

Contributions splitting

How to complete your *Superannuation contributions splitting application*.

⚠ Not all super funds offer contributions splitting and some may require you to use a different application. Your fund may also charge fees to recover the cost of contributions splitting. Check with your fund before completing this application.

⚠ You can only apply to split contributions once for each financial year.

⚠ Contributions splitting does not reduce the amount of contributions that are counted towards your contributions caps. Your super fund must report to us all the contributions you receive, including the contributions transferred to your spouse after a contributions splitting application.

WHO SHOULD COMPLETE THIS APPLICATION?

You should complete this application if you want to increase your spouse's super savings with some of your own. When you split your contributions, you transfer or roll over a portion of contributions from your super account, to your spouse's super account.

⚠ Changes to the law have been made to eliminate discrimination against same-sex couples.

The 'spouse' of a member may be either:

- a person with whom the member is in a relationship that is registered under certain state or territory laws (this includes marriages and registered same-sex relationships)
- a person of the same or of a different sex, who lives with the member on a genuine domestic basis in a relationship as a couple (known as a de-facto spouse).

You can only apply to split contributions if your spouse is either:

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



The contributions you can apply to split are:

- any contributions your employer made for you (including salary sacrifice contributions)
- any personal contributions you made for yourself and advise your super fund that you will claim a tax deduction for. For example, if you are self-employed.

EXAMPLE

John's employer contributed \$10,000 to his super fund in the 2007–08 financial year. He also made \$4,000 in personal contributions during the same year.

John's wife Mary does not have very much super, as she has worked on a part-time basis. After the end of the 2007–08 financial year, John decides to split his contributions with Mary. He wants Mary to have half of his contributions.

John completes the *Superannuation contributions splitting application* and lodges it with his fund during 2008–09 financial year. He puts \$7,000 at question 22 to split his employer contributions. Note, from the 2007–08 financial year splitting is not available for personal contributions.

John's super fund transfers \$7,000 to Mary's super fund in the 2008–09 financial year, as:

- his super fund allows contribution splitting
- the \$7,000 is less than 85% of the \$10,000 he received and under the concessional contributions cap of \$50,000.

➤ If you want to claim a deduction for your personal contributions and then split them, you must give the trustee a *Notice of intent to claim or vary a deduction for personal super contributions* (NAT 71121) before you lodge this application.

BEFORE YOU COMPLETE THIS APPLICATION

For information about the types of contributions you can split and how much can be split each year, refer to *Superannuation contributions splitting – superannuation funds* (NAT 14970). To obtain a copy, visit our website at www.ato.gov.au

HOW DO YOU 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 your super fund does not have your TFN, they may not be able to accept some personal contributions and extra tax may be deducted from your employer contributions.

Section B: Your fund's details

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

- You will find your super fund's ABN:
- on your product disclosure statement or member statement
 - on Super Fund Lookup at www.abn.business.gov.au
 - on their website
 - by contacting them directly.

Section C: Your spouse's details

Provide your spouse's personal details.

Your spouse does not have to provide their TFN to their super fund. However, if their super fund does not have their TFN, they may not be able to accept some personal contributions and extra tax may be deducted from your spouse's employer contributions.

Section D: Your spouse's fund details

Provide the name of your spouse's super fund, the fund's ABN and their member account number.

This is the account that the split contributions will be transferred to. If you do not provide the correct information, your spouse's super fund may not be able to accept the payment.

⚠ Amounts cannot be transferred to an account that has been closed or an account from which a pension is being paid.

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

➤ Your spouse will find their super fund's ABN:

- on their product disclosure statement or member statement
- on Super Fund Lookup at www.abn.business.gov.au
- on their website
- by contacting them directly.

Section E: Contributions splitting details

Question 21

Financial year ending

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

This must be either:

- this current financial year
- the previous financial year.

You cannot apply to split contributions made to your account before the beginning of the previous financial year. For example, if you are applying in the 2008–09 financial year, the super contributions to be split must have been made on or after 1 July 2007.

Question 22

Taxed splittable contributions

Provide the amount or percentage of taxed splittable contributions you received in the financial year that you want to transfer to your spouse. You can ask your super fund to transfer to your spouse up to 85% of the financial year's taxed splittable contributions.

Taxed splittable contributions are concessional contributions made to your super fund and include:

- employer contributions (including salary sacrifice contributions)

- personal contributions you have advised your fund you will use to claim as a tax deduction (for example, because you are self-employed).

They can also include other amounts such as amounts allocated from your super fund's surplus to meet an employer's liability to make contributions. Contact your super fund for details of the taxed splittable contributions that were made to your super account.

⚠ The amount of concessional contributions you ask to split can't be more than the concessional contributions cap for the financial year.

➤ For more information about concessional contributions cap, refer to *Super contributions – too much super can mean extra tax* (NAT 71433). To obtain a copy, visit our website at www.ato.gov.au

⚠ From 1 July 2008, other personal contributions cannot be split with your spouse.

Question 23

Untaxed splittable employer contributions

⚠ Only complete this question if you are a member of a public sector super scheme.

Provide the amount or percentage of untaxed splittable employer contributions you want to transfer to your spouse. There are no limits on the amount of employer contributions you can transfer to your spouse, provided they don't exceed the concessional contributions cap for that financial year.

You can only request to split employer contributions from your public sector super fund.

⚠ Some public sector schemes are not able to offer contributions splitting. You may need to contact your super scheme for further advice before completing this application.

Section F: Your request and declaration

Read the declaration. Check that the information you provided in the application is correct.

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

Section G: Your spouse's declaration

Your spouse should read the declaration and check that they satisfy the age requirements.

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

Your super 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.

➤ Send this application to your super fund not to us. The information you provide allows your super fund to decide if it can comply with your request.

➤ MORE INFORMATION

For information about whether contributions splitting is possible with your super fund, contact your super fund.

For more information about contributions splitting, refer to *Superannuation contributions splitting – superannuation funds* (NAT 14970).

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
- write to us at
Australian Taxation Office
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 guidance you can rely on, so we make every effort to ensure that our publications are correct.

If you follow our guidance 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 but we will not charge you a penalty. Also, if you acted reasonably and in good faith we will not charge you interest.

If you make an honest mistake in trying to follow our guidance in this publication 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.

If you feel that this publication does not fully cover your circumstances, or you are unsure how it applies to you, you can seek further assistance from us.

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.

This publication was current at **February 2009**.



Superannuation contributions splitting application

WHEN COMPLETING THIS FORM

- Print clearly using BLOCK LETTERS.
- Place in ALL applicable boxes.

Section A: Your details

1 Tax file number (TFN)

! You don't have to provide your TFN to your super fund. However, if your super fund does not have your TFN, they may not be able to accept some personal contributions and extra tax may be deducted from your employer contributions.

2 Full name

Title: Mr Mrs Miss Ms Other

Family name

First given name

Other given names

3 Address

Suburb/town

State/territory

Postcode

4 Date of birth

Day: / Month: / Year:

5 Sex

Male Female

6 Daytime phone number (include area code)

7 Email address

Section B: Your super fund's details

8 Fund's name

9 Australian business number (ABN)

10 Member account number

Section C: **Your spouse's details**

11 TFN

! You don't have to provide your TFN to your super fund. However, if your super fund does not have your TFN, they may not be able to accept some personal contributions and extra tax may be deducted from your employer contributions.

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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12 Full name

Title: Mr Mrs Miss Ms Other

Family name

First given name

Other given names

13 Address

Suburb/town

State/territory

Postcode

14 **Date of birth** / /

15 **Sex** Male Female

16 **Daytime phone number** (include area code)

17 Email address

Section D: **Your spouse's super fund details**

18 Fund's name

19 **ABN**

20 **Member account number**

Section E: Contributions splitting details

21 Financial year ending

! This must be either:

- this current financial year
- the previous financial year.

Day Month Year
3 0 / 0 6 /

22 Taxed splittable contributions

Write the amount or percentage that your spouse is to receive.

Dollar amount \$, ~~·~~ **OR** percentage %

23 Untaxed splittable employer contributions

Write the amount or percentage that your spouse is to receive.

Dollar amount \$, ~~·~~ **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

Day Month Year
 / /

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

Day Month Year
 / /

➔ Send your completed application to your superannuation fund.

! The information on this application is for you and your superannuation 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 superannuation fund.