RISK PROTECTOR

Your First Line of Defence Against Director Liability, ATO Enforcement and Asset Exposure

BUSINESS & DIRECTOR RISK IDENTIFIER TOOL — NO. 3

ATO Warning Signals Identifier

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WHAT THIS TOOL DOES — AND WHAT IT DOES NOT DO

The ATO does not arrive without warning. Before formal enforcement begins there are almost always signals — letters, portal messages, phone calls, payment requests and compliance notices that individually seem manageable but collectively indicate that the ATO is building a case or preparing to act. Most directors miss these signals or underestimate them. This tool helps you identify whether those signals are already present in your situation.

This is not a diagnostic. It does not measure the severity of what it finds or tell you how to respond. What it does is reveal whether the ATO may already be positioning itself against you or your company — and whether the window to act proactively is still open. Your score at the end will tell you whether this needs to go further.

1	Read each question and tick **YES**, **NO** or **UNSURE** honestly. Answer based on what has actually happened — not what you hope or assume.
2	The **RISK column** shows how serious each gap is if your answer is NO or UNSURE. HIGH means the ATO already has or is likely building a direct enforcement pathway. MEDIUM means a developing warning sign.
3	Count your NO and UNSURE answers in the Score Summary at the end. Your HIGH risk gap total is the number that matters most.
4	If RED or AMBER risk gaps are present the next step is clear, free and waiting for you at the end of this tool.

SECTION 1 — ATO Debt & Payment Obligations

Does the ATO have a current or developing debt claim against your company or you personally?

#	Question	YES	NO	UNSURE	RISK
1	Is your company current on all PAYG withholding obligations — meaning nothing is overdue and lodgements are up to date?	☐	☐	☐	HIGH
2	Is your company current on all Superannuation Guarantee Charge obligations — paid on time and in full for every quarter?	☐	☐	☐	HIGH
3	Is your company GST lodgement and payment fully up to date with no outstanding amounts owing to the ATO?	☐	☐	☐	HIGH
4	Does your company have an active ATO payment arrangement in place — and has every instalment been met on time without exception?	☐	☐	☐	HIGH
5	Is your company income tax lodgement fully current with no overdue returns or outstanding assessments?	☐	☐	☐	MEDIUM

SECTION 2 — ATO Contact & Formal Notices

Has the ATO already made contact — and do you understand the significance of what they have sent?

#	Question	YES	NO	UNSURE	RISK
6	Has your company or you personally received any written correspondence from the ATO — letters, portal notices or formal demands — in the last 12 months?	☐	☐	☐	HIGH
7	Have you received a Director Penalty Notice or a warning that one may be issued against you personally?	☐	☐	☐	HIGH
8	Has the ATO contacted you or your company by phone — including informal calls from debt officers or compliance staff?	☐	☐	☐	HIGH
9	Have you received any ATO audit initiation letter, review notice or request for information about your company or personal affairs?	☐	☐	☐	HIGH
10	Has the ATO issued any garnishee notice against your company bank accounts, receivables or other assets?	☐	☐	☐	HIGH

SECTION 3 — Lodgement & Compliance Currency

Is your compliance position giving the ATO a reason to look more closely at you?

#	Question	YES	NO	UNSURE	RISK
11	Are all BAS lodgements for your company fully up to date — no outstanding or overdue activity statements?	☐	☐	☐	HIGH
12	Are all company tax returns lodged and current — no outstanding returns from any prior financial year?	☐	☐	☐	HIGH
13	Is your company PAYG instalment position current — no missed instalments or overdue amounts outstanding?	☐	☐	☐	MEDIUM
14	Does your company have any ATO-imposed penalties, interest charges or general interest charge amounts currently accruing?	☐	☐	☐	MEDIUM

SECTION 4 — Director Personal Exposure Signals

Are there specific signals that the ATO may move against you personally rather than just your company?

#	Question	YES	NO	UNSURE	RISK
15	Do you know whether a Director Penalty Notice can currently be issued against you personally for your company's PAYG or superannuation debts?	☐	☐	☐	HIGH
16	Are you confident that you have not been a director of any company that has had a DPN issued against it in the last seven years?	☐	☐	☐	HIGH
17	Has the ATO registered any charge, caveat or security interest against your personal assets or property?	☐	☐	☐	HIGH
18	Have you or any associated entity been contacted by the ATO's Serious Financial Crime Taskforce or any ATO specialist compliance team?	☐	☐	☐	HIGH

SECTION 5 — ATO Relationship & History

Does your history with the ATO suggest an elevated risk of future enforcement action?

#	Question	YES	NO	UNSURE	RISK

19	Has your company maintained a consistent on-time lodgement and payment record with the ATO over the last three years?	☐	☐	☐	MEDIUM
20	Is your company free of any prior ATO enforcement action — garnishees, wind-up applications or director penalty notices — in its history?	☐	☐	☐	HIGH
21	Do you have a clear understanding of your current ATO account balance across all tax obligations — not just an assumption that your accountant has it covered?	☐	☐	☐	HIGH

YOUR SCORE SUMMARY

Count your answers and enter the totals below. Your HIGH risk NO and UNSURE answers are the most critical number on this page.

✓ YES ANSWERS	✗ NO ANSWERS	? UNSURE ANSWERS
_____	_____	_____
questions ticked	*questions ticked*	*questions ticked*

HIGH RISK QUESTIONS ANSWERED NO OR UNSURE — QUESTIONS 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 20, 21

My count: _____ out of 17 HIGH risk questions

Each HIGH risk gap answered NO or UNSURE indicates that the ATO either has, or is likely developing, a direct enforcement pathway against you or your company. The more gaps present, the more urgent the need for a forensic structural assessment.

WHAT YOUR SCORE MEANS

Score	What It Means
0 HIGH gaps	No obvious ATO enforcement signals are present based on your answers. Maintain your compliance position and review this tool every 12 months or immediately if your lodgement or payment position changes.
1 to 3 HIGH gaps	The ATO has or is likely developing one or more pathways toward you or your company. These signals rarely disappear on their own — they typically escalate. The options available to you narrow significantly once formal enforcement begins. The complexity involved in responding correctly to even one of these signals goes well beyond what your accountant is mandated to manage on your behalf.
4 to 8 HIGH gaps	Multiple serious ATO enforcement signals exist simultaneously in your situation. Each one compounds the others. The personal consequences — your liability, your assets, your ability to act — reduce rapidly as the ATO moves from signal to enforcement. Responding effectively requires forensic structural knowledge, precise timing and specialist intervention that is outside the scope of standard tax advice.
9 or more HIGH gaps	Your ATO exposure is at a critical level across multiple simultaneous enforcement pathways. The window to act proactively is closing. Once the ATO issues formal enforcement notices the options available to you reduce dramatically and the personal consequences — DPNs, garnishees, wind-up applications — become very difficult and very expensive to manage. This situation requires immediate specialist attention.

IF YOUR SCORE HAS IDENTIFIED RED OR AMBER GAPS

The ATO warning signals this tool has helped you identify do not sit in isolation. They are connected to your entity structure, your trust position, your director obligations and your personal guarantee exposure in ways that interact with each other. Responding to one signal without understanding the others can accelerate the very consequences you are trying to avoid.

There is one clear, free and completely confidential next step available to you right now.

The Risk Protector A13 Structural Exposure Assessment

The A13 is the only free forensic structural assessment of its kind available to Australian directors. It goes beyond this tool to identify precisely what your structural gaps are, how serious each one is, and what a genuine solution pathway looks like — in plain English, with absolute discretion and no obligation.

HOW TO GET STARTED — IT IS FREE AND THERE IS NO OBLIGATION:

Visit **www.riskprotector.com.au** and click the **GET MY FREE A13 ASSESSMENT** button.

We will send the A13 Structural Exposure Assessment form directly to you.

No obligation. No cost. Absolute discretion.

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This tool is a self-awareness resource only. It is not a diagnostic, not advice and does not replace a professional structural assessment. Risk Protector Pty Ltd provides strategic advisory services only. Not legal or financial advice. Covered by $50M Professional Indemnity Insurance.

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