

PRIVACY POLICY: CGT BRAIN

1. Introduction

TAX SIMPLE AUSTRALIA is committed to protecting your privacy. This policy explains how we handle your personal and financial data when you use CGT BRAIN to assess Capital Gains Tax (CGT) exemptions in Australia.

2. The Types of Data We Collect

To provide accurate CGT assessments, we may collect the following:

- 2.1 Identity Data:** Name, email address, and contact details when you create an account.
- 2.2 Financial & Asset Data:** Purchase/sale dates, cost base amounts, asset types (e.g., type of real estate property/dwelling that is being sold such as maisonette, apartment, bungalow), and residency status.
- 2.3 Usage Data:** IP addresses, device type, and how you interact with the tool.
- 2.4 Sensitive Information:** We generally do not require your Tax File Number (TFN). **Users are advised not to enter TFNs or bank account numbers into the App.**

3. How We Use Your Data

We use your information strictly for the following purposes:

- 3.1 CGT Assessment:** To process your inputs and determine potential tax exemptions.
- 3.2 App Improvement:** To analyze de-identified, aggregated data to improve our calculation logic.
- 3.3 Compliance:** To meet our legal and regulatory obligations within Australia.
- 3.4 Support:** To respond to your inquiries or technical issues.

4. Data Storage and Sovereignty

- 4.1 Local vs. Cloud Storage:** CGT BRAIN data is uploaded to a local host and cloud server for record storage purposes.
- 4.2 Australian Hosting:** Where possible, we strive to host data on servers located within Australia to ensure it remains subject to Australian privacy protections.
- 4.3 Retention:** We retain your data only as long as necessary to provide the service or as required by law.

5. Disclosure of Information

We do not sell your personal or financial data to third parties. We may only disclose your information:

- 5.1 With your explicit consent (e.g., if you choose to "Export to my Accountant").
- 5.2 To third-party service providers (e.g., cloud hosting) who are contractually bound to protect your data.
- 5.3 If required by law, such as a valid request from a law enforcement agency or a court order.

6. Data Security Measures

We implement industry-standard security to protect your financial inputs, including:

- 6.1 **Encryption:** Data is encrypted both in transit (SSL/TLS) and at rest.
- 6.2 **Access Control:** Strict internal policies to ensure only authorized personnel can access system back-ends.
- 6.3 **Anonymization:** Financial data used for analytics is stripped of all personally identifiable information.

7. Your Rights (Access and Correction)

Under the *Privacy Act*, you have the right to:

- 7.1 Access the personal information we hold about you.
- 7.2 Request that we correct any inaccurate information.
- 7.3 Request the deletion of your account and associated data (the "Right to be Forgotten").

8. Changes to this Policy

We may update this policy to reflect changes in Australian law or our data practices. We will notify you of significant changes via the App or email.

9. Contact Us / Complaints

If you have questions or wish to lodge a complaint about a privacy breach, please contact our Privacy Officer at: **[Email Address of Tax Simple] [Physical Address of Tax Simple Offices]**

10. Implementation Tips for Your App:

- 10.1 **Consent Toggle:** When the user first signs up, have them toggle a switch that says: *"I have read and agree to the Privacy Policy regarding how my financial data is handled."*

TERMS AND CONDITIONS OF USE: CGT BRAIN

1. Introduction and Scope

These Terms and Conditions (the "**Terms**") govern your access to and use of **CGT BRAIN**. By downloading, accessing, or using the App, you agree to be bound by these Terms and the Laws of Australia.

2. No Professional Advice (The "Tax Disclaimer")

- 2.1 General Information Only:** The App is a digital tool designed to assist users in navigating Capital Gains Tax (CGT) concepts. It provides general information and automated logic based on user inputs.
- 2.2 No Tax Agent Relationship:** Use of this App does not create a tax agent-client relationship or a fiduciary relationship. CGT BRAIN is not a Registered Tax Agent.
- 2.3 Verification Required:** Tax laws are complex and subject to change. You should not act on the App's output without independent verification from a **Qualified Tax Professional** or the **Australian Taxation Office (ATO)**.

3. User Responsibilities and Inputs

- 3.1 Data Accuracy:** The accuracy of any assessment regarding CGT exemptions is strictly dependent on the data you provide (e.g., acquisition dates, cost base records, residency status). You warrant that all information entered is true and correct.
- 3.2 Record Keeping:** You acknowledge that under Australian law, you are responsible for maintaining primary records (receipts, contracts) to support your tax positions for at least 5 years. The App is a calculation tool, not a record-keeping repository.

4. Australian Consumer Law (ACL)

- 4.1 Consumer Guarantees:** Our services come with guarantees that cannot be excluded under the *Australian Consumer Law*. Nothing in these Terms excludes, restricts, or modifies any right or remedy you have under the *Competition and Consumer Act 2010* (Cth).
- 4.2 Limitation of Liability:** To the maximum extent permitted by law, CGT BRAIN is not liable for:

- a) Inaccurate tax assessments or missed exemptions.
- b) ATO audits, penalties, or interest charges.
- c) Financial losses arising from reliance on the App's output.

5. Intellectual Property

All algorithms, logic flows, "checklists," and interface designs used to determine CGT status are the exclusive intellectual property of **TAX SIMPLE AUSTRALIA**. You are granted a limited, non-transferable license for personal or internal business use only.

6. Privacy and Security

Your privacy is governed by our **Privacy Policy**, which complies with the *Privacy Act 1988*.

- 6.1 Data Handling:** We use industry-standard encryption to protect your financial data.
- 6.2 Anonymity:** (The app can be used without linking a real identity).

7. Updates to Tax Logic

Tax legislation in Australia (including the *Income Tax Assessment Act 1997*) is subject to frequent amendment. While we endeavour to update the App, we do not guarantee that the App reflects the "real-time" state of the law at every moment.

Suggested User Experience (UX) Integration

Suggested click wrap

I understand that CGT BRAIN provides general information only and is **not** a substitute for professional tax advice. I agree that I am responsible for the accuracy of my data and for final verification with a tax professional.

QUALITY POLICY STATEMENT: CGT BRAIN

1. Our Commitment

At **CGT BRAIN AUSTRALIA**, our mission is to provide Australian taxpayers with the most accurate, secure, and user-friendly Capital Gains Tax (CGT) solutions. We are committed to maintaining a Quality Management System (QMS) that ensures our software meets all statutory requirements and exceeds user expectations for financial precision.

2. Core Quality Principles

To achieve our mission, we adhere to the following four pillars of quality:

- 2.1 Regulatory Accuracy:** We ensure our calculation engines are updated in real-time to reflect the latest Australian Taxation Office (ATO) rulings, tax rates, and legislative changes for the **2025–26** financial year and beyond.
- 2.2 Integrity of Logic:** We employ rigorous mathematical verification and "shadow testing" (comparing app results against manual expert calculations) to ensure that every CGT event—from simple share sales to complex crypto-asset disposals—is handled correctly.
- 2.3 Security & Reliability:** Quality means stability. We commit to a **99.9% uptime** and a "security-first" development lifecycle, ensuring that user data is never compromised by system errors or vulnerabilities.
- 2.4 Continuous Improvement:** We actively solicit feedback from Australian tax professionals and end-users to iteratively enhance our interface and functionality, ensuring the software remains "fit for purpose" in an evolving digital economy.

3. Quality Objectives

- 3.1 Zero-Defect Calculations:** To maintain a 100% accuracy rate in logic-based tax calculations as per current Australian tax law.
- 3.2 Responsive Support:** To resolve technical queries or data-entry concerns within 48 business hours.
- 3.3 Seamless Integration:** To ensure full compatibility with ATO digital standards and common Australian financial data formats such as CSV and API.

4. Responsibility

Every member of the **CGT BRAIN** team from software engineers, accountants to tax analysts is responsible for the quality of our output. We provide our staff

with ongoing training in both Australian tax law and modern software quality assurance (QA) methodologies.

5. Review and Accountability

This Quality Policy is reviewed annually by our leadership team to ensure it remains aligned with the **ATO Digital Service Provider (DSP) Operational Security Framework** and the evolving needs of the Australian investment community.

Importance:

In the event of a user being audited, having a public-facing Quality Policy demonstrates that your company has "due diligence" processes in place. It shifts the perception of your app from a "simple calculator" to a "professional-grade compliance tool."

PRIVACY COLLECTION NOTICE: CGT BRAIN DATA COLLECTION

1. Who is collecting your information? Your personal and financial information is collected by TAX SIMPLE AUSTRALIA. You can contact our Privacy Officer at [Email address.....] or [Phone Number.....].

2. Why are we collecting this information? We collect your data primarily to:

- 2.1 Calculate your estimated Capital Gains Tax (CGT) liability based on the assets you report.
- 2.2 Generate compliance reports and tax summaries for your personal records.
- 2.3 Comply with our obligations under the *Income Tax Assessment Act 1997* to provide accurate financial tools.
- 2.4 Automated Processing: We use automated algorithms to categorize your assets and calculate discounts. You can review or manually override these results at any time.

3. What happens if you don't provide it? If you choose not to provide the requested financial information (such as purchase dates, cost bases, or disposal prices), our software will be unable to generate an accurate CGT estimate, and you may not be able to utilize our reporting or ATO-linked features.

4. Disclosure to Third Parties We do not sell your personal data. We may disclose your information to:

- 4.1 The ATO:** Only if you explicitly choose to use our "Direct Lodgement" or "Data Matching" features.
- 4.2 Authorized Professionals:** Your nominated accountant or tax agent (only with your specific permission).
- 4.3 Service Providers:** We use secure cloud hosting services located in **[Australia / USA / Europe]**. Where data is stored overseas, we take steps to ensure it is handled in accordance with Australian privacy standards.

5. Access, Correction, and Complaints Our full **[Link to Privacy Policy.....]** contains detailed information on how you can:

- 5.1 Access the personal information we hold about you.
- 5.2 Request a correction to inaccurate data.
- 5.3 Lodge a complaint if you believe we have breached the Australian Privacy Principles.

Consent: By proceeding and entering your data, you acknowledge you have read this notice and consent to the collection and use of your information as described.

DATA RETENTION AND DELETION TERMS- CGT BRAIN

1. Retention Overview

We retain your data only for as long as is necessary to provide our services, comply with Australian legal obligations, resolve disputes, and enforce our agreements. Because CGT BRAIN handles tax-related information, our retention periods are primarily driven by the requirements of the **Australian Taxation Office (ATO)**.

2. Statutory Retention Periods

In accordance with Australian tax and corporate law, the following retention schedules apply:

Data Type	Retention Period	Legal Basis
Active Asset Records	Duration of ownership + 5 years	Income Tax Assessment Act 1997
Disposed Asset Records	5 years from date of tax lodgement	ATO Record Keeping Rules
Capital Loss Records	5 years after the loss is fully applied	ATO Review Period Rules
Identification Data (KYC)	7 years after account closure	Anti-Money Laundering (AML/CTF) Act
Technical/Analytics Logs	12 to 24 months	Internal Security & Fraud Prevention

3. Account Closure and "Soft Deletion"

When you choose to close your account:

- 3.1 Immediate Access Cessation:** Your ability to log in and view data will be revoked immediately.
- 3.2 De-identification:** We will remove your personal identifiers (e.g., name, phone number) from our active marketing and customer service databases within 30 days.
- 3.3 Secure Archival:** Your financial transaction data will be moved to an encrypted "Cold Storage" archive. This data is not used for any commercial purpose and is held solely to fulfill statutory tax record-keeping requirements or to assist you in the event of an ATO audit.

4. Right to Erasure (Deletion Requests)

You may request the deletion of your data at any time. However, please note:

- 4.1 Legal Overrides:** Under **Australian Privacy Principle 11.2**, we are not required to destroy or de-identify information if we are "required by or under an Australian law" to retain it.
- 4.2 Refusal of Deletion:** If you request deletion of records related to an asset sold within the last 5 years, we may refuse the request to ensure you remain compliant with the ATO. In such cases, we will provide you with a written explanation for the refusal.

5. Secure Disposal Methods

Once the statutory retention period has expired:

- 5.1 Digital Deletion:** Data is purged using secure software deletion methods that ensure the information cannot be reconstructed.
- 5.2 Third-Party Providers:** We ensure our cloud service providers (e.g., AWS/Azure Australia) adhere to the same permanent disposal standards.

Important Note for Users

[WARNING!]

Deleting your data from CGT BRAIN does not absolve you of your personal legal obligation to maintain tax records. We strongly recommend downloading all CGT Summary Reports and Transaction Histories before requesting account deletion.

Strategic Advice for the System Build:

- a) **The "5+ Year" Trigger:** Program your database to automatically flag records for permanent deletion once they hit the **5-year mark post-disposal**, unless a "Capital Loss" tag is active, which should extend the timer.
- b) **Data Portability:** To comply with modern Australian standards, ensure you have a "Download All Data" button in the user settings. This makes the "Deletion" process much smoother from a customer service perspective.