



If you have access to ABR protected information

Information on entrusted persons and their obligations

Protected information

ABR protected information refers to the details that are entered into the Australian Business Register (ABR) when an entity is registered. These details include:

- name of the entity
- Australian Business Number (ABN)
- principal place of business
- description of the business activities.

Public information

The law allows the Registrar to make some protected information about an entity available to the public. These details include:

- name of the entity
- ABN
- any business name registered to the entity
- the postcode and state or territory of the entity's principal place of business.

ABR public information is available on ABN Lookup.

Non-public information

ABR non-public information refers to those details that the Registrar is not allowed to make available to the public. These details include:

- the entity's postal address
- principal place of business address
- contact details for the business
- ANZSIC code relating to the entity's business activity.

The law allows the Registrar to share these details with eligible government agencies to help them carry out their functions.

An 'entrusted person'

An 'entrusted person' refers to a person who:

- is employed by the Commonwealth, state, territory or local governing body, and
- receives protected information in the course of their employment.

The Registrar is an entrusted person. When the Registrar shares protected information with eligible government agencies, the heads of those agencies also become entrusted persons.

What an entrusted person can do with protected information

An entrusted person who is not the Registrar can only use, record or share protected information in the course of their employment. For example, an entrusted person can use ABR protected information to:

- check the accuracy of information held in the agency's databases
- carry out compliance activities
- assist with planning for infrastructure and services.

An entrusted person can share information with third parties who have been contracted by the agency to carry out some of its functions. Those contractors will become entrusted persons.

What an entrusted person can't do with protected information

An entrusted person can't:

- share protected information with Ministers or other elected members of a body that has been established under a law of a state or territory
- on-sell ABR information
- use ABR information for spamming or telemarketing purposes.

Offences

An entrusted person must not record or disclose protected information to anyone else, unless it is done in the course of their employment.

The law provides a heavy penalty (two years imprisonment) for breaching this condition.

Security of ABR information

If you are provided with access to ABR protected information, you must:

- protect ABR information in accordance with relevant privacy law or guidelines
- advise us of any breach that results in ABR information being inappropriately released to a third party.