

Tax file number declaration

The information you provide in this declaration will enable your payer to work out how much tax to withhold from payments made to you.

⊖ Do not use this form if you are a beneficiary wanting to provide your tax file number to the trustee of a **closely held trust**. For more information visit www.ato.gov.au/trustsandtfnwithholding

ⓘ You must provide all information requested on this form. Providing the wrong information may lead to incorrect amounts of tax being withheld from payments made to you.

ⓘ TERMS WE USE

- **payer** – we are referring to the business or individual making payments under the pay as you go (PAYG) withholding system.
- **payee** – we are referring to the individual being paid.

WHEN SHOULD YOU USE THIS FORM?

You should complete this form before you start to receive payments from a new payer. For example, when you receive:

- payments for work and services as an employee, company director or office holder
- payments under return-to-work schemes
- payments under labour hire arrangements or other specified payments
- benefit and compensation payments
- superannuation benefits.

The information you provide on this form is used to determine the amount of tax to be withheld from payments made to you. For example, whether you:

- claim the tax-free threshold
- are an Australian resident for tax purposes
- have a Higher Education Loan Program (HELP) debt
- have a Financial Supplement debt.

ⓘ You do not need to complete this form if you have reached age 60 and commenced a superannuation benefit that does not include an untaxed element for that benefit.

WHERE CAN YOU FIND YOUR TFN?

You will find your tax file number (TFN) on:

- your income tax notice of assessment
- certain correspondence sent to you by the Australian Taxation Office (ATO)
- a payment summary issued to you by your payer.

If you have a registered tax agent, they may also be able to tell you your TFN.

➤ If you still can't find your TFN you can:

- phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday
- visit your nearest ATO shopfront (phone **13 28 61** to make an appointment).

If you phone or visit us we need to know we are talking to the right person before we can discuss your tax affairs. We will ask for details only you, or someone you have authorised would know. An authorised contact is someone who you have previously told us can act on your behalf.

DO YOU NEED TO APPLY FOR A TFN?

If you don't have a TFN and want to provide a TFN to your payer you will need to complete and lodge a TFN application form. There are a range of forms available depending on your circumstances.

For more information see page 4.



OTHER FORMS YOU MAY NEED TO COMPLETE

You may need to complete the following forms:

- **Withholding declaration** (NAT 3093) if:
 - you want to claim entitlement to the senior Australians tax offset (question 9) or other tax offsets (question 10)
 - you want to advise your payer to adjust the amount withheld from payments made to you
 - you want to change information you previously provided in a *Tax file number declaration* (NAT 3092). For example:
 - advise your payer that you have become, or ceased to be, an Australian resident for tax purposes
 - claim, or discontinue claiming, the tax-free threshold
 - advise your payer of, or make changes to, your HELP or Financial Supplement repayment obligations
 - increase the rate or amount to be withheld
 - claim or vary your entitlement to zone, overseas forces, dependent spouse, special tax offset or senior Australians tax offset
- **Medicare levy variation declaration** (NAT 0929) if you qualify for a reduced rate of Medicare levy or are liable for the Medicare levy surcharge. You can vary the amount your payer withholds from your payments (see 'More information' on page 4)
- **Flood levy exemption declaration** (NAT 73797) if you are entitled to claim an exemption from paying the temporary flood and cyclone reconstruction levy (flood levy) applying to income for the 2011–12 year only (see 'More information' on page 4).

➔ For more information on the temporary flood and cyclone reconstruction levy visit www.ato.gov.au/floodlevy. The flood levy will only apply from 1 July 2011 to 30 June 2012.

SECTION A: TO BE COMPLETED BY THE PAYEE

Question 1

What is your tax file number (TFN)?

This question asks you to quote your TFN. If you need to find your TFN, refer to 'Where can you find your TFN?' on page 1.

⊖ Your payer and the ATO are authorised by the *Taxation Administration Act 1953* to collect your TFN on this form. It is not an offence not to quote your TFN. However, your payer is required to withhold the top rate of tax plus the Medicare levy (or the top rate of tax if you are not an Australian resident for tax purposes) from all payments made to you if you do not provide your payer with a completed *Tax file number declaration* (NAT 3092) which quotes your TFN or claims an exemption from quoting your TFN.

You may claim an exemption from quoting your TFN.

Print in the appropriate box if you:

- have lodged a TFN application or enquiry form for individuals or made a phone or ATO shopfront enquiry to obtain your TFN. You now have 28 days to provide your TFN to your payer who must withhold at the standard rate during this time. After 28 days, if you have not given your TFN to your payer, they will withhold the top rate of tax plus the Medicare levy (or the top rate of tax if you are not an Australian resident for tax purposes) from future payments
- are claiming an exemption from quoting a TFN because you are:
 - under 18 years of age and do not earn enough to pay tax
 - an applicant or recipient of certain pensions, benefits or allowances from:
 - Centrelink – however you will need to quote your TFN if you receive Austudy, Newstart, sickness or parenting allowance
 - Department of Veterans' Affairs – a service pension under the *Veterans' Entitlement Act 1986*
 - the Military Rehabilitation and Compensation Commission.

Provision of your TFN to your superannuation fund

Your payer must quote your TFN to the superannuation fund to which contributions are being made on your behalf. If your superannuation fund does not have your TFN, we can provide it to them. After this is done:

- your superannuation fund can accept all types of contributions to your account (or accounts)
- additional tax will not be imposed on contributions as a result of failing to provide your TFN to your superannuation fund

- there will be no additional tax to be deducted when you start drawing down your superannuation benefits, other than the tax that may ordinarily apply
- you can trace different superannuation accounts in your name so that you receive all your superannuation when you retire.

Under the *Superannuation Industry (Supervision) Act 1993*, your superannuation fund is authorised to collect your TFN, which will only be used for purposes of the superannuation laws. The trustee of your superannuation fund may disclose your TFN to another superannuation provider if your benefits are being transferred. You may write to the trustee of your superannuation fund and ask them not to disclose your TFN to any other trustee.

For more information about privacy, see 'Privacy of information' on page 4.

Question 6

On what basis are you paid?

Check with your payer if you are not sure.

Question 7

Are you an Australian resident for tax purposes?

Generally, we consider you to be an Australian resident for tax purposes if you:

- have always lived in Australia or you have come to Australia and now live here permanently
- are an overseas student doing a course that takes more than six months to complete
- have been in Australia continuously for six months or more and for most of that time you worked in the one job and lived in the same place
- will be or have been in Australia for more than half of the financial year (unless your usual home is overseas and you do not intend to live in Australia).

If you go overseas temporarily and do not set up a permanent home in another country, you may continue to be treated as an Australian resident for tax purposes.

The criteria we use to determine residency are not the same as used by the Department of Immigration and Citizenship or Centrelink.

⚠ FOREIGN RESIDENT TAX RATES ARE DIFFERENT

A higher rate of tax applies to foreign residents' taxable income and foreign residents are not entitled to a tax-free threshold.

You are not entitled to claim the tax-free threshold and tax offsets if you are not an Australian resident for tax purposes. However, there is an exception with zone or overseas forces tax offsets – see question 10.

➔ For more information on your entitlement:

- visit www.ato.gov.au/declarationguide
- phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday.

Answer 'NO' to this question if you are not an Australian resident for tax purposes. You must also answer 'NO' at questions 8, 9 and 10 (unless you are a foreign resident claiming a senior Australians, zone or overseas forces tax offset).

Question 8

Do you want to claim the tax-free threshold from this payer?

The tax-free threshold is the amount of income you can earn each year that is not taxed. It is available only to people who are Australian residents for tax purposes (that is, people who answered 'YES' at question 7).

⚠ DO YOU HAVE MORE THAN ONE JOB OR PAYER?

You can claim the tax-free threshold from only one payer at a time, generally, from the payer you expect to pay you the most during the income year. To change the payer you are currently claiming the tax-free threshold from, you must complete a *Withholding declaration* (NAT 3093) to advise the payer you no longer want to claim it from them. If you are already claiming the tax-free threshold from Centrelink you cannot also claim it from another payer.

Answer 'YES' if you:

- are an Australian resident for tax purposes
- are not currently claiming the tax-free threshold from another payer
- want to claim the tax-free threshold.

❗ WITHHOLDING FOR LOW INCOME TAX OFFSET

If you answer 'YES' your payer will reduce your withholding to allow a claim for 70% of the low income tax offset amount where your payment is at the relevant level.

Answer 'NO' if you either:

- answered 'NO' to question 7
- have claimed the tax-free threshold from another payer, or
- do not wish to claim the tax-free threshold.

➡ For more information on your entitlement, which payer you should claim it from, or how to vary your withholding rate:

- visit www.ato.gov.au/declarationguide
- phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday.

Question 9

Do you want to claim the senior Australians tax offset by reducing the amount withheld from payments made to you?

❌ CLAIM BENEFITS AND TAX OFFSETS WITH ONLY ONE PAYER

You are not entitled to reduce your withholding amounts, or claim the senior Australians tax offset with more than one payer at the same time.

If you receive income from more than one source and need help with this question, phone **1300 360 221** between 8.00am and 6.00pm, Monday to Friday.

How your income affects the amount of your tax offset

You must meet the eligibility conditions to receive the senior Australians tax offset. Your rebate income, not your taxable income, determines the amount, if any, of senior Australians tax offset you will receive.

Answer 'YES' if you are eligible and choose to receive the senior Australians tax offset. You can reduce the amount withheld from payments made to you during the year by completing a *Withholding declaration* (NAT 3093). If your payer does not have copies of the form, see 'More information, Products' on page 4.

Answer 'NO' if you are either:

- not eligible for the senior Australians tax offset
- already claiming the senior Australians tax offset with another payer, or
- eligible but want to claim your entitlement to the tax offset as a lump sum in your end-of-year income tax assessment.

➡ For more information on your eligibility to claim the tax offset or rebate income:

- visit www.ato.gov.au/declarationguide
- phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday.

Question 10

Do you want to claim a zone, overseas forces, dependent spouse or special tax offset by reducing the amount withheld from payments made to you?

❌ CLAIM TAX OFFSETS WITH ONLY ONE PAYER

You are not entitled to claim tax offsets with more than one payer at the same time.

You may be eligible for:

- a zone tax offset if you live or work in certain remote or isolated areas of Australia
- an overseas forces tax offset if you serve overseas as a member of Australia's Defence Force or a United Nations armed force

- a dependent spouse tax offset
- a special tax offset for a dependent invalid relative, dependent parent, housekeeper caring for an invalid spouse or a dependent child-housekeeper.

Answer 'YES' to this question if you are eligible and choose to receive tax offsets by reducing the amount withheld from payments made to you from this payer. You also need to complete a *Withholding declaration* (NAT 3093).

Answer 'NO' to this question if you are not eligible for the tax offsets, choose to receive any of these tax offsets as an end-of-year lump sum through the tax system, or are already claiming the offset from another payer.

❗ FOREIGN RESIDENT

If you are not a resident of Australia for tax purposes, you are not entitled to claim a dependent spouse tax offset or a special tax offset. You may be entitled to claim the zone or overseas forces tax offset.

➡ For more information on your entitlement:

- visit www.ato.gov.au/declarationguide
- phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday.

Question 11

(a) Do you have an accumulated Higher Education Loan Program (HELP) debt?

Answer 'YES' if you have an accumulated HELP debt.

Answer 'NO' if you do not have an accumulated HELP debt, or you have repaid your HELP debt in full.

❗ You have a HELP debt if:

- the Australian Government lends you money under HECS-HELP, FEE-HELP, OS-HELP or VET FEE-HELP
- you have a debt from the previous Higher Education Contribution Scheme (HECS).

➡ For information on repaying your HELP debt:

- visit www.ato.gov.au/declarationguide
- phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday.

(b) Do you have an accumulated Financial Supplement debt?

Answer 'YES' if you have an accumulated Financial Supplement debt.

Answer 'NO' if you do not have an accumulated Financial Supplement debt, or you have repaid your Financial Supplement debt in full.

➡ For information on repaying your Financial Supplement debt:

- visit www.ato.gov.au/declarationguide
- phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday.

Have you repaid this debt?

When you have repaid your accumulated HELP or Financial Supplement debt, you must complete a *Withholding declaration* (NAT 3093) notifying your payer of the change in your circumstances.

❗ SIGN AND DATE THE DECLARATION

Make sure you have answered all the questions in Section A and signed and dated the declaration. Give your completed declaration to your payer.

SECTION B: TO BE COMPLETED BY THE PAYER

❗ Important information for payers. See the reverse side of the PAYER'S copy of the form.

➤ MORE INFORMATION

Internet

- Visit www.ato.gov.au/declarationguide for more information about residency, tax-free threshold, HELP, Financial Supplement debt or your entitlement to claim tax offsets.
- If you are a permanent migrant or temporary visitor to Australia apply for a TFN online at www.iar.ato.gov.au
- Visit www.abr.gov.au to apply for an Australian business number (ABN) online for sole traders, companies, partnerships, trusts and superannuation funds.
- Visit www.ato.gov.au/floodlevy for more information on the temporary flood and cyclone reconstruction levy.

Phone

- Payee – for more information phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday. If you want to vary your rate of withholding phone **1300 360 221** between 8.00am and 6.00pm, Monday to Friday.
- Payer – for more information phone **13 28 66** between 8.00am and 6.00pm, Monday to Friday.

If you do not speak English well and need help from the ATO, phone the Translating and Interpreting Service on **13 14 50**.

If you are deaf, or have a hearing or speech impairment, phone the ATO through the National Relay Service (NRS) on the numbers listed below:

- TTY users, phone **13 36 77** and ask for the ATO number you need (if you are calling from overseas, phone **+61 7 3815 7799**)
- Speak and Listen (speech-to-speech relay) users, phone **1300 555 727** and ask for the ATO number you need (if you are calling from overseas, phone **+61 7 3815 8000**)
- internet relay users, connect to the NRS on www.relayservice.com.au and ask for the ATO number you need.

If you would like further information about the National Relay Service, phone **1800 555 660** or email helpdesk@relayservice.com.au

If you phone we need to know we are talking to the right person before we can discuss your tax affairs. We will ask for details only you, or someone you have authorised, would know. An authorised contact is someone who you have previously told us can act on your behalf.

Products

We produce a number of products that may be useful to you.

You can get the following forms and publications from ATO shopfronts or our website at www.ato.gov.au/onlineordering or by phoning **1300 720 092**:

- *Withholding declaration* (NAT 3093)
- *Medicare levy variation declaration* (NAT 0929)
- *Withholding declaration – upwards variation* (NAT 5367)
- *Flood levy exemption declaration* (NAT 73797)
- *Repaying your HELP debt* (NAT 3913)
- *Tax file number – application or enquiry for individuals* (NAT 1432)
- *Tax file number – application or enquiry for individuals living outside Australia* (NAT 2628)
- *Tax file number – application or enquiry for Aboriginals or Torres Strait Islanders* (NAT 1589)

OUR COMMITMENT TO YOU

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet your obligations.

If you follow our information in this publication and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we must still apply the law correctly. If that means you owe us money, we must ask you to pay it but we will not charge you a penalty. Also, if you acted reasonably and in good faith we will not charge you interest.

If you make an honest mistake in trying to follow our information in this publication and you owe us money as a result, we will not charge you a penalty. However, we will ask you to pay the money, and we may also charge you interest. If correcting the mistake means we owe you money, we will pay it to you. We will also pay you any interest you are entitled to.

If you feel that this publication does not fully cover your circumstances, or you are unsure how it applies to you, you can seek further assistance from us.

We regularly revise our publications to take account of any changes to the law, so make sure that you have the latest information. If you are unsure, you can check for more recent information on our website at www.ato.gov.au or contact us.

This publication was current at **July 2011**.

PRIVACY OF INFORMATION

We are authorised by the *Income Tax Assessment Act 1936* to ask for information on this declaration. We need this information to help us administer those laws.

Where we are authorised by law to do so, we may give this information to other government agencies. These agencies could include Centrelink, Australian Federal Police, Child Support Agency, Departments of Families, Housing, Community Services and Indigenous Affairs, Veterans' Affairs, and Education, Employment and Workplace Relations.

Only certain people and organisations can ask for your TFN. These include employers, some Australian Government agencies, including Child Support Agency, trustees for superannuation funds, payers under the PAYG system, higher education and vocational education and training (VET) providers and investment bodies such as banks. We are authorised by the *Taxation Administration Act 1953* to collect your TFN. You are not required by law to provide your TFN. However, quoting your TFN reduces the risk of administrative errors and having extra tax withheld.

If you need more information about how the tax laws protect your personal information, or have any concerns about how the ATO has handled your personal information, phone **13 28 61** between 8.00am and 6.00pm, Monday to Friday.

WHAT TO DO IF YOU ARE CONCERNED ABOUT PRIVACY ISSUES

If you have privacy concerns visit the Privacy Commissioner's website at www.privacy.gov.au

PAYER INFORMATION

The following information will help you comply with your pay as you go (PAYG) withholding obligations.

⊖ IS YOUR EMPLOYEE ENTITLED TO WORK IN AUSTRALIA?

It is a criminal offence to knowingly or recklessly allow someone to work, or to refer someone for work, where that person is from overseas and is either in Australia illegally or is working in breach of their visa conditions.

People or companies convicted of these offences may face fines and/or imprisonment. To avoid penalties, ensure your prospective employee has a valid visa to work in Australia before you employ them. For more information and to check a visa holder's status online, visit the Department of Immigration and Citizenship website at www.immi.gov.au

PAYER OBLIGATIONS

If you withhold amounts from payments, or are likely to withhold amounts, the payee may give you this form with Section A completed. A TFN declaration applies to payments made after the declaration is provided to you. The information provided on this form is used to determine the amount of tax to be withheld from payments based on the PAYG withholding tax tables published by the ATO. If the payee gives you another declaration, it overrides any previous declarations.

HAS YOUR PAYEE ADVISED YOU THAT THEY HAVE APPLIED FOR A TFN, OR ENQUIRED ABOUT THEIR EXISTING TFN?

Where the payee indicates at question 1 on this form that they have applied for an individual TFN, or enquired about their existing TFN, they have 28 days to give you their TFN. **You must withhold tax for 28 days at the standard rate according to the PAYG withholding tax tables.** After 28 days, if the payee has not given you their TFN, you must then withhold the top rate of tax plus the Medicare levy from future payments, unless we tell you not to.

IF YOUR PAYEE HAS NOT GIVEN YOU A COMPLETED FORM YOU MUST:

- notify the ATO within 14 days of the start of the withholding obligation by completing as much of the payee section of the form as you can. Print 'PAYER' in the payee declaration and lodge the form – see 'Lodging the form'.
- withhold the top rate of tax plus the Medicare levy (or the top rate of tax if they are not an Australian resident for tax purposes) from any payment to that payee.

LODGING THE FORM

You need to lodge TFN declarations with the ATO within 14 days after the form is either signed by the payee or completed by you (if not provided by the payee). You need to retain the payer's copy for your records. For information on storage and disposal see below.

You may lodge the information:

- online – lodge your TFN declaration reports using software that complies with ATO specifications. There is no need to complete Section B of each form as the payer information is supplied by your software.
- by paper – complete Section B and send the original to the ATO within 14 days.

➤ For more information about lodging your TFN declaration report online, visit www.ato.gov.au/lodgetfndeclaration

PROVISION OF PAYEE'S TFN TO THE PAYEE'S SUPERANNUATION FUND

If you make a superannuation contribution for your payee, you need to give your payee's TFN to their superannuation fund on the day of contribution, or if the payee has not yet quoted their TFN, within 14 days of receiving this form from your payee.

STORING AND DISPOSING OF TFN DECLARATIONS

Under the TFN guidelines in the *Privacy Act 1988*, you must use secure methods when storing and disposing of TFN information. You may store electronic files of scanned forms as an alternative to storing paper forms. Scanned forms must be clear and not altered in any way.

If a payee:

- submits a new *TFN declaration* (NAT 3092), you must retain a copy of the earlier form for the current and following financial year.
- leaves your employment, you must retain a copy of the last completed form for the current and following financial year.

⊖ PENALTIES

You may incur a penalty if you do not:

- lodge TFN declarations with us
- keep the payer copy of completed TFN declarations for your records
- provide the payee's TFN to their superannuation fund where the payee quoted their TFN to you.