

# Superannuation Contributions

Fact Sheet, July 2020 (Applicable to 30 June 2021)

**Concessional contribution** – also known as before-tax contributions. It includes:

- + Compulsory employer superannuation guarantee contributions (SG) and salary sacrifice or additional employer contributions. The minimum SG contribution rate is 9.5%.
- + Tax Deductible personal contributions: If you are under 67, personal contributions are deductible. In order to claim the tax deduction for those aged 67 to 74, you must pass the work test or be eligible for a work test exemption (refer "Work Test").

Concessional contributions are taxed at 15% in your superannuation fund.

**Division 293 Tax** — An additional tax of 15% will be imposed on concessional contributions if your adjusted taxable income was greater than \$250,000. Division 293 tax is levied against the individual but can be paid by the superannuation fund.

**Concessional contributions cap** - \$25,000

**Excess concessional contributions tax** - if you exceed your concessional cap:

- + Amounts in excess of the cap will be taxed at the individual's marginal tax rate, plus an excess concessional contributions (ECC) charge.
- + You may elect to withdraw up to 85% of the excess amount from your superannuation fund. The withdrawn amount will not count towards your non-concessional contributions cap.

**Unused concessional cap carried forward** – if you make or receive concessional contributions of less than the annual concessional contributions cap of \$25,000 p.a, you may be able to accrue these unused amounts for subsequent financial years. To be eligible, your total super balance must have been less than \$500,000 on 30 June of the previous year.

- + 2018/19 was the first year you could accrue unused cap amounts. These amounts can be used from 1 July 2019.
- + Unused amounts are available for a maximum of five years, and after this period will expire.

**Non-concessional contributions** – are contributions from after-tax income. It includes:

- + Personal contributions that have not been claimed as a tax deduction
- + Spouse contributions
- + Contributions which exceeded your concessional contribution cap.

**Non-concessional contributions caps**

- + \$100,000 if the members balance is under \$1.6 million as at 30 June 2020
- + If the members balance exceeds \$1.6 million and non-concessional contributions are made, they will be excess non-concessional contributions.

**Bring Forward Rule** – If you are under 65\*, you may make non-concessional contributions up to three times the annual non-concessional contributions cap. The maximum amount you can contribute depends on your account balance as at 30 June 2020.

Total superannuation balance on 30 June 2020	Maximum non-concessional contributions cap
Less than \$1.4 million	\$300,000
Between \$1.4 million and \$1.5 million	\$200,000
Between \$1.5 million and \$1.6 million	\$100,000
More than \$1.6 million	NIL

- + Changes to the accessing of the bring forward rule which increases the age limit from 65 to 67 from 1 July 2020 have been drafted and are currently before parliament. This change had not been legislated at 1st August 2020.

**Excess non-concessional contribution**

- + Individuals will have the option to withdraw excess non-concessional contributions from super fund (avoiding 47% excess contribution tax).
- + The withdrawal will include associated earnings.
- + The earnings will be taxed at the individual's marginal tax rate.

Please note that contributions also include any expenses paid personally by a member (on the Fund's behalf), and any transfers of listed securities or business real property into the Fund.

**Work Test** — Once the member reaches 67 years of age, they must be gainfully employed and working at least 40 hours over a 30 day period in order to contribute to their Fund.

- + To evidence this, the member will be required to sign a work test statutory declaration, showing they have satisfied the working hours.

Work test exemption - New retirees aged between 67 and 74 with a superannuation balance below \$300,000 as at the previous 30 June will be allowed to make voluntary super contributions for the first year that they no longer meet the work test requirements.

**Turning 75** — Once the member turns 75 years of age, their final contribution must be paid to the Fund by the 28th day of the month after they turn 75 years of age. For example, if your 75th birthday is 7 October; final contribution must be made by 28 November.

Superannuation funds are still eligible to receive SG contributions from members who are over 75 years of age.

### Downsizer contributions

If a member is 65 years old or older, they may be able to make a downsizer contributions into their superannuation of up to \$300,000 (each) from the proceeds of selling their home.

- + Can still be made even if the total super balance is greater than \$1.6 million.
- + Can only be made for the sale of one home.
- + Are not tax deductible and will be taken into account for determining eligibility for the age pension.
- + Are not non-concessional contributions and will not count towards your contributions cap.

You are eligible for downsizer contributions if you satisfy all the following:

- + Must be 65 years old or older at the time you make a downsizer contribution.
- + Home was owned by you or your spouse for 10 years or more prior to the sale.
- + Proceeds from the sale of the home are either exempt/partially exempt from CGT under the main residence exemption.
- + Contract of sale exchanged on or after July 2018.
- + Must make your downsizer contribution within 90 days of receiving the proceeds of sale.

### First home super saver scheme (FHSS scheme)

Members can make voluntary concessional and non-concessional contributions into their super to save for their first home in Australia.

- + To be eligible, member must be at least 18 years old and never owned property in Australia.
- + The maximum a member can contribute each year under the FHSS scheme is \$15,000.
- + The maximum a member can save in total under the FHSS scheme is \$30,000.
- + Release of your concessional contributions along with associated earnings under the FHSS will be taxed at your marginal tax rate less a 30% tax offset. Non-concessional contributions are not subject to tax on withdrawal.

From the date the first FHSS amount is released, you have 12 months to do one of the following:

- + Sign a contract to purchase or construct your residential premises (including vacant land).
- + Recontribute the assessable FHSS amount (less tax) into your super fund.

**Spouse Contribution Tax Offset** — If a member makes a contribution to their spouse's Fund, and the spouse is under 75 and is earning less than \$40,000 in a financial year, the member can claim an 18% tax offset on super contributions up to \$3,000 (maximum of \$540 tax offset), in their personal returns.

- + The spouse must meet the work test if between the ages of 67 and 75.
- + The member cannot claim a tax deduction for these contributions
- + The contributions are classified as non-concessional contributions for the spouse.
- + The amount a member can contribute on behalf of their spouse is subject to the non-concessional contributions caps.
- + The spouses' superannuation balance must not exceed \$1.6 million.
- + If the spouses income is more than \$37,000 for 2020/21, the offset gradually reduces for every dollar you earn over that amount, until it phases out at an income of \$40,000.

**Contribution splitting** — A member can choose to have some of their contributions transferred to their spouse's superannuation account, if they are under the age of 65 and not retired.

- + A member can split up to 85% of their concessional contributions from the previous financial year.

Note: This transfer is effectively a rollover between members and not a way to avoid excess contributions tax.

**Government Co-contribution** — If the member:

- + Made a personal super contribution.
- + Total income less than \$54,837 and more than 10% of their income comes from employment and/or carrying on a business. Total income includes assessable (gross income) reportable fringe benefits and reportable superannuation contributions.
- + Is less than 71 years old at 30 June.
- + Their total superannuation balance is less than \$1.6 million.
- + Is less than 71 years old at 30 June
- + Their total superannuation balance is less than 1.6 million.
- + Has not held a temporary resident visa at anytime during the year.
- + Lodges a tax return.

The will be able to receive the super co-contributions from the government.

- + This amount will not be taxed in the fund.
- + \$0.50 for every \$1 you contribute, up to maximum of \$500 a year.
- + If your total income is more than \$39,837 for 2020-21 your co-contributions entitlement reduces by 3.33 cents for every dollar you earn over that amount, until phases out at \$54,873.

**Low income super tax offset (LISTO)** — The low income super tax offset is a tax offset to ensure that low income earners do not pay more tax on their super contributions than on their take-home pay. The offset is calculated at 15% of your concessional contributions and is capped at \$500.

You are eligible for the LISTO if you satisfy **all** the following:

- + Your adjustable taxable income is \$37,000 or less a year.
- + You or your employer pays concessional contributions for the year.
- + You have not held a temporary resident visa at any time during the income year.
- + You lodge an income tax return and 10% or more of your total income comes from business and/or employment.

Disclaimer: This fact sheet is of a general nature only and is not intended to be relied upon as, nor to be a substitute for, specific professional advice. No responsibility for loss occasioned to any person acting or refraining from action as a result of this information can be accepted. Author: Accru Perth