OFFICIAL



T&F23/1354 A3428576

12 January 2024

200 Victoria Square Adelaide SA 5000 GPO Box 1045 Adelaide SA 5001 DX56205 Tel 08 8226 9500

State Administration Centre

Fax 08 8226 3819 http://www.treasury.sa.gov.au ABN 19 040 349 865

Freedom of Information – All documents held by RevenueSA regarding Wake Concepts Pty Ltd (in liquidation)

I refer to your application under the *Freedom of Information Act 1991* (FOI Act), received by the Department of Treasury and Finance (DTF) on 5 October 2023.

Your application specifically requested:

'1. All originals, finals, drafts whether executed, signed, unsigned or otherwise of documents, books, correspondence, memorandum, notes, records (including all copies, reproductions and duplications of such documents and information recorded on a computer tape or computer disk) received by Revenue SA from the Company, its director, or any other officer of the Company, employee, agent, servant or entity engaged by or on behalf of the Company for the period 19 September 2021 to 19 September 2023. 2. All originals, finals whether executed, signed, unsigned or otherwise of documents, books, correspondence, memorandum, notes, minutes, records (including all copies, reproductions and duplications of such documents and information recorded on a computer tape or computer disk) from Revenue SA to the Company or its director regarding outstanding liabilities (i.e. premium, levy, penalties, etc.) of the Company for the period 19 September 2021 to 19 September 2023. 3. All originals, finals whether executed, signed, unsigned or otherwise of documents, books, correspondence, memorandum, notes, minutes, records (including all copies, reproductions and duplications of such documents and information recorded on a computer tape or computer disk) in regard to any conferences, discussions, interviews, meetings held with the director(s) concerning or relating in any way whatsoever with the Company for the period 19 September 2021 to 19 September 2023. 4. All original documents and information in relation to all payments received from the Company for the period 19 September 2021 to 19 September 2023.' [Date Range: 19/09/2021 - 19/09/2023]

Under the FOI Act, an agency has 30 days to respond to a freedom of information request. As DTF did not respond to your request within the time frame required, the department is deemed to have refused you access to all documents relevant to your application. However, I have decided to process the request as if the statutory time frame had been met.

The purpose of this letter is to advise you of my determination.

A total of 56 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in full to 29 documents, copies of which are enclosed, and
- I grant you access in part to 27 documents, copies of which are enclosed.

Please refer to the attached schedule that describes each document and sets out my determination and reasons in summary form.

Documents released in full

Documents 1, 4-6, 8-9, 12-14, 18, 20, 22, 25-26, 28-29, 31-32, 34-35, 39-41, 43, 45, 47, 49 and 51-52.

Documents released in part

Documents 10, 15, 17, 21, 24, 33, 36, 37, 42 and 55.

 Contains mobile numbers belonging to employees of a private business as displayed in email signature blocks, and surnames of Government of South Australia employees on enquiry activity forms have been redacted.

This information falls within the definition of personal affairs under the FOI Act and is therefore exempt from release pursuant to clause 6(1) of Schedule 1.

Documents 15,16, 37 and 38.

• Contains employee information including identification numbers and codes that form part of South Australian Government business. These numbers are still active.

This information falls within the definition of business affairs under the FOI Act. I acknowledge public interest favours transparency regarding government business processes, however, on balance, the State Government needs to maintain a high level of digital security to ensure processes and systems are not compromised. Therefore, this information is exempt from release pursuant to clause 7(1)(c) of Schedule 1.

Documents 2, 3, 7, 10-11, 17, 19, 21, 23-24, 27, 30, 33, 36, 42, 44, 46, 48, 50, 53-54 and 56.

• Contains information relating to other companies including contact information, identifying logos, identification numbers and payment details.

Clause 12(1) of Schedule 1 to the Act states that a document is exempt from release if 'it contains matter the disclosure of which would constitute an offence against an Act'. Section 80 of the *Taxation Administration Act 1996* (TAA) provides that tax officers may not disclose information obtained under or in relation to a taxation law unless permitted.

Sections 78 and 79 of the TAA Act consider permitted disclosures, such as information of a general nature. Whilst the applicant has permission to access Wake Carpentry Pty Ltd, it may be viewed that any other taxpayer's data provided to the Government would not be disclosed publicly without their consent. It would be an offence under the TAA to release this information.

I therefore determine this information exempt from release pursuant to clause 12(1) of Schedule 1.

Exemptions

6—Documents affecting personal affairs

(1) A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

7—Documents affecting business affairs

- (1) A document is an exempt document—
 - (c) if it contains matter—
 - consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and
 - (ii) the disclosure of which—
 - (A) could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and
 - (B) would, on balance, be contrary to the public interest.

12—Documents the subject of secrecy provisions

(1) A document is an exempt document if it contains matter the disclosure of which would constitute an offence against an Act.

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), DTF is required to publish a log of all non-personal information released under the *Freedom of Information Act* 1991.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: https://www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars. Please visit the website for further information.

Appeal rights

If you are aggrieved with this determination, you have a right to apply for internal review under subsection 29(1) of the FOI Act. Pursuant to subsection 29(2), your application must:

- · be in writing
- be accompanied by the application fee of \$40.75 (unless fee waiver applicable) payment options available on request.
- be addressed to the Principal Officer:
 - Rick Persse
 Principal Freedom of Information Officer
 Department of Treasury and Finance
- be mailed to GPO Box 1045, Adelaide SA 5001, or emailed to
 <u>DTFOfficeoftheUnderTreasurer@sa.gov.au</u>, within 30 days after the day on which
 you receive this letter or within such further time as the Principal Officer may allow.

If you require any further information, please contact DTF Freedom of Information Unit via email at freedomofInformation2@sa.gov.au.

Yours sincerely

Tonia Roache

Male

ACCREDITED FREEDOM OF INFORMATION OFFICER

T&F23/1354 -

- "WAKE CONCEPTS PTY LTD (IN LIQUIDATION)"

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
001	15/10/2021	Payroll Tax Return Declaration - September 2021	1	Released in full	
002	15/10/2021	System generated email - Activity 887161	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
003	15/11/2021	System generated email - Activity 897392	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
004	17/11/2021	Payroll Tax Return Declaration - October 2021	1	Released in full	
005	8/12/2021	Payroll Tax Return Declaration - November 2021	1	Released in full	
006	13/01/2022	Payroll Tax Return Declaration - December 2021	1	Released in full	
007	18/01/2022	System generated email - Activity 899164	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
800	24/01/2022	Payroll Tax Notice of Assessment	2	Released in full	
009	4/02/2022	Payroll Tax Return Declaration - January 2022	1	Released in full	
010	8/02/2022	Email	3	Released in part	6(1) - Unreasonable disclosure of personal affairs 12(1) - Disclosure would constitute an offence against an Act
011	15/03/2022	System generated Email - Activity 907747	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
012	22/03/2022	Payroll Tax Notice of Assessment -	2	Released in full	
013	23/03/2022	Payroll Tax Return Declaration - February 2022	1	Released in full	
014	23/03/2022	Payroll Tax Return Declaration - February 2022	1	Released in full	
015	29/03/2022	Activity Enquiry 902924	1	Released in part	6(1) - Unreasonable disclosure of personal affairs 7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest

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Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
016		Activity 902924 Notes	2	Released in part	7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
017	29/03/2022	Email	2	Released in part	6(1) - Unreasonable disclosure of personal affairs 12(1) - Disclosure would constitute an offence against an Act
018	6/04/2022	Payroll Tax Return Declaration - March 2022	1	Released in full	
019	12/05/2022	System generated Email - Activity 914842	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
020	13/05/2022	Payroll Tax Return Declaration - April 2022	1	Released in full	
021	15/06/2022	Email	4	Released in part	6(1) - Unreasonable disclosure of personal affairs 12(1) - Disclosure would constitute an offence against an Act
022	15/06/2022	Payroll Tax Return Declaration - May 2022	1	Released in full	
023	7/07/2022	Payroll Tax Annual Reconciliation Report 2021-2022	3	Released in part	12(1) - Disclosure would constitute an offence against an Act
024	19/08/2022	Email	3	Released in part	6(1) - Unreasonable disclosure of personal affairs 12(1) - Disclosure would constitute an offence against an Act
025	26/08/2022	Payroll Tax Return Declaration - July 2022	1	Released in full	
026	22/09/2022	Payroll Tax Notice of Assessment -	6	Released in full	
027	28/09/2022	Email	6	Released in part	12(1) - Disclosure would constitute an offence against an Act
028	28/09/2022	Payroll Tax Return Declaration - August 2022	1	Released in full	
029	10/10/2022	Payroll Tax Return Declaration - September 2022	1	Released in full	
030	15/11/2022	System generated email - Activity 986047	1	Released in part	12(1) - Disclosure would constitute an offence against an Act

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Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
031	18/11/2022	Payroll Tax Return Declaration - October 2022	1	Released in full	
032	22/11/2022	Payroll Tax Notice of Assessment -	2	Released in full	
033	30/11/2022	Email	1	Released in part	6(1) - Unreasonable disclosure of personal affairs 12(1) - Disclosure would constitute an offence against an Act
034		Attachment to Document 033 -	1	Released in full	
035	6/12/2022	Payroll Tax Return Declaration - November 2022	1	Released in full	
036	8/12/2022	Email	2	Released in part	6(1) - Unreasonable disclosure of personal affairs
					12(1) - Disclosure would constitute an offence against an Act
037	8/12/2022	Activity Enquiry 979809	1	Released in part	6(1) - Unreasonable disclosure of personal affairs 7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
038		Activity 979809 Notes	2	Released in part	7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
039	9/12/2022	Payroll Tax Return Declaration - November 2022	1	Released in full	
040	30/12/2022	Payroll Tax Return Declaration - December 2022	1	Released in full	
041	17/02/2023	Payroll Tax Return Declaration - January 2023	1	Released in full	
042	20/02/2023	Email	6	Released in part	6(1) - Unreasonable disclosure of personal affairs 12(1) - Disclosure would constitute an offence against an Act

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Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
043	3/03/2023	Payroll Tax Return Declaration - February 2023	1	Released in full	
044	13/04/2023	System generated email - Activity 1008317	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
045	14/04/2023	Payroll Tax Return Declaration - March 2023	1	Released in full	
046	11/05/2023	System generated email - Activity 1011605	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
047	15/05/2023	Payroll Tax Return Declaration - April 2023	1	Released in full	
048	15/06/2023	System generated email - Activity 1028171	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
049	16/06/2023	Payroll Tax Return Declaration - May 2023	1	Released in full	
050	11/07/2023	Payroll Tax Annual Reconciliation Report 2021-2022	3	Released in part	12(1) - Disclosure would constitute an offence against an Act
051	26/07/2023	Payroll Tax Notice of Assessment - Annual Reconciliation Assessment 2022-2023	2	Released in full	
052	8/08/2023	Payroll Tax Return Declaration - July 2023	1	Released in full	
053	14/08/2023	System generated email - Activity 1071195	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
054	14/09/2023	System generated email - Activity 1076370	1	Released in part	12(1) - Disclosure would constitute an offence against an Act
055	14/09/2023	System notes	1	Released in part	6(1) - Unreasonable disclosure of personal affairs
056		System Payment List	1	Released in part	12(1) - Disclosure would constitute an offence against an Act

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Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

To

Sent: 15.10.21 09:50:22 AUSSA

Direction: Outbound

From: payrolllax@sa.gov.au

Clause 12(1) Subject

Dear Sir/Madam

Taxpayer Number: Taxpayer Name: WAKE CONCEPTS PTY LTD

Payment of any tax due by your organisation is now required. Please be advised that failure make payment by the due date may result in a default assessment being issued with penalty and interest.

If no tax is due as wages are below the threshold you are required to lodge a "NIL" return.

If you have made payment within the last 24 hours please disregard this email. Alternatively, if you have previously made your Payroll Tax payment, please provide details of the amount and date paid by completing the attached Payroll Tax Payment Form to allow investigation.

If you are unable to make a payment please contact RevenueSA for advice.

Should you have any queries please contact RevenueSA on the details below.

OFFICIAL: Sensitive

Regards

Regards
Taxation Assistance Team
Payroll Tax & Returns Based Stamp Duty, Taxation Services, RevenueSA
Department of Treasury & Finance
t +61 8 8228 3750 e payrolltax@sa.gov.au w revenuesa.sa.gov.au
Information contained in this email message may be confidential and may also be the subject of legal professional privilege or public interest immunity.

References	

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

To

Sent: 15.11.21 10:56:48 AUSSA

From: payrolllax@sa.gov.au Clause 12(1)

Subject:

OFFICIAL: Sensitive

Direction: Outbound

Dear Sir/Madam

Taxpayer Number
Taxpayer Name: WAKE CONCEPTS PTY LTD

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Regards

Regards
Taxation Assistance Team
Payroll Tax & Returns Based Stamp Duty, Taxation Services, RevenueSA
Department of Treasury & Finance
t+81 8 8228 3750 e payrolltax@sa.gov.au w revenuesa.sa.gov.au
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References	

Account: WAKE CONCEPTS PT LTD Employee Responsible: Reference: Contact:

E-Mail

Sent: 18.01.22 09:58:17 AUSSA

From: payrolllax@sa.gov.au

Clause 12(1) To

Subject:

OFFICIAL: Sensitive

Direction: Outbound

Dear Sir/Madam

Taxpayer Number: Taxpayer Name: WAKE CONCEPTS PTY LTD

On 31 December 2021, a payroll tax deferral of monthly returns was announced for certain industries in South Australia. For further information, please refer to the RevenueSA website at:

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https://www.revenuesa.sa.gov.au/payrolltax/p

Regards
Taxation Assistance Team
Payroll Tax & Returns Based Stamp Duty, Taxation Services, RevenueSA
Department of Treasury & Finance

Department of Tribuday and Trib

E-Mail:

References

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

Sent: 15.03.22 10:56:53 AUSSA Direction: Outbound

From: payrolllax@sa.gov.au

Clause 12(1) To

Subject:

OFFICIAL: Sensitive

Dear Sir/Madam

Taxpayer Number Taxpayer Name: WAKE CONCEPTS PTY LTD

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Should you have any quenes please contact revenues of the state of the

E-Mail:

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References

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

Sent: 12.05.22 11:19:22 AUSSA

From: payrolllax@sa.gov.au

Clause 12(1) To

Subject:

OFFICIAL: Sensitive

Direction: Outbound

Dear Sir/Madam

Taxpayer Number
Taxpayer Name: WAKE CONCEPTS PTY LTD

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Taxation Assistance Team
Payroll Tax & Returns Based Stamp Duty, Taxation Services, RevenueSA
Department of Treasury & Finance
t +61 8 8228 3750 e payrolltax@sa.gov.au w revenuesa.sa.gov.au
Information contained in this email message may be confidential and may also be the subject of legal professional privilege or public interest immunity.

E-Mail:

References

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

Sent: 15.11.22 10:23:58 AUSSA Direction: Outbound

From: payrolllax@sa.gov.au

Clause 12(1) To

Subject:

OFFICIAL: Sensitive

Dear Sir/Madam

Taxpayer Number: Taxpayer Name: WAKE CONCEPTS PTY LTD

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Taxation Assistance Team Payroll Tax & Returns Based Stamp Duty, Taxation Services, RevenueSA

Department of Treasury & Finance t +61 8 8226 3750 e payrolitax@sa.gov.au w revenuesa.sa.gov.au

Information contained in this email message may be confidential and may also be the subject of legal professional privilege or public interest immunity.

References

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

To

Sent: 13.04.23 11:40:37 AUSSA Direction: Outbound

From: payrolllax@sa.gov.au

Clause 12(1)

Subject:

OFFICIAL

Dear Sir/Madam

Taxpayer Number:

Taxpayer Name: WAKE CONCEPTS PTY LTD

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Department of Treasury & Finance

t +61 8 8226 3750 e payrolltax@sa.gov.au w revenuesa.sa.gov.au

References

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

To

Sent: 11.05.23 10:02:29 AUSSA Direction: Outbound

From: payrolllax@sa.gov.au Clause 12(1)

Subject:

OFFICIAL

Dear Sir/Madam

Taxpayer Number: Taxpayer Name: WAKE CONCEPTS PTY LTD

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t +61 8 8226 3750 e payrolltax@sa.gov.au w revenuesa.sa.gov.au

References

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

To

Sent: 15.06.23 09:18:57 AUSSA Direction: Outbound

From: payrolllax@sa.gov.au

Clause 12(1) Subject:

OFFICIAL

Dear Sir/Madam

Taxpayer Number: Taxpayer Name: WAKE CONCEPTS PTY LTD

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Department of Treasury & Finance

t +61 8 8226 3750 e payrolltax@sa.gov.au w revenuesa.sa.gov.au

References

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

Sent: 14.08.23 09:28:32 AUSSA Direction: Outbound

From: payrolllax@sa.gov.au

Clause 12(1) To Subject:

OFFICIAL

Dear Sir/Madam

Taxpayer Number: Taxpayer Name: WAKE CONCEPTS PTY LTD

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Payroll Tax & Returns Based Stamp Duty, Taxation Services, RevenueSA

Department of Treasury & Finance t+61 8 8226 3750 e payrolltax@sa.gov.au w revenuesa.sa.gov.au

References

Account: WAKE CONCEPTS PT LTD Employee Responsible: Contact: Reference:

E-Mail

To

Sent: 14.09.23 08:37:32 AUSSA Direction: Outbound

From: payrolllax@sa.gov.au

Clause 12(1) Subject:

OFFICIAL

Dear Sir/Madam

Taxpayer Number:

Taxpayer Name: WAKE CONCEPTS PTY LTD

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Regards

Taxation Assistance Team

Payroll Tax & Returns Based Stamp Duty, Taxation Services, RevenueSA

Department of Treasury & Finance t +61 8 8226 3750 e payrolltax@sa.gov.au w revenuesa.sa.gov.au