or Territory (including a local governing body) for the purposes of carrying out functions conferred on the body by a law of the State or Territory; or

(viii) a prescribed body for the prescribed purposes;

(d) the disclosure is by a person authorised by the Registrar to disclose the information and the disclosure is made to:

(i) an Agency Head (within the meaning of the *Public Service Act 1999*) for the purposes of carrying out functions of the Agency (within the meaning of that Act); or

(ii) the Chief Executive of a prescribed agency within the meaning of the *Financial Management and Accountability Act 1997* for the purposes of carrying out functions conferred on the agency by a law of the Commonwealth; or

(iii) another person for the purpose of that other person carrying out functions under an Act administered by the Commissioner of Taxation; or

(iv) the head (however described) of a Department of State of a State or Territory for the purposes of carrying out functions of the Department; or

(v) the head (however described) of a body established for a public purpose by or under a law of a State or Territory (including a local governing body) for the purposes of carrying out functions conferred on the body by a law of the State or Territory; or

(vi) a prescribed body for the prescribed purposes;

(e) the entrusted person is the Registrar and the disclosure:

(i) is of information relating to an individual who is, or who has been, registered as an \*entity’s representative in the \*Australian Business Register; and

(ii) is for the purposes of facilitating the entity’s electronic dealings with \*government entities or for maintaining details in the Register.

Note: A disclosure under paragraph (3)(e) could, for example, be for the purpose of administering or cancelling the representative’s registration.

(4) Subsection (3) does not authorise the disclosure of information to:

(a) a Commonwealth Minister; or

(b) a Minister of a State or Territory; or

(c) an elected member of a body established under a law of a State or Territory.

(5) Except where it is necessary to do so for the purpose of giving effect to a \*taxation law, the \*entrusted person is not to be required:

(a) to produce any \*protected document to a court; or

(b) to disclose \*protected information to a court.

(6) In this section:

***disclose*** means divulge or communicate.

31 Regulations

(1) The Governor‑General may make regulations prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act;

and, in particular:

(c) prescribing fees; or

(d) prescribing penalties, not exceeding 10 penalty units, for offences against the regulations.

(2) The amount of a fee prescribed under paragraph (1)(c):

(a) must be reasonably related to the expenses incurred or to be incurred by the \*Registrar in connection with the activity that attracts the fee; and

(b) must not be such as to amount to taxation.

Part 4—Rules for interpreting this Act

Division 12—Identifying defined terms

32 When defined terms are identified

(1) Many of the terms used in this Act are defined.

(2) Most defined terms in this Act are identified by an asterisk appearing at the start of the term: as in “\*enterprise”. The footnote that goes with the asterisk contains a signpost to the Dictionary definitions in section 41.

33 When terms are *not* identified

Once a defined term has been identified by an asterisk, later occurrences of the term in the same subsection are *not* usually asterisked.

34 Identifying the defined term in a definition

Within a definition, the defined term is identified by ***bold italics***.

Division 13—What forms part of this Act

35 What forms part of this Act

(1) These all form part of this Act:

• the headings to the Parts, Divisions and Subdivisions of this Act;

• the headings to the sections and subsections of this Act;

• the notes and examples (however described) that follow provisions of this Act.

(2) The asterisks used to identify defined terms form part of this Act. However, if a term is not identified by an asterisk, disregard that fact in deciding whether or not to apply to that term a definition or other interpretation provision.

36 What does not form part of this Act

Footnotes and endnotes do not form part of this Act.

Division 15—The Dictionary

41 Dictionary

In this Act, except so far as the contrary intention appears:

***ABN (Australian Business Number)*** for an \*entity means the entity’s ABN as shown in the \*Australian Business Register.

***approved form*** has the same meaning as in the \*ITAA 1997.

***associate*** has the meaning given by section 318 of the \*ITAA 1936.

***Australia*** does not include any external Territory. However, it includes an installation (within the meaning of the *Customs Act 1901*) that is deemed by section 5C of the *Customs Act 1901* to be part of Australia.

***Australian Business Register*** means the register established under section 24.

***business*** includes any profession, trade, employment, vocation or calling, but does not include occupation as an employee.

***carrying on*** an \*enterprise includes doing anything in the course of the commencement or termination of the enterprise.

***company*** means:

(a) a body corporate; or

(b) any other unincorporated association or body of \*persons;

but does not include a \*partnership or a \*non‑entity joint venture.

***connected with Australia***, in relation to a \*supply, has the meaning given by section 195‑1 of the *A New Tax System (Goods and Services Tax) Act 1999*.

***Corporations Act company*** means a body registered as a company under the *Corporations Act 2001*.

***enterprise*** has the meaning given by section 9‑20 of the *A New Tax System (Goods and Services Tax) Act 1999*.

***entity*** has the meaning given by section 184‑1 of the *A New Tax System (Goods and Services Tax) Act 1999*.

***entrusted person*** has the meaning given by subsection 30(1).

***government entity*** means:

(a) a Department of State of the Commonwealth; or

(b) a Department of the Parliament established under the *Parliamentary Service Act 1999*; or

(c) an Executive Agency, or Statutory Agency, within the meaning of the *Public Service Act 1999*; or

(d) a Department of State of a State or Territory; or

(e) an organisation that:

(i) is not an entity; and

(ii) is either established by the Commonwealth, a State or a Territory (whether under a law or not) to carry on an \*enterprise or established for a public purpose by an \*Australian law; and

(iii) can be separately identified by reference to the nature of the activities carried on through the organisation or the location of the organisation;

whether or not the organisation is part of a Department or branch described in paragraph (a), (b), (c) or (d) or of another organisation of the kind described in this paragraph.

***individual*** means a natural person.

***ITAA 1936*** means the *Income Tax Assessment Act 1936*.

***ITAA 1997*** means the *Income Tax Assessment Act 1997*.

***non‑cash benefit*** has the meaning given by subsection 995‑1(1) of the \*ITAA 1997.

***non‑entity joint venture*** means an arrangement that the Registrar is satisfied is a contractual arrangement:

(a) under which 2 or more parties undertake an economic activity that is subject to the joint control of the parties; and

(b) that is entered into to obtain individual benefits for the parties, in the form of a share of the output of the arrangement rather than joint or collective profits for all the parties.

***Non‑profit sub‑entity***: a branch of an entity is a ***non‑profit sub‑entity*** if:

(a) the entity has chosen to apply Division 63 of the *A New Tax System (Goods and Services Tax) Act 1999*, and that choice still has effect; and

(b) the branch maintains an independent system of accounting; and

(c) the branch can be separately identified by reference to:

(i) the nature of the activities carried on through the branch; or

(ii) the location of the branch; and

(d) the branch is referred to in the entity’s records to the effect that it is to be treated as a separate entity for the purposes of the GST law.

***official employment*** means:

(a) appointment or employment by the Commonwealth, or the performance of services for the Commonwealth; or

(b) the exercise of powers or performance of functions under a delegation by the \*Registrar; or

(c) appointment or employment by a State or Territory, or the performance of services for a State or Territory; or

(d) appointment or employment by a local governing body, or the performance of services for a local governing body.

Note: The Registrar may delegate powers and functions under section 8 of the *Taxation Administration Act 1953*.

***partnership*** has the meaning given by section 995‑1 of the \*ITAA 1997.

***person*** includes a \*company.

***protected document*** means any document made or given under, or for the purposes of, this Act.

***protected information*** means information that meets all the following conditions:

(a) it relates to the affairs of a \*person other than the \*entrusted person;

(b) it was obtained by the entrusted person, or by any other person, in the course of \*official employment;

(c) it was disclosed or obtained under, or in relation to, this Act.

***Registrar*** means the Registrar of the \*Australian Business Register.

***religious practitioner*** means:

(a) a minister of religion; or

(b) a student at an institution who is undertaking a course of instruction in the duties of a minister of religion; or

(c) a full‑time member of a religious order; or

(d) a student at a college conducted solely for training persons to become members of religious orders.

***reviewable ABN decision*** has the meaning given by section 21.

***RSE licence*** means an RSE licence within the meaning of the *Superannuation Industry (Supervision) Act 1993*.

***RSE licensee***means an RSE licensee within the meaning of the *Superannuation Industry (Supervision) Act 1993*.

***superannuation fund*** has the meaning given by section 995‑1 of the ITAA 1997.

***supply*** has the meaning given by section 9‑10 of the *A New Tax System (Goods and Services Tax) Act 1999*.

***taxation law*** has the meaning given by section 2 of the *Taxation Administration Act 1953*.

***TFN*** means tax file number as defined in section 202A of the \*ITAA 1936.

***withholding payment*** has the meaning given by subsection 995‑1(1) of the \*ITAA 1997.

***withholding payment*** covered by a particular provision in Schedule 1 to the *Taxation Administration Act 1953* has the meaning given by subsection 995‑1(1) of the \*ITAA 1997.

***you***: if a provision of this Act uses the expression ***you***, it applies to entities generally, unless its application is expressly limited.

Note: The expression ***you*** is not used in provisions that apply only to entities that are not individuals.

Endnotes

Endnote 1—Legislation history

This endnote sets out details of the legislation history of the *A New Tax System (Australian Business Number) Act 1999.*

| Act | Number and year | Assent date | Commencement date | Application, saving and transitional provisions |
| --- | --- | --- | --- | --- |
| A New Tax System (Australian Business Number) Act 1999 | 84, 1999 | 8 July 1999 | 8 July 1999 |  |
| Public Employment (Consequential and Transitional) Amendment Act 1999 | 146, 1999 | 11 Nov 1999 | Schedule 1 (items 92–94): 5 Dec 1999 (*see Gazette* 1999, No. S584) *(a)* | — |
| A New Tax System (Indirect Tax and Consequential Amendments) Act (No. 2) 1999 | 177, 1999 | 22 Dec 1999 | Schedule 4: *(b)* | — |
| A New Tax System (Pay As You Go) Act 1999 | 178, 1999 | 22 Dec 1999 | Schedule 1 (items 6, 8, 70–78): 1 July 2000 Remainder: Royal Assent | s. 2(1A) (ad. by 179, 1999, Sch. 10 [item 19]) |
| as amended by |  |  |  |  |
| A New Tax System (Tax Administration) Act 1999 | 179, 1999 | 22 Dec 1999 | Schedule 10 (item 19): 22 Dec 1999 *(c)* | — |
| A New Tax System (Tax Administration) Act 1999 | 179, 1999 | 22 Dec 1999 | Schedule 9: Royal Assent *(d)* | — |
| Diesel and Alternative Fuels Grants Scheme (Administration and Compliance) Act 1999 | 201, 1999 | 23 Dec 1999 | Schedule 3: 24 Dec 1999 *(e)* | — |
| A New Tax System (Tax Administration) Act (No. 2) 2000 | 91, 2000 | 30 June 2000 | Schedule 2 (item 1): *(f)* Schedule 4C: 1 July 2000 *(f)* | Sch. 4C (item 9) |
| Indirect Tax Legislation Amendment Act 2000 | 92, 2000 | 30 June 2000 | Schedule 7 (items 1–3) and Schedule 11 (items 1, 2, 2A, 2B): *(g)* | — |
| Corporations (Repeals, Consequentials and Transitionals) Act 2001 | 55, 2001 | 28 June 2001 | ss. 4–14 and Schedule 3 (items 28–30): 15 July 2001 (*see Gazette* 2001, No. S285) *(h)* | ss. 4–14 |
| Taxation Laws Amendment Act (No. 5) 2001 | 168, 2001 | 1 Oct 2001 | Schedule 2: 1 July 2000 Remainder: Royal Assent | Sch. 1 (item 3) |
| Energy Grants (Credits) Scheme (Consequential Amendments) Act 2003 | 54, 2003 | 27 June 2003 | 1 July 2003 | — |
| Tax Laws Amendment (2004 Measures No. 1) Act 2004 | 95, 2004 | 29 June 2004 | Schedule 6: Royal Assent Schedule 10 (items 1–3): 1 July 2005 | Sch. 6 (item 5) |
| Tax Laws Amendment (2006 Measures No. 3) Act 2006 | 80, 2006 | 30 June 2006 | Schedule 10 (items 1, 2): 1 July 2005 | — |
| Tax Laws Amendment (Repeal of Inoperative Provisions) Act 2006 | 101, 2006 | 14 Sept 2006 | Schedule 1 (items 1, 2), Schedule 2 (items 5–8) and Schedule 6 (items 1, 6–11): Royal Assent | Sch. 6 (items 1, 6–11) |
| Tax Laws Amendment (2007 Measures No. 4) Act 2007 | 143, 2007 | 24 Sept 2007 | Schedule 7 (item 1): Royal Assent | — |
| Financial Sector Legislation Amendment (Simplifying Regulation and Review) Act 2007 | 154, 2007 | 24 Sept 2007 | Schedule 1 (items 1–9, 296): Royal Assent Schedule 1 (item 245): 24 Sept 2008 | Sch. 1 (item 296) |
| Tax Laws Amendment (2009 Measures No. 2) Act 2009 | 42, 2009 | 23 June 2009 | Schedule 6 (items 1–32): Royal Assent Schedule 6 (items 35–57): 5 Apr 2010 (*see* F2010L00629) | Sch. 6 (item 32) |
| Tax Laws Amendment (2009 Measures No. 4) Act 2009 | 88, 2009 | 18 Sept 2009 | Schedule 2 (item 1): 1 Oct 2009 Schedule 5 (items 283–287): Royal Assent | — |
| Tax Laws Amendment (Confidentiality of Taxpayer Information) Act 2010 | 145, 2010 | 16 Dec 2010 | Schedule 2 (item 2): 17 Dec 2010 | — |
| Statute Law Revision Act 2011 | 5, 2011 | 22 Mar 2011 | Schedule 6 (item 120): 19 Apr 2011 | — |
| Business Names Registration (Transitional and Consequential Provisions) Act 2011 | 127, 2011 | 3 Nov 2011 | Schedule 2 (item 1): 20 Apr 2012 (*see* s. 2(1)) Schedule 2 (item 27): 28 May 2013 (*see* s. 2(1)) | — |
| Tax Laws Amendment (2011 Measures No. 7) Act 2011 | 147, 2011 | 29 Nov 2011 | Schedule 8 (item 1): 1 Jan 2012 | — |
| Australian Charities and Not‑for‑profits Commission (Consequential and Transitional) Act 2012 | 169, 2012 | 3 Dec 2012 | Schedule 3 (item 2): 3 Dec 2012 (*see* s. 2(1)) | — |

*(a)* The *A New Tax System (Australian Business Number) Act 1999* was amended by Schedule 1 (items 92–94) only of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, subsections 2(1) and (2) of which provide as follows:

(1) In this Act, ***commencing time*** means the time when the *Public Service Act 1999* commences.

(2) Subject to this section, this Act commences at the commencing time.

*(b)* The *A New Tax System (Australian Business Number) Act 1999* was amended by Schedule 4 only of the *A New Tax System (Indirect Tax and Consequential Amendments) Act (No. 2) 1999*, subsections 2(2) and (7) of which provide as follows:

(2) Part 1 of Schedule 1 to this Act commences immediately after the commencement of Part 1 of Schedule 1 (other than the items for which specific commencement has been provided) to the *A New Tax System (Indirect Tax and Consequential Amendments) Act 1999*.

(7) Schedule 4 commences at the same time as the commencement of Part 1 of Schedule 1.

Part 1 of Schedule 1 commences immediately after 1 July 2000.

*(c)* The *A New Tax System (Pay As You Go) Act 1999* was amended by Schedule 10 (item 19) only of the *A New Tax System (Tax Administration) Act 1999*, subsection 2(11) of which provides as follows:

(11) Subsection 2(1A) of the *A New Tax System (Pay As You Go) Act 1999* (inserted by item 19 of Schedule 10 to this Act) commences, or is taken to have commenced, at the commencement of section 1 of that Act.

*(d)* The *A New Tax System (Australian Business Number) Act 1999* was amended by Schedule 9 only of the *A New Tax System (Tax Administration) Act 1999*, subsection 2(7) of which provides as follows:

(7) The following provisions commence on the day on which this Act receives the Royal Assent:

(a) section 1, this section and section 3;

(b) Part 2 of Schedule 5, and the amendments of the *Taxation Administration Act 1953* made by Part 1 of that Schedule;

(c) items 1 to 22 and 24 of Schedule 6;

(d) Schedules 7, 8, 9 and 17;

(e) items 16 and 20 of Schedule 18.

*(e)* The *A New Tax System (Australian Business Number) Act 1999* was amended by Schedule 3 only of the *Diesel and Alternative Fuels Grants Scheme (Administration and Compliance) Act 1999*, subsection 2(3) of which provides as follows:

(3) The remaining provisions of this Act commence on the day after the day on which this Act receives the Royal Assent.

*(f)* The *A New Tax System (Australian Business Number) Act 1999* was amended by Schedule 2 (item 1) and Schedule 4C only of the *A New Tax System (Tax Administration) Act (No. 2) 2000*, subsections 3(1) and (5B) of which provide as follows:

(1) Subject to this section, this Act commences, or is taken to have commenced, immediately after the commencement of section 1‑1 of the *A New Tax System (Goods and Services Tax) Act 1999*.

(5B) Schedule 4C commences, or is taken to have commenced, on 1 July 2000.

Section 1‑1 of the *A New Tax System (Goods and Services Tax) Act 1999* commenced on 1 July 2000.

*(g)* The *A New Tax System (Australian Business Number) Act 1999* was amended by Schedule 7 (items 1–3) and Schedule 11 (items 1, 2, 2A and 2B) only of the *Indirect Tax Legislation Amendment Act 2000*, subsections 2(1) and (5) of which provide as follows:

(1) Subject to this section, this Act commences immediately after the commencement of Part 1 of Schedule 1 to the *A New Tax System (Indirect Tax and Consequential Amendments) Act (No. 2) 1999*.

(5) Items 1, 2 and 3 of Schedule 7 and items 1 and 2 of Schedule 11 commence immediately after the commencement of Schedule 4 to the *A New Tax System (Indirect Tax and Consequential Amendments) Act (No. 2) 1999*.

Part 1 of Schedule 1 to the *A New Tax System (Indirect Tax and Consequential Amendments) Act (No. 2) 1999* commenced on 1 July 2000.

Schedule 4 to the *A New Tax System (Indirect Tax and Consequential Amendments) Act (No. 2) 1999* commenced on 1 July 2000.

*(h)* The *A New Tax System (Australian Business Number) Act 1999* was amended by Schedule 3 (items 28–30) only of the *Corporations (Repeals, Consequentials and Transitionals) Act 2001*, subsection 2(3) of which provides as follows:

(3) Subject to subsections (4) to (10), Schedule 3 commences, or is taken to have commenced, at the same time as the *Corporations Act 2001*.

Endnote 2—Amendment history

This endnote sets out the amendment history of the *A New Tax System (Australian Business Number) Act 1999.*

| ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted exp. = expired or ceased to have effect | |
| --- | --- |
| Provision affected | How affected |
| **Part 1** |  |
| **Division 2** |  |
| Subhead. to s. 3(1) | ad. No. 42, 2009 |
| Subhead. to s. 3(3) | ad. No. 42, 2009 |
| s. 3 | am. No. 42, 2009 |
| Note to s. 3(3) | rs. No. 91, 2000 |
| **Division 3** |  |
| Heading to s. 5 | rs. No. 177, 1999; No. 92, 2000; No. 154, 2007 |
| s. 5 | am. No. 177, 1999; No. 92, 2000; No. 154, 2007 |
| s. 5A | ad. No. 168, 2001 |
| Note to s. 5A | am. No. 101, 2006 |
| **Part 2** |  |
| **Division 4** |  |
| Subhead. to s. 8(2) | ad. No. 169, 2012 |
| s. 8 | am. No. 177, 1999; No. 55, 2001; No. 169, 2012 |
| Heading to s. 9 | rs. No. 42, 2009 |
| s. 9 | am. No. 42, 2009 |
| s. 9A | ad. No. 42, 2009 |
| s. 10 | am. No. 179, 1999; No. 42, 2009 |
| s. 10A | ad. No. 42, 2009 |
| s. 11 | am. No. 42, 2009 |
| Note to s. 11(1) | ad. No. 42, 2009 |
| Note to s. 11(3) | am. No. 42, 2009 |
| s. 11A | ad. No. 42, 2009 |
| Note to s. 12(1) | ad. No. 42, 2009 |
| s. 13 | am. No. 179, 1999; No. 42, 2009 |
| Note to s. 13(1) | rs. No. 42, 2009 |
|  | am. No. 42, 2009 |
| **Division 5** |  |
| s. 14 | am. No. 42, 2009 |
| Note 1 to s. 14(1) | am. No. 179, 1999 |
| Note to s. 14(2) | rep. No. 42, 2009 |
| s. 15 | rs. No. 42, 2009 |
|  | am. No. 42, 2009 |
| Heading to s. 16 | rs. No. 154, 2007 |
| Subhead. to s. 16(3) | rs. No. 154, 2007 |
| s. 16 | am. No. 179, 1999; No. 154, 2007 |
| **Division 6** |  |
| Note to s. 17(1) | am. No. 42, 2009 |
| s. 18 | am. No. 42, 2009 |
| Note to s. 18(1) Renumbered Note 1 | No. 42, 2009 |
| Note 2 to s. 18(1) | ad. No. 42, 2009 |
| Note 1 to s. 18(2) | rs. No. 42, 2009 |
| Note 2 to s. 18(2) | am. No. 42, 2009 |
| Note to s. 18(5) | rep. No. 42, 2009 |
| Notes 1, 2 to s. 18(5) | ad. No. 42, 2009 |
| s. 19 | am. No. 42, 2009 |
| Note to s. 19(2) | am. No. 42, 2009 |
| Div. 7 of Part 2 | rep. No. 42, 2009 |
| s. 20 | rep. No. 42, 2009 |
| **Division 8** |  |
| Div. 8 of Part 2 | rs. No. 42, 2009 |
| s. 21 | rs. No. 42, 2009 |
|  | am. No. 42, 2009 |
| s. 22 | rep. No. 42, 2009 |
| **Division 9** |  |
| Heading to Div. 9 of Part 2 | rs. No. 42, 2009 |
| Heading to s. 23 | rs. No. 42, 2009 |
| s. 23 | am. No. 42, 2009 |
| **Part 3** |  |
| **Division 10** |  |
| s. 25 | am. No. 42, 2009 |
| Note to s. 25  Renumbered Note 1 | ad. No. 179, 1999 No. 95, 2004 |
| Note 1 to s. 25 | am. No. 88, 2009 |
| Note 2 to s. 25 | ad. No. 95, 2004 |
| s. 26 | rs. No. 91, 2000 |
|  | am. No. 95, 2004; No. 154, 2007; No. 88, 2009; Nos. 127 and 147, 2011 |
| Note to s. 26(4) | ad. No. 42, 2009 |
| s. 27 | am. No. 91, 2000 |
| Note to s. 27(7) | ad. No. 42, 2009 |
| Div. 10A of Part 3 | ad. No. 91, 2000 |
|  | rep. No. 42, 2009 |
| ss. 27A, 27B | ad. No. 91, 2000 |
|  | rep. No. 42, 2009 |
| **Division 11** |  |
| s. 29A | ad. No. 42, 2009 |
|  | am. No. 42, 2009 |
| s. 30 | am. Nos. 146 and 201, 1999; No. 91, 2000; No. 54, 2003; No. 95, 2004; No. 42, 2009 |
| **Part 4** |  |
| Div. 14 of Part 4 | rep. No. 101, 2006 |
| s. 37 | am. No. 92, 2000 |
|  | rep. No. 101, 2006 |
| s. 38 | am. Nos. 177 and 178, 1999; No. 92, 2000; No. 80, 2006 |
|  | rep. No. 101, 2006 |
| s. 39 | rep. No. 177, 1999 |
| s. 40 | rep. No. 101, 2006 |
| **Division 15** |  |
| s. 41 | am. Nos. 146, 177, 178 and 179, 1999; Nos. 91 and 92, 2000; Nos. 55 and 168, 2001; No. 101, 2006; Nos. 143 and 154, 2007; Nos. 42 and 88, 2009; No. 145, 2010; No. 5, 2011 |

Endnote 3—Uncommenced amendments [none]

There are no uncommenced amendments.

Endnote 4—Misdescribed amendments [none]

There are no misdescribed amendments.

Endnote 5—Modifications [none]

There are no modifications.

Endnote 6—Renumbering tables [none]

There are no renumbering tables.

Endnote 7—Repeal tables [none]

There are no repeal tables.

Endnote 8—Appendix [none]

There is no appendix.

Endnote 9—Miscellaneous

This endnote sets out other information relating to the *A New Tax System (Australian Business Number) Act 1999.*

For application, saving or transitional provisions made by Schedule 1 (item 1) of the *Business Names Registration (Application of Consequential Amendments) Act 2011*, *see* Act No. 172, 2011.