

Contributions splitting

How to complete your *Superannuation contributions splitting application*.

If you intend to claim a deduction for your personal contributions and split all or part of these contributions, you must give the trustee a valid notice of your intention to claim a deduction. You must send the valid notice before you lodge your *Superannuation contributions splitting application*.

WHO SHOULD COMPLETE THIS APPLICATION?

You should complete this application if you want to split some of your super contributions for the benefit of your spouse.

You should lodge your application with your super fund:

- during the financial year following the end of the financial year that the contributions were made, or
- during the financial year the contributions were made, if before the end of that financial year your **entire** benefit is
 - to be rolled over
 - transferred, or
 - received as a lump sum.

➤ For more information about super contributions splitting, refer to *Superannuation contributions splitting* (NAT 14969).

HOW DO I COMPLETE THIS APPLICATION?

Section A: Your details

Provide your personal details. You don't have to provide your tax file number (TFN) to your super fund. However, if you do, it will help them identify you correctly.

Section B: Your fund's details

Provide the name of your super fund, their Australian business number (ABN) and your member account number so your super fund can identify your account.

⚠ You will find the ABN on your product disclosure statement or member statement. Or, you can contact your super fund for their ABN or, you can search for their details on the *Register of Complying Super Funds (RoCS)*. This is available on our website at www.ato.gov.au



Section C: Your spouse's details

Provide your spouse's personal details. Your spouse does not have to provide their tax file number (TFN) to their super fund. However, if they do, it will help them identify the spouse's account.

Section D: Your spouse's fund details

Provide the name of your spouse's fund and their member account number. This is the account receiving your split contributions. Ensure this account is active.

! Your spouse will find the ABN on their product disclosure statement or member statement. Or, your spouse can contact their super fund to obtain their fund's ABN or, they can search for their details on the *Register of Complying Super Funds (RoCS)*. This is available on our website at www.ato.gov.au

Your spouse can create a new account to receive the contributions and may need to complete a membership application.

! Your spouse must have an active account before you lodge the *Superannuation contributions splitting application*.

Section E: Contributions splitting details

Question 21

Provide the financial year the super contributions were made to your account.

! Only contributions made on or after **1 January 2006**, can be split to your spouse's super account. For contributions made on or after 1 July 2007, different rules apply.

Contribution made between 1 January 2006 and 30 June 2007

The following percentages of contributions made during the relevant financial year can be split:

- up to 85% of taxed splittable contributions
- up to 100% of untaxed splittable employer contributions (certain employer contributions to a public sector superannuation scheme), and
- up to 100% of untaxed splittable contributions provided the contributions were made to a
 - fund on or before **5 April 2007**, or
 - retirement savings account (RSA) on or before **30 April 2007**.

! If the nominated amount exceeds this, your application is invalid.

Contribution made on or after 1 July 2007

The following percentages of contributions made during the relevant financial year can be split:

- up to the lesser of the concessional contributions cap or 85% of concessional contributions for taxed splittable contributions, and
- up to 100% of the concessional contributions cap for untaxed splittable employer contributions (certain employer contributions made to a public sector scheme).

! Due to a change in the law, contributions cannot be included in untaxed splittable contributions if they are made:

- to a super fund after 5 April 2007, or
- to an RSA after 30 April 2007.

Contact your super fund for more information about maximum amounts that can be split. Your super fund can also advise of any rules they have for limits on amounts or percentages of contributions that can be split to your spouse's super account.

Question 22

Taxed splittable contributions

Provide the amount or percentage of taxed splittable contributions you want to split with your spouse.

These contributions are assessable income of your fund.

They include:

- employer contributions (including salary sacrifice contributions)
- personal contributions that you have claimed or intend to claim an income tax deduction for, and
- Superannuation Holding Accounts (SHA) special account amounts or super guarantee entitlements transferred to your super account by us.

A taxed splittable contribution also includes an amount allocated by a trustee from a fund's surplus to meet an employer's liability to make contributions (referred to as allocated surplus contribution amounts).

Question 23

Untaxed splittable contributions

Provide the amount or percentage of untaxed splittable contributions you want to split with your spouse.

These contributions are not assessable income of your fund. They only include contributions made to:

- a super fund on or before **5 April 2007**, or
- an RSA on or before **30 April 2007**.

They include:

- personal contributions that you have not claimed, and do not intend to claim a tax deduction for, and
- super co-contributions.

Question 24

Untaxed splittable employer contributions

Provide the amount or percentage of untaxed splittable employer contributions you want to split with your spouse.

These are generally the untaxed employer contributions made to a public sector super scheme.

EXAMPLE: CONTRIBUTIONS SPLITTING

John's employer contributed \$10,000 to his super fund in the 2006–07 financial year. John also made \$4,000 in personal contributions before 5 April 2007.

John's wife Mary does not have very much super, as she has worked on a part time basis. After the end of the 2006–07 financial year, John decides to split his contributions with Mary. He wants Mary to have \$6,000 of his employer contributions and \$1,000 of his personal contributions. These contributions are within the maximum amount that can be split.

John completes the *Superannuation contributions splitting application* showing:

- \$6,000 in taxed splittable contributions, and
- \$1,000 in untaxed splittable contributions.

! Your super fund can charge administration or management fees to recover the cost of splitting your superannuation contributions.

> If you have any questions about these fees, contact your super fund.

Section F: Your request and declaration

Read the declaration. If all the details are correct, print your full name, sign and date the declaration.

> Send this application to your super fund.

! The information on this application is for you and your super fund. Don't send this information to us. We don't collect this information; we only provide a format for you to provide the information to your super fund.

Section G: Your spouse's declaration

Your spouse should read the declaration. If all the details are correct, they should print their full name, sign and date the declaration.

Your fund may ask for evidence to demonstrate that your spouse:

- has not yet reached preservation age, or
- is between preservation age and age 65 but is not retired.

Your spouse's preservation age is 55 unless they were born after 1 July 1960.

> For more information about preservation age, refer to *Definitions* (NAT 4346).

MORE INFORMATION

For further information about super contribution splitting, refer to *Superannuation contributions splitting for individuals* (NAT 14969).

To obtain copies of our publications or for more information:

- visit our website at **www.ato.gov.au**
- phone **13 10 20** between 8.00am and 6.00pm, Monday to Friday, or
- write to us at
**PO Box 3100
PENRITH NSW 2740**

If you do not speak English well and want to talk to a tax officer, phone the Translating and Interpreting Service on **13 14 50** for help with your call.

If you have a hearing or speech impairment and have access to appropriate TTY or modem equipment, phone **13 36 77**. If you do not have access to TTY or modem equipment, phone the Speech to Speech Relay Service on **1300 555 727**.

OUR COMMITMENT TO YOU

We are committed to providing you with advice and information you can rely on.

We make every effort to ensure that our advice and information is correct. If you follow advice in this publication and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we must still apply the law correctly. If that means you owe us money, we must ask you to pay it. However, we will not charge you a penalty or interest if you acted reasonably and in good faith.

If you make an honest mistake when you try to follow our advice and you owe us money as a result, we will not charge you a penalty. However, we will ask you to pay the money, and we may also charge you interest.

If correcting the mistake means we owe you money, we will pay it to you. We will also pay you any interest you are entitled to.

You are protected under GST law if you have acted on any GST advice in this publication. If you have relied on GST advice in this publication and that advice later changes, you will not have to pay any extra GST for the period up to the date of the change. Similarly, you will not have to pay any penalty or interest.

If you feel this publication does not fully cover your circumstances, please seek help from the Tax Office or a professional adviser.

The information in this publication is current at July 2007.

We regularly revise our publications to take account of any changes to the law, so make sure that you have the latest information. If you are unsure, you can check for a more recent version on our website at **www.ato.gov.au** or contact us.

Section E: Contributions splitting details

21 Financial year ending / /

Write the amount or percentage that your spouse is to receive from the following contributions

22 Taxed splittable contributions

Include employer contributions, salary sacrifice contributions and personal contributions claimed as a tax deduction (eligible persons only).

Dollar amount \$, .~~X~~ OR percentage %

23 Untaxed splittable contributions

Include personal contributions that you do not claim as a tax deduction, and super co-contributions.

! Untaxed splittable contributions will not include any contributions made to your fund after 5 April 2007 (or to your RSA after 30 April 2007).

Dollar amount \$, .~~X~~ OR percentage %

24 Untaxed splittable employer contributions

Include employer contributions for a government employee to a public sector superannuation fund.

! Your super funds can charge administration or management fees to recover the cost of splitting your superannuation contributions.

> If you have any questions about these fees, contact your super fund.

Dollar amount \$, .~~X~~ OR percentage %

Section F: Your request and declaration

I request that you split the contributions detailed in 'Section E' to the superannuation account of my spouse as detailed in 'Section D'. I declare that the information provided on this form is correct.

Name (Print in BLOCK LETTERS)

Signature

Date

/ /

Section G: Your spouse's declaration

I declare that at the date of this application I am the spouse of the applicant and I am:

- less than 55 years of age, or
- between the ages of 55 and 65 years and not retired.

Name (Print in BLOCK LETTERS)

Signature

Date

/ /

> Send your completed application to your superannuation fund.

! The information on this application is for you and your Australian super fund. Don't send this information to us. We don't collect this information; we only provide a format for you to provide the information to your super fund.