



 [Print whole section](#)

Small business income tax gap

How we estimate and reduce the small business income tax gap for 2020–21.

Last updated 30 October 2023

Latest estimate and trends

Compare the 2020–21 small business income tax gap to trends from previous years.

ATO action to reduce the gap

How we support our clients to meet their compliance obligations.

Methodology

What method we use to estimate the small business income tax gap.

Reliability

How we make sure the tax gap estimate is reliable.

Latest estimate and trends

Compare the 2020–21 small business income tax gap to trends from previous years.

Published 30 October 2023

On this page

[Small business population](#)

[About the estimate](#)

[Tax gap components](#)

[Findings from the random enquiry program](#)

For 2020–21 we estimate a net small business income tax gap of \$15.1 billion or 12.8%. This means we estimate around 87% of the total theoretical tax was paid. This gap forms part of our overall tax performance program.

Small business population

The small business population comprises a diverse range of structures and operations. It covers businesses with a turnover of up to \$10 million.

Small business operating structures include:

- companies
- sole traders
- trusts
- partnerships.

There are around 4.5 million small businesses in Australia, plus a further 2.1 million individuals that are linked to a business (e.g. as a director, shareholder, partner, or beneficiary).

The taxation of small business differs depending on the structure of the business, turnover and relevant tax rates for the income year.

When calculating the income tax gap, our primary focus is on entities that have an income tax obligation. In our small business population, this includes:

- companies with a turnover up to \$10 million
- individuals associated with small business entities including partnerships, trusts and companies with a turnover up to \$10 million
- sole traders receiving business income up to \$10 million.

The small business income tax gap forms part of our overall tax performance program. Find out more about the **concept of tax gaps and the latest gap available**.

About the estimate

The 2020–21 small business income tax gap estimate is preliminary and subject to revision as the random enquiry program sample informing the estimate is incomplete.

Tax gaps expressed as a percentage are typically regarded as the best measure of system performance.

In measuring the small business tax performance, our preliminary 2020–21 estimate net gap percentage has decreased compared to the updated 2019–20 estimate. This is because the **theoretical liability** has grown more than the net gap amount.

This may be attributable to a range of factors, including:

- economic factors
- possible changes in compliance
- the use of smaller samples due to limitations on data collection.

The sample size informing this estimate is similar to that used in the preliminary 2019–20 estimate published in 2022, but smaller than the samples used in earlier estimates. This reduction is the result of a redirection of resources:

- to support the community through natural disasters and the delivery of COVID-19 stimulus packages
- to address emerging compliance issues.

With the recent unstable operating environment and reduced insights available due to the smaller sample, it is difficult to draw conclusions on shifts in taxpayer compliance.

We will continue to build a more complete picture of the overall tax performance for small businesses as more data becomes available.

Table 1 shows:

- Compared to the 2019–20 estimate, in 2020–21, the voluntary expected collections (expected collections minus amendments) increased by 14.2% and the population has increased by 5.1%. These shifts have contributed to the growth in the theoretical liability and the net gap by dollar amount. The strong growth in theoretical liability has resulted in the decline of the net gap as a proportion of theoretical liability (net gap expressed as a percentage).
- The net tax gap has ranged between 12.0% and 14.4% over the 5 year period from 2015–16 to 2019–20.
- Over those 5 years, tax collected for this population has increased and the overall tax gap percentage has been relatively stable.
- Previously published estimates have been revised using updated data. This includes additional random enquiry program case outcomes to support the 2018-19 and 2019–20 estimates. These revisions have resulted in an increase in the net gap percentage, although this is not necessarily indicative of an increase in non-compliance. Some variability from year to year is expected and the trend continues to demonstrate a level of stability in small business tax performance.


Table 1: Income tax gap – small business income tax groups, 2015–16 to 2020–21

Element	2015–16	2016–17	2017–18	2018–19	2020–21
Population (m)	4.76	4.83	4.92	5.06	
Gross gap	12,025	12,915	13,262	15,880	

(\$m)					
Amendments (\$m)	1,190	1,102	1,142	1,121	
Net gap (\$m)	10,836	11,813	12,120	14,759	
Expected Collections (\$m)	79,299	80,743	85,940	87,855	
Theoretical liability (\$m)	90,135	92,555	98,060	102,614	10
Gross gap (%)	13.3	14.0	13.5	15.5	
Net gap (%)	12.0	12.8	12.4	14.4	

Figure 1 displays the gross and net gap for small businesses as a percentage over the same period.

Figure 1: Gross and net tax gap percentages, 2015–16 to 2020–21

 Figure 1 shows the gross and net gap in percentage terms, as outlined in Table 1.

Note: The estimate for 2020–21 is preliminary and subject to revision.

Tax gap components


The main components of the small business income tax gap are:

- omitted income
- over-claimed deductions
- people outside the tax system, for example, cash-only businesses operating without an Australian business number (ABN)
- non-pursuable debt that is not economical for us to pursue.

The extent to which these components impact the tax gap varies depending on the segment of the population.


The following figures split the tax gap by population and the main drivers of non-compliance for each of them.

Figure 2: Small companies

 Figure 2 shows that small companies had 49% omitted income, 45% overclaimed deductions, and 6% non-pursuable debt.


For the companies component of the gap, omission of income accounts for about half of the overall gap (49%). Over-claimed business deductions also represents most of the rest of the gap (45%).

Figure 3: Individuals in business

 Figure 3 shows that individuals in business had 72% omitted income, 14% overclaimed deductions, 12% people outside the system, and 2% non-pursuable debt.

For the individuals in business component, the main driver of the gap relates to omission of income (72%). We also recognise the influence of over claimed deductions contributing to the overall gap.

Figure 4: Combined small business

 Figure 4 shows that combined small business had 70% omitted income, 18% overclaimed deductions, 10% people outside the system, and 2% non-pursuable debt.

The final combined view shows the overall influence of omitted income on the gap (70%).

Findings from the random enquiry program

Through the small business random enquiry program, we conduct reviews and audits on randomly selected taxpayers for the relevant year. This helps us calculate the tax gap estimate and identify the most common issues and behaviours driving the gap.

COVID-19 and other events have impacted our ability to complete these reviews and audits, which has reduced our sample for the 2017–18, 2018–19 and 2019–20 years.

Our refreshed 2019–20 estimate is based on the findings of 1,671 reviews and audits conducted across a representative population sample for 2017–18, 2018–19 and 2019–20.

We used data from the 2018–19 and 2019–20 reviews and audits together with lodgment data from 2020–21 to give us the preliminary tax gap estimate for 2020–21.

Our observations highlight 4 key areas that need our attention, including:

- continuing to address **shadow economy** behaviour (deliberate attempts to avoid paying the right tax)
- continuing to provide education and support to ensure small businesses are aware of and understand their tax obligations
- integrating and improving the record keeping and reporting experience for small business taxpayers
- reducing complexity, particularly around law structures and multiple taxes.

Small business behaviours observed

Most taxpayers reviewed in the sample reported correctly or were considered to have genuinely attempted to do so.

In our random sample, we observed a range of errors resulting in income tax adjustments, including:

- undisclosed or omitted income
- over-claimed expenses (e.g. to fund personal lifestyle)
- record keeping inadequacies resulting in a variety of errors.
- failure to account for private use of business assets or funds
- errors in the application of the law
- minor mistakes in calculation
- deductions claimed without substantiation
- deductions claimed for expenses with no connection to income earning activities.

Our sample includes individuals in business. These taxpayers can have income and expenses from sources outside their business activities.

Errors in reporting income and expenses unrelated to business activities for these individuals contribute to the small business income tax gap. For example:

- underreported salary and wages from an unrelated entity
- underreported passive income from rental properties, gross interest and dividends
- miscalculated and underreported net capital gains
- overclaimed work-related expenses (car, clothing, travel) and gifts / donations.

Shadow economy behaviour observed

The tax effect of the shadow economy in 2020–21 is estimated to be \$10.4 billion or around 64% of the gross gap. \$7.9 billion of this is associated with deliberate under-reporting of income and over-claiming of deductions. The remainder is made up of hidden wages and people operating outside the tax system.

While shadow economy behaviour still contributes significantly to the gap, approximately 5% of taxpayers reviewed as part of the random enquiry program sample clearly made deliberate attempts to avoid paying the right tax.

Tax practitioner behaviours observed

Most small businesses have some form of tax practitioner. Tax practitioners can play a role in shaping their reporting behaviours.

In the random enquiry program, we saw many examples of tax practitioners helping small businesses report correctly. However, we also identified:

- mistakes because tax practitioners failed to show reasonable care
- a small number of tax practitioners aiding a taxpayer's deliberate attempt to avoid paying the right tax.

QC 59986

ATO action to reduce the gap

How we support our clients to meet their compliance obligations.

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On this page

[Strategies to support small business taxpayers who are doing or trying to do the right thing](#)

[Strategies to deal with taxpayers who are deliberately avoiding their obligations](#)

It is important to recognise the role Australia's tax system plays in supporting the community. Protecting the integrity of the system and maintaining its effectiveness is critical.


We provide ongoing assistance to small businesses and are continually looking at ways to improve their tax performance. We have balanced compliance approaches in place to support those in need and ensure fairness in the tax and super systems.

Improving small business tax performance is a key focus area in our Corporate plan. We will achieve this by:

- collaborating with our partners for a digital-first approach
- encouraging enhanced system integration that guides small business taxpayers to meet their obligations on time with minimal errors
- developing a roadmap for the enhanced integration of tax and superannuation into the digital ecosystem for small business
- developing prototypes of concepts to streamline the tax experience, in consultation and co-design with external stakeholders

Strategies to support small business taxpayers who are doing or trying to do the right thing

Getting the right amount of expected collections in the first place is the most efficient way to administer the tax system. We foster willing participation by considering how we can make it easier for businesses to comply. We achieve this by:

- understanding the value our partners provide to the small business community working closely with tax practitioners and other partners to help small businesses under their obligations
- continuing to investigate what drives the kinds of mistakes business make so we can better target our products and make it easier for them to work with us
- newly registered businesses can subscribe to the [New to Business Essentials](#)  email service. This delivers timely and helpful government information to them over the first 12 months of operation. Through this service, new business owners are introduced to a range of government services and support
- offering a range of tools and services to support small businesses, to help small businesses understand and meet their tax obligations.

Strategies to deal with taxpayers who are deliberately avoiding their obligations

Given the impact the shadow economy has on the tax gap and on honest small business owners we continue to focus on businesses that are actively avoiding paying the right amount of tax.

Additional funding for the Shadow Economy Taskforce has boosted our capacity and capability to address these risks. We achieve this through:

- using compliance strategies targeting businesses and tax professionals engaging in shadow economy activity.
- using data-matching, risk modelling, benchmarks and third-party data to identify at-risk businesses.

For details on how this affects everyone, see the [shadow economy](#).

Methodology

What method we use to estimate the small business income tax gap.

Last updated 30 October 2023

On this page

[Step 1: Estimate unreported amounts and apply the estimate for people outside the system](#)

[Step 2: Estimate for non-detection and hidden wages](#)

[Step 3: Estimate for non-pursuable debt](#)

[Step 4: Estimate gross gap](#)

[Step 5: Estimate net gap](#)

[Step 6: Estimate the theoretical liability](#)

[Summary of estimation process](#)

[Limitations](#)

[Updates and revisions to previous estimates](#)

We use a random enquiry program bottom-up method to estimate the small business tax gap. There are estimates within the population for individuals in business and small companies.

We use the same overall steps, but because they have different characteristics, we calculate them separately. We step through the method below and combine the estimates in Table 1.

Step 1: Estimate unreported amounts and apply the estimate for people outside the system

Identify the average amendment and rate of amendments of reviewed taxpayers for each population. We draw this from the relevant sample data for up to 3 years for any one year. Then we extrapolate this

average to the relevant population to estimate the unreported tax liability base.

For the estimate for people outside the system, we draw on comparisons of Australian Bureau of Statistics (ABS) Census of Population and Housing (Census) data with tax return data. This provides an estimate of the number of non-lodging individuals in business.

We then estimate a dollar impact drawing on the random sample data to determine the final amount. See more about [accounting for the shadow economy](#).

Step 2: Estimate for non-detection and hidden wages

Adjustments for non-detection, are to account for non-compliance that we do not detect through our processes that could lead to the final gap estimate not reflecting the true tax gap. We apply uplifts to observed results based on the midpoint of international ranges.

We also apply an uplift for hidden wages to the individuals in business population. This is consistent with our wider program for wages. See more about [accounting for non-detection in the gap](#).

Step 3: Estimate for non-pursuable debt

We add in the value of non-pursuable debt. This is debt the Commissioner of Taxation has assessed as:

- not legally recoverable
- uneconomical to pursue
- unable to be pursued due to another Act.

Debt trends show that it takes upwards of 5 years for non-pursuable amounts to crystallise for any one income year. As a result, we add a provisional amount of non-pursuable debt to the actual amount recorded, based on historical amounts. As we refresh and move these estimates forward, we will revise these figures.

Table 2 shows a summary of the actual and provisional amounts of non-pursuable debt.

Table 2: Summary of non-pursuable debt for small businesses (million)

Description	2015–16	2016–17	2017–18	2018–19	2019–20
Actual non-pursuable debt	214	135	75	33	13
Provisional non-pursuable debt	127	207	266	309	329
Total non-pursuable debt	342	342	342	342	342

Step 4: Estimate gross gap

Next, we add the results of steps 1 to 3 to arrive at the gross gap estimate.

Step 5: Estimate net gap

We deduct compliance outcomes and voluntary disclosure amounts from the gross gap in step 4 to arrive at the net gap estimate.

Because it can take up to 4 years to complete all compliance results, we use a provision in the 4 most recent years to reflect our expected final amendments. Where actual results are higher than this provision, we reflect the actual amendments present.

Step 6: Estimate the theoretical liability

We determine the expected collections by adding compliance outcomes and voluntary disclosures to the tax voluntarily reported and paid amount. We then add the net gap to the expected collections amount to estimate the theoretical tax liability.

Summary of estimation process

Table 3 shows the dollar value in millions at steps 1 to 6.2 for the individuals in business element. Steps 6.3 and 6.4 show percentage figures for the gross and net gaps.

Table 3: Applying the methodology – individuals in business (million)

Step	Description	2015–16	2016–17	2017–18	2018–19
1.1	Estimate unreported amounts for sample and extrapolate to population (\$m)	4,934	5,637	5,444	6,930
1.2	Apply estimate for people outside the system (\$m)	1,048	1,176	1,441	1,855
2.1	Apply estimate for non-detection (excluding hidden wages) (\$m)	3,215	3,566	3,642	4,585
2.2	Apply estimate for hidden wages (\$m)	522	531	566	598
3	<i>add</i> Non-pursuable debt (\$m)	213	213	213	213
4	<i>equals</i> Gross gap	9,932	11,122	11,306	14,181

	(\$m)				
5.1	<i>subtract</i> Compliance outcomes and voluntary disclosures (\$m)	1,041	973	893	893
5.2	<i>equals</i> Net gap (\$m)	8,891	10,149	10,413	13,288
6.1	<i>add</i> Expected Collections (\$m)	66,169	67,157	71,067	73,133
6.2	<i>equals</i> Theoretical tax liability (\$m)	75,060	77,306	81,480	86,421
6.3	Gross gap (%)	13.2	14.4	13.9	16.4
6.4	Net gap (%)	11.8	13.1	12.8	15.4

Table 4 shows the dollar value in millions at steps 1 to 6.2 for the small companies element. Steps 6.3 and 6.4 show percentage figures for the gross and net gaps.

Table 4: Applying the methodology – small companies eler

Step	Description	2015– 16	2016– 17	2017– 18	2018– 19
1.1	Estimate unreported amounts for sample and extrapolate to population (\$m)	1,403	1,200	1,305	1,127

1.2	Apply estimate for people outside the system (\$m)	n/a	n/a	n/a	n/a
2.1	Apply estimate for non-detection (excluding hidden wages) (\$m)	562	463	523	444
2.2	Apply estimate for hidden wages (\$m)	n/a	n/a	n/a	n/a
3	<i>add</i> Non-pursuable debt (\$m)	129	129	129	129
4	<i>equals</i> Gross gap (\$m)	2,094	1,792	1,957	1,699
5.1	<i>subtract</i> Compliance outcomes and voluntary disclosures (\$m)	149	129	250	229
5.2	<i>equals</i> Net gap (\$m)	1,945	1,663	1,707	1,471
6.1	<i>add</i> Expected Collections (\$m)	13,130	13,585	14,873	14,723
6.2	<i>equals</i> Theoretical tax liability (\$m)	15,075	15,249	16,580	16,194

6.3	Gross gap (%)	13.9	11.8	11.8	10.5
6.4	Net gap (%)	12.9	10.9	10.3	9.1

Find out more about our research methodology, data sources and analysis for creating our tax gap estimates.

Limitations

The following caveats and limitations apply when interpreting this tax gap estimate:

- The 2021 preliminary estimate uses outcomes finalised to date from the 2019 and 2020 random enquiry program samples. We will update future estimates with additional outcomes from the 2020 and 2021 samples.
- The 2018, 2019 and 2020 sample years were reduced due to the need to support the community during natural disasters and COVID-19.
- The precision of our estimate is limited by the sample size of the random enquiry program. By using an ongoing bundled sample, we seek to maintain suitable confidence intervals over time.
- We are working to develop non-detection estimates for random enquiry programs in the Australian environment. In the interim, we use the midpoint estimate for credible international estimates used by the United Kingdom and United States.
- Estimates for the tax impact of people outside the system are difficult to estimate. This estimate will always be subject to significant uncertainty.
- There is no independent data source that can provide a credible or reliable macroeconomic-based estimate (unlike for indirect taxes).

Accounting for non-detection in the gap

Our ability to discover the full extent of non-compliance is different across the population. Applying uniform non-detection uplifts to the estimate would exaggerate the size of the final gap. A different uplift is applied to the deduction labels of small business tax returns.

The impact of non-detection across the tax gap is also different across the 2 populations represented in this estimate:

- [individuals in business](#)
- [small companies](#).

Individuals in business

Within the individuals in business population, the following 3 areas require an estimate to account for non-detection:

- business income
- deductions
- wages received.

The uplift for business income not detected forms the largest component of non-detection. This recognises the difficulty in detecting omitted income where little or no third-party reporting systems are available.

We apply uplifts to observed results based on the midpoint of international ranges. With increased third-party reporting and data matching being introduced, the uplift factors will be reviewed over the next 12 months.

Non-detection of deductions in the individuals in business population is applied differently. This is because there is no incentive for taxpayers to under-claim deductions on their tax return. Therefore, the uplift for non-detection for deductions is confined to the capacity to detect errors in tax returns where deductions have been claimed.

Actual wages received by individuals in business can be difficult to validate in a random enquiry program. We used a macro estimate based on the hidden wages element used in the pay as you go (PAYG) withholding and super guarantee gap estimates.

An estimate for wages not detected in the random enquiry program and for people operating outside the system was reconciled to the hidden wages analysis undertaken in the PAYG withholding gap estimate. The result provides an estimate for wages not detected in the individuals in business population within the small business income tax gap population.

Small companies

The small companies element has only 2 areas that require an estimate to account for non-detection:

- business income
- deductions.

Like the uplift for individuals in business, the uplift for small company business income not detected forms the largest component of our estimate.

We recognise it is difficult to detect omitted income for small companies. This is where no, or limited, third-party reporting systems are available. We apply uplifts to observed results based on the midpoint of international ranges. With increased third-party reporting and data matching being introduced, we will review the uplift factors over the next 12 months.

Similar to the individuals in business population, non-detection of deductions and other issues in the small companies population is applied differently. This is because there is no incentive for taxpayers to under-claim deductions on their tax return. Therefore, the uplift for non-detection for deductions is confined to the capacity to detect errors in tax returns where deductions have been claimed.

Combined impact of non-detection

Table 5 shows a summary of the combined impact of non-detection on the small business income tax gap.

Table 5: Summary of the impact of non-detection on the g: million)

Source of non-detection	2015–16	2016–17	2017–18	2018–19	2019–20
Business income	3,716	3,962	4,105	4,958	4,531
Deductions and other issues	61	67	60	70	63
Hidden	522	531	566	598	644

wages					
Total non-detection	4,299	4,560	4,731	5,627	5,238

Accounting for the shadow economy

For tax gap purposes we focus on the shadow economy definition in the Shadow Economy Taskforce final report. This is based on Organisation for Economic Co-operation and Development (OECD) definitions of underground production and illegal activity.

The OECD definition of underground production is key. It covers activities that are productive and legal but are deliberately concealed to avoid paying taxes or complying with regulations (or both). Therefore, the shadow economy element in this gap is related to underground production.

The shadow economy estimate within the small business income tax gap is also separated into the calculations for individuals in business, and companies. Within these 2 broad categories, there are 3 main elements:

- deliberate non-disclosure of business income and deliberate over-claiming of business deductions
- hidden wages, predominantly individuals in the population receiving cash-in-hand wages – we estimate this using a top-down model approach drawing on random enquiry observations
- people outside the system – where we use an ABS Census comparison approach.

When analysing the reasons for non-compliance, we sought to identify aspects of behaviour that indicated a deliberate intention to hide business activity.

We added a component to the individuals in business population gap estimate that is not included in non-detection, which is to account for people outside the tax system. This element seeks to estimate the amount of omitted income from these people. To quantify this element, we assumed that the incidence and relative magnitude of income non-compliance in the random enquiry sample is also representative of people outside the system.

The tax effect of the shadow economy for small business in 2020–21 is estimated to be \$10.4 billion. The majority of this, \$7.9 billion, is associated with under-reported business income and over-claimed business deductions.

We outline the impacts of the shadow economy on the community and how we address them in **tax and small business**.

Table 6 shows a summary of the shadow economy impact on the gross tax gap. This amount has increased from 56% of the overall gross gap in 2015–16 to 64% in 2020–21. For this estimate we assume the same percentage applies to the net gap.

Table 6: Summary of the impact of the shadow economy on gap (\$ million)

Element	2015–16	2016–17	2017–18	2018–19	2019–20
Hidden wages	522	531	566	598	644
People outside the system	1,048	1,176	1,441	1,855	1,759
Undisclosed business income and over-claimed business deductions	5,165	4,786	4,715	6,560	7,035
Total shadow economy impact	6,735	6,493	6,721	9,013	9,438

Updates and revisions to previous estimates

Each year we refresh our estimates in line with the annual report. Changes from previously published estimates occur for many reasons,

including:


- improvements in methodology
- revisions to data
- additional information becoming available.

We refreshed our previous estimate to consider updates in underlying data and refinements to the methodology, so the results between years remain comparable.

The increase in the updated estimates for 2018–19 and 2019–20 is mainly due to additional completed sample cases since the previous publication. The observed variability from year to year is within the expected statistical variability and so is not indicative of a decrease in compliance.

Figure 5 shows the net gap from our current model compared to the previous estimate, undertaken in 2022.

Figure 5: Current and previous small business net tax gap estimates, 2015–16 to 2020–21

 Figure 5 shows our previous and current net gap estimates, as outlined in Table 7.

The data is set out as a percentage in Table 7.

Table 7: Current and previous small business net tax gap e 2015–16 to 2020–21

	2015–16	2016–17	2017–18	2018–19	2019–20
2023 Program	12.0%	12.8%	12.4%	14.4%	13.1%
2022 Program	12.6%	13.2%	12.6%	12.7%	11.6%
2021 Program	12.5%	12.5%	11.7%	12.7%	n/a

2020 Program	12.2%	12.5%	11.5%	n/a	n/a
2019 Program	12.5%	n/a	n/a	n/a	n/a

QC 59986

Reliability

How we make sure the tax gap estimate is reliable.


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We seek feedback and advice about how we estimate the gap from our external and internal subject matter experts. Based on the advice and assessment, the reliability rating for this estimate is **medium** with a score of 18.

We have stratified the sampling process to ensure it is representative of the wider population.

We engage former Deputy President of the Administrative Appeals Tribunal, Mr Stephen Frost, for further assurance. He verifies the accuracy and quality of a sample of the audit results that underpin our tax gap estimate.

Figure 6: Reliability rating scale from very low to very high – small business income tax gap

 Figure 6: This image shows a graph that represents the reliability rating for the current small business income tax gap estimate. The rating scale includes: - Very low, which is a score between 0 and 10 - Low, which is a score between 11 and 15 - Medium, which is a score between 16 and 20 - High, which is a score between 21 and 25 - Very high, which is a score between 26 and 30. The graph shows the current small business income tax gap estimate has a rating of 18, which is medium.

QC 59986

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