

Adel El Hassan & Co Pty Ltd

Accounting, Auditing, Taxation & Financial Consultants



WARNING

Inappropriate use' of myGov lodgements set for ATO scrutiny

The ATO has sent a warning to tax practitioners about using a client's personal myGov account to lodge tax returns, with the practice set to undergo additional scrutiny this tax time.

The Tax Office has identified some registered and unregistered tax agents using taxpayers' personal login details to access their ATO online account through myGov to lodge tax returns on behalf of their clients.

"MyTax is not an approved lodgement channel for registered agents and is a breach of the ATO online terms and conditions," the ATO said. "We will be closely monitoring returns and utilising all of our data matching and collection tools in an effort to identify suspicious patterns of behaviour with lodgements.

"We will seek to identify patterns of behaviour that suggest the use of myGov by unregistered preparers."

According to the ATO, agents may risk referral to the Tax Practitioners Board if they are discovered using myGov to lodge on behalf of their clients, or without their clients' knowledge.

The ATO's warning comes after the [TPB highlighted the practice](#) of lodging through myTax by unregistered agents.

"In context, the amount of complaints doesn't reflect the level of abuse as we know from other compliance actions, that [agents such as Kent Scott Hacker](#) had submitted a large number of client returns in this way," a TPB spokesperson said.

It is also understood that the TPB does not necessarily have visibility of all complaints or referrals when the ATO or state law enforcement take the lead in treatments.

Court-awarded penalties for breaching tax agent services laws can be as high as \$52,500 for each offence by an individual and \$262,500 by a company.



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