



Monthly Information Newsletter – Tax & Super

November 2022

Director id ... last ditch awareness campaign!

What you need to know

With hundreds of thousands of directors yet to apply for their director identification number (director ID) ahead of the looming November deadline, a last-ditch public information campaign has been launched.

The Albanese Government has just launched a new awareness campaign to help company directors obtain their director identification number (director ID) as the 30 November deadline quickly approaches.

A director ID is a unique 15-digit identifier that a company director will apply for once and keep forever. By allowing regulators to trace directors' relationships with companies over time, director IDs will help prevent illegal activity and level the playing field for businesses.

Director IDs are administered by the Australian Business Registry Services (ABRS), which is managed by the ATO. The new awareness campaign will feature both widespread communications and targeted outreach to ensure all directors are aware of their obligations.

Who?

To recap, you need a director ID if you are an eligible officer of:

- a company, a registered Australian body or a registered foreign company under the Corporations Act 2001 (Corporations Act)
- an Aboriginal and Torres Strait Islander corporation registered under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act).

An 'eligible officer' is a person who is appointed as:

- a director
- an alternate director who is acting in that capacity.

You need a director ID if you are a director of a:

- company
- Aboriginal and Torres Strait Islander corporation
- corporate trustee, for example, of an SMSF
- charity or not-for-profit organisation that is a company or Aboriginal and Torres Strait Islander corporation
- registered Australian body, for example, an incorporated association that is registered with the Australian Securities and Investments Commission (ASIC) and trades outside the state or territory in which it is incorporated
- foreign company registered with ASIC and carrying on a business in Australia (regardless of where you live).

Who doesn't?

A director ID is not required if you are a director of an incorporated association (with no ABRN) registered with the Australian Charities and Not-for-profits Commission (ACNC), company secretary but not a director, acting as an external administrator of a company, run your business as a sole trader or partnership.

It has been clarified by the ABRN that directors who resigned their directorship before 31 October 2021 are not required to obtain a director ID. Deceased directors, as they are unable to personally apply, are also exempt.

If you run a company that is a small business, corporate trustee of an SMSF, a not-for-profit or even a large sporting club, it's quite likely that you're a director, and you'll need to apply for your director ID.

When

All directors of companies registered with the Australian Securities and Investments Commission (ASIC) will need a director ID and must apply by the 30 November deadline. Directors of Aboriginal and Torres Strait Islander corporations may have additional time to apply.

The deadline depends on the date on which you first became a director.

Deadlines

1. Corporations Act directors

Date you first become a director	Date you must apply
On or before 31 October 2021	By 30 November 2022
Between 1 November 2021 and 4 April 2022	Within 28 days of appointment
From 5 April 2022	Before appointment

2. CATSI Act* directors

Date you first become a director	Date you must apply
On or before 31 October 2022	By 30 November 2023
From 1 November 2022	Before appointment

* Corporations (Aboriginal and Torres Strait Islander) Act

Not sure?

If you are still uncertain as to whether a director ID is required:

- Search ABL Lookup using the ABN or business name. If **ASIC Registration - ACN or ARBN or ARSN or ARFN** is showing against their record, and they are a director, they need to apply for a director ID.
- Search the online ASIC companies register for director details (providing the company is complying with its maintenance obligations).

- Determine who the directors are for:
 - not-for-profit organisations that are not registered with ACNC and have an ARBN or ACN – check the online ASIC companies register for director details (providing the organisation is complying with its maintenance obligations)
 - charities that are registered with the ACNC and have an ARBN or ACN – search for a charity online on the ACNC website.

After selecting your charity, navigate to the **People** tab. If the role listed their name is Director, they need to apply for a director ID.

Apply

The fastest way to apply for a director ID is online at Australian Business Registry Services (ABRS website – www.abrs.gov.au/directorID). To access the online application, use the myGovID app with at least a standard identity strength to log in to ABRS Online. You must apply personally – you must apply for a director ID personally, we cannot apply on their behalf however we can advise you around eligibility, deadlines etc.

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