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13 November 2026

Scott Sargent
Australian Taxation Office

Via email: PAGSEO@ato.gov.au.

Re: PS LA 2026/D4 Making Commissioner-initiated assessments: section 36 of the *Superannuation Guarantee (Administration) Act 1992*

Dear Mr Sargent,

The Association of Digital Service Providers Australia New Zealand (DSPANZ) welcomes the opportunity to provide feedback on the draft Practice Statement for how superannuation guarantee (SG) assessments are initiated by the Commissioner in a Payday Super environment.

While DSPANZ is generally supportive of this Practice Statement, we would like the Australian Taxation Office (ATO) to make additional information available that explains an apparent SG shortfall to an employer before making an assessment.

While DSPs can help employers to understand the ATO's calculations arising from Single Touch Payroll (STP) reporting and confirm employee data submitted against their records and correct a reporting error where necessary within payroll products as well as know what has been submitted to super funds via SuperStream contributions reporting, DSPs do not have clarity about why the ATO has raised the SG assessment.

Through payroll software products, employers will be able to see employee level information included in STP and super contribution reporting, but they will not see the contribution information their employees' super funds have reporting through the Member Account Transaction Service (MATS), or other information the Commissioner has relied on in making the assessment.

This issue has been raised many times since Payday Super commenced. From the perspective of administrative fairness, an employee should know what data has been relied on when making an SG assessment.

Best practice would be for the ATO to provide an employer access to the information used in making a Commissioner initiated assessment. For each affected employee and Qualifying Earnings (QE) day, the ATO should show the expected SG amount, the contribution they matched, the difference and the source of each figure. These details should be made available securely in a format employers can use within their payroll software or share with their authorised advisor.

While we understand that the ATO has decided not to provide this information to an employer when an SG assessment occurs, the ATO should as a minimum provide an explanation within the PS LA on what data may be used by the Commissioner that results in a Commissioner-initiated SG assessment.

Explain how the ATO calculates an apparent shortfall
Within the PS LA, it should identify the STP and MATS data the ATO uses and explain how it matches super fund contributions to an employee and a QE day. To support this understanding, examples should be provided about why information reported by a super fund through MATS may be different from the contribution data that has been submitted by an employer and clarify how the ATO determines which information relation to the employee is correct.

Additional feedback
DSPANZ also suggests that the PS LA sets clear expectations for the following:

- the minimum information included in an apparent shortfall notice;
- a reasonable response period;
- accepted forms of digital evidence;
- handling of remediation already underway; and
- common multi-party data flow failure.

This gives DSPs the certainty they need to explain the calculation consistently through their products and support services.

DSPANZ supports the ATO's efforts to clarify how the Commissioner-initiated SG assessments will occur and encourage the addition of information within the PS LA that enables employers to understand what data (and its source) is utilised.

DSPANZ would be pleased to continue engaging with the ATO on the design of administrative systems to support employers meet their SG obligations. Please contact Maggie Leese at maggie@dspanz.org for more information.

Yours sincerely,

Signed by:
Chris Denney
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Chris Denney,
Interim CEO & Executive Director
DSPANZ.

About DSPANZ

Digital Service Providers Australia New Zealand is the gateway for the government into the dynamic, world-class business software sector in Australia and Aotearoa New Zealand. Our members range from large, well-established companies to new and nimble innovators working at the cutting edge of business software and app development on both sides of the Tasman.