



GMS Flash Alert

Immigration Edition

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Australia - ATO Data Matching for Temporary Visa Compliance

On 9 January 2019, the Australian federal government announced that the Department of Home Affairs (DoHA) will be exchanging data with the Australian Taxation Office (ATO) to encourage tax and immigration compliance by business sponsors and their temporary skilled visa holders.¹

DoHA will be providing the name, address, and birth date of individuals who are, or were in the three most recently-completed financial years ended 30 June, holders of either of the 457 or 482 visa subclasses, as well as providing details of the these individuals' business sponsors.

This data will be electronically matched against ATO records, and income and employment data for the relevant individuals will be provided to DoHA.

It is estimated that data relating to around 280,000 individuals will be matched.

WHY THIS MATTERS

The data matching program has been developed to assist Australian tax and immigration authorities to effectively detect, and deal with compliance risks within the visa holding population. The aim is to crack down on fraud in the temporary employer-sponsored visa programs.

The consequences of non-compliance are serious.

In addition to the financial and reputational penalties that can be imposed for tax shortfalls identified through the program, the more critical risk to multinational employers is the possibility that the organisation's approval to sponsor such visas can be cancelled, preventing them from using foreign talent to work in Australia.

More Details

The program:

- seeks to identify whether businesses who are sponsoring employees on Temporary Work (Skilled) visa (subclass 457)² or Temporary Skills Shortage (subclass 482) primary visas are complying with their sponsorship obligations, and whether temporary skilled visa holders are complying with their visa conditions; and
- will be used in ATO risk detection models to select populations for administrative action relating to tax return integrity, income tax, and goods and services tax non-compliance and fraud.

FOOTNOTES:

1 See: Australian Dept. of Home Affairs [notice](#) of data matching for temporary skilled visa program.

2 See: <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/repealed-visas/temporary-work-skilled-457>

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Contact us

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