



11 December 2019

Dear Trustee,

### **UPDATE OF SUPERMATCH TERMS AND CONDITIONS AND UPCOMING CAMPAIGN**

We have been regularly updating our SuperMatch Terms and Conditions of use and general guidance where we see opportunity to further safeguard the members' information provided by this service and to ensure the service is used appropriately.

Given the nature of data returned by SuperMatch it is critical that the trustee's (or anyone acting on their behalf) use of the service, is in the member's best interest.

We are now releasing version 8 of the SuperMatch Terms and Conditions and User Guide.

The most significant change in this update provides further clarity on how the ATO will respond to concerns about the use of our service and how we will continue to work with other regulators. We want to be clear that where there is any question or concern about the appropriate use of the service we will act first in the interests of protecting member information by turning off access to the service while we investigate further. We have also taken the opportunity to rationalise some content previously in the Terms and Conditions into the User Guide.

Please note that if your SuperMatch solution is already compliant with version 7 of our Terms and Conditions, released 18 December 2018, there are no technical or system changes required if your SuperMatch solution has not changed since.

### **Use of ATO SuperMatch service**

The ATO continues to engage regularly with ASIC looking at the use of SuperMatch by trustees and the associated disclosure. ASIC and the ATO will continue to investigate potential cases of misleading and deceptive conduct where trustees fail to:

- obtain explicit consent from a member to perform a search and
- provide balanced information about the benefits and risks of consolidation.

Trustees are reminded of the SuperMatch key principles of use:

- SuperMatch can only be used for existing members of your fund, or for individuals who are joining the fund;
- The member must provide explicit consent before a search can be initiated;
- The full results of the search must be shared with the individual;
- SuperMatch can only be used where the TFN has been provided by the individual.
- There must be a multi-factor authentication before results can be viewed electronically.

## Next steps for Trustees

To support the release of the updated Terms and Conditions and User Guide, and to provide assurance to the ATO that the service is being used appropriately, any fund currently accessing SuperMatch will be required to confirm with the ATO how they satisfy these key principles to continue accessing the service.

Trustees, or their service provider, must advise the ATO how they capture member consent and how results are disclosed to the member and any controls they have in place. Contact must be via email to [SPRenablingservices@ato.gov.au](mailto:SPRenablingservices@ato.gov.au).

If a Trustee, or their service provider, has already engaged the ATO under the self-certification requirements for version 7 there is no need to re-engage with the ATO unless there have been changes to your SuperMatch process.

All other Trustees using SuperMatch must contact or engage with the ATO by **17 February 2020**. Any Trustees that do not engage with the ATO by the due date will have their permission to use the SuperMatch service removed. It should be noted that permission to use the service is controlled by the ATO at the ABN level, so all solutions connected to the Trustee's ABN will lose access to use SuperMatch where the permission is removed.

The ATO is committed to working with you to ensure that your solution is compliant with the Terms and Conditions and User Guide and that the service continues to be of value and benefit to members. To support Trustees and their service providers we will run a series of webinars in the new year to provide further information and respond to questions or queries.

We have included version 8 of the Terms and Conditions and User Guide with this letter for your reference. In the new year the updated documents will be published here: [Validation-services-SuperMatch](#).

If you have any questions or concerns regarding the content of this letter please contact [SPRenablingservices@ato.gov.au](mailto:SPRenablingservices@ato.gov.au)

Yours sincerely,

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Superannuation and Employer Obligations