

Print whole section

Growing and keeping track of your super

Your entitlement to super as a worker, how to make extra voluntary contributions, and how to keep track of your super.

Super and planning for retirement

Find out what to consider with your super when planning your retirement.

Growing your super

Grow your super through your employer's contributions, voluntary contributions and available government contributions.

Super from your employer

Find out how much super your employer must contribute to your super fund (known as super guarantee).

Unpaid super from your employer

What you can do if you think your employer hasn't paid your full super entitlements.

How to save more in your super

How to save more in your super by making voluntary contributions. Check your eligibility for government contributions.

Caps limits and tax on super contributions

Find out the caps and limits on super contributions and how they are taxed.

Keeping track of your super

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How to keep track of your super accounts. Find, recover and consolidate lost super.

QC 73081

Super and planning for retirement

Find out what to consider with your super when planning your retirement.

Last updated 22 April 2025

On this page

Check your super

Keep your contact details up to date

Lost and unclaimed super

Estimate how much income you will need to retire

How can I increase my super?

Considering an SMSF to grow your super?

Accessing your super to retire

Tax on super benefits

Consider seeking professional advice

Check your super

When you start to plan for retirement, you'll need to check your super:

- where it is
- · how much you have
- whether you have lost or unclaimed super
- · consider consolidating accounts where relevant
- that your details are up-to-date with the ATO and your super funds.

You can do this in 5 simple steps with our **super health check**. For most people it only takes a few minutes.

It's important to know your total super balance and contributions caps, especially if you plan to contribute to your super. When you check your total super balance, take a note of your concessional and non-concessional contributions. These will indicate if you can make extra contributions or are approaching your limit.

Keep your contact details up to date

it's important to keep your contact details up to date with:

- the ATO
- your super fund (or funds).

This applies even:

- after you retire
- if you don't need to lodge a tax return.

If your super fund loses contact with you, it may be required to pay your super to the ATO.

If we don't have up-to-date details for you, we might not be able to:

- let you know we have your super, or
- pay your super into your bank account.

Lost and unclaimed super

We recommend you:

- regularly review your super using ATO online services, and
- check
 - if you have any lost or unclaimed super
 - that we hold your current bank account details or active super fund nomination.

If you:

- are 65 or older, we will pay any unclaimed super we hold for you directly to your bank account if we are able to do so
- want any unclaimed super money to remain as super, ensure you have an active fund nomination in place with the ATO.

If we don't have an active fund nomination from you recorded on our system, we may (by law) be required to pay any unclaimed super directly to you to when we receive it from your fund. This may not align with your financial plans.

Estimate how much income you will need to retire

The Australian Securities and Investment Commission's (ASIC) Moneysmart website has information and tools to help you <u>prepare to</u> retire ☑. You can use their:

- <u>Super and pension age calculator</u> of to work out when you can access your super and the age pension
- <u>Budget planner</u> to work out your living costs
- Retirement planner \(\text{to estimate your income from super and the age pension.} \)

How can I increase my super?

You can increase your super by making extra contributions. Before deciding whether to contribute extra, remember to consider your total super balance and contribution caps. Exceeding the caps may lead to extra tax.

If you decide to contribute extra to your super, the Moneysmart <u>super</u> <u>contributions optimiser</u> will help you work out which type of contribution will give your super the biggest boost.

The following contribution types may be available as options to increase your super (separate eligibility conditions apply):

- concessional and non-concessional contributions
- carry forward unused contribution cap amounts
- downsizer super contribution for people over 55 who have sold their primary residence
- government co-contributions to match your extra personal contributions (up to \$500)
- a low income super tax offset (LISTO) payment (up to \$500)
- spouse contributions
- capital gains tax retirement exemption contribution for people under 55 if you are selling a small business.

If you are employed, it's important to remember that your employer's contributions will count towards your concessional contributions cap.

You may have more than one super account. Consider consolidating your super which means combining super into one account to help save on fees.

Visit ASIC's Moneysmart to learn more about how to grow your super

You can also talk to your super fund about the investment options available to help you grow your super.

Considering an SMSF to grow your super?

If you're thinking about a self-managed super fund (SMSF) to grow your super, visit Moneysmart to learn more about what is required and to understand if an SMSF \square is right for you.

Accessing your super to retire

When you reach your preservation age and retire, you can access your super to fund your retirement.

You can also access your super:

- when you turn 65 years old
- if you are aged 60 to 64 years of age, under the transition to retirement rules, while you continue to work.

For more information, see Accessing your super to retire.

You can access your super as a lump sum, income stream or a combination of both. Visit Moneysmart to learn more about your retirement income .

After you retire, you may decide to return to work, and you may be able to contribute to your super again. However, it's essential to consider how this might affect your income, including Australian Government payments (such as the age pension) and your superannuation.

You can discuss your options:

- by using the Financial Information Service Services Australia ☐
- with your super fund
- by contacting an independent financial advisor to understand any potential impacts.

Each fund has governing rules. It's essential that you talk to your super fund about how you can access your super in retirement and what options are available to you. If you're a member of an SMSF, understand how you can be paid your benefits.

Tax on super benefits

The tax on super benefits depends on factors like your age, payment amount, and whether your super is taxed or untaxed. If you are 60 years old or older, your super payments may be tax free. For personalised advice, consult your super fund or a registered tax practitioner.

If you're considering an income stream, check your transfer balance cap (TBC). Exceeding your TBC may lead to extra tax. TBC also applies to a death benefit income stream.

For more information, see Tax on super benefits.

Consider seeking professional advice

This information is not financial advice. You should consider if you need professional advice from:

- a registered financial adviser
- your super fund
- a <u>registered tax practitioner</u> <a>□.

Their guidance can help you make informed decisions about your super, tax and retirement options.

Learn more about your options at $\underline{\text{Financial advice}}$ \square on the Moneysmart website.

QC 103048

Growing your super

Grow your super through your employer's contributions, voluntary contributions and available government contributions.

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Your superannuation investment grows through:

- your employer's compulsory super guarantee contributions (concessional contributions)
- any voluntary contributions out of your pre-tax income, such as salary sacrifice and personal contributions you're allowed as an income tax deduction (concessional contributions)
- any government super contributions you're eligible for

 any voluntary contributions you or your spouse make out of aftertax income sources (non-concessional contributions).

Your pre-tax income contributions (other than super guarantee) are your reportable super contributions, which:

- appear on your online income statement or payment summary at the end of the income year
- are not included in your assessable income, but are taken into account in income tests for some benefits, concessions and obligations administered by the ATO and Centrelink.

Caps apply to the amounts that can be contributed to your super each financial year. If you go over these caps, you may have to pay extra tax.

While there are restrictions on contributions, and your total super balance affects how the super rules apply to you, there is no limit on the total amount you can hold in **accumulation phase** in one or more super funds.

Main categories of superannuation contributions

Figure shows the main categories of super contributions, specifically what is included in concessional and non-concessional contributions on the one hand, and on the other the overlapping categories of reportable and voluntary contributions

Use ATO online services to find out how much super you have based on what super funds report to us.

Log in to ATO online services

If you don't have a myGov account, create one and link it to the ATO.

You can also use ATO online services to consolidate your super accounts and find any accounts you've lost touch with, including unclaimed super that has been transferred to us.

To help compare options and choose a super fund that meets your needs you can:

- view Choosing a super fund on ASIC's MoneySmart website
- use the YourSuper comparison tool.

Super from your employer

Find out how much super your employer must contribute to your super fund (known as super guarantee).

Last updated 23 April 2024

On this page

Super guarantee

Independent Contractors

Working overseas temporarily

Working in Australia temporarily

With multiple employers you may be able to partially opt out of SG

Super guarantee

If you're eligible for super guarantee (SG) contributions, your employer must pay the minimum SG contribution based on the current super guarantee percentage of your <u>ordinary time earnings</u> (up to the maximum contribution base).

Generally, all employees are eligible for SG. It doesn't matter if you're:

- full time, part time or casual except that if you're
 - under 18 years old, you're only eligible for SG contributions if you work more than 30 hours in a week
 - paid to do work of a private or domestic nature, you're only eligible for SG contributions if you work more than 30 hours in a week

- receiving a super pension or annuity while working (including employees on transition to retirement income streams)
- a temporary resident, such as a backpacker with some <u>exceptions</u>
- a company director
- a family member working in the employer's business.

You're eligible for SG regardless of the amount paid – how much you earn is not relevant (up to the maximum contribution base).

Your employer must pay SG contributions into your super account at least every three months. You may be able to **choose** the super fund your SG contributions are paid into.

Employers who don't pay SG contributions in full by the due date (28 days after the end of the quarter) or into the right fund must pay the super guarantee charge to us. We then pay SG shortfalls and any interest into your super account. (See **Unpaid super from your** employer.)

SG payments are classified as employer contributions and count towards your concessional (before-tax) contributions cap.

Any salary sacrifice super contributions or other contributions your employer makes on your behalf are additional to your SG entitlement.

From 1 January 2020, salary sacrificed super contributions will not:

- reduce the ordinary time earnings that your employer is required to calculate your super entitlement on
- count towards the amount of super guarantee contributions that your employer is required to make in order for them to avoid the super guarantee charge.

The Am I entitled to super? tool will help you confirm whether or not you're entitled to SG contributions.

Ordinary time earnings

Ordinary time earnings are generally what you earn for ordinary hours of work, and include:

- over-award payments
- commissions

- allowances
- bonuses
- paid leave.

Ordinary time earnings don't include overtime. The Estimate my super tool will help you calculate your SG entitlement.

Any amounts you salary sacrifice are not deducted from the ordinary time earnings amount on which your SG entitlement is calculated.

Independent Contractors

If you're an independent contractor but considered an employee for super purposes, you may be entitled to SG contributions from your employer.

If you're an independent contractor paid wholly or principally for your labour, you're considered an employee for super purposes and entitled to super guarantee contributions under the same rules as employees.

A contract may be considered 'wholly or principally for labour' if:

- you're paid wholly or principally for your personal labour and skills
- you perform the contract work personally
- you're paid for hours worked, rather than to achieve a result.

For super to apply, the contract must be directly between you and your employer. It can't be through another person or through a company, trust or partnership.

To work out if you're entitled to super guarantee contributions see Employee or independent contractor.

Working overseas temporarily

If you work overseas for an Australian employer for a temporary period, your employer must continue to pay super contributions for you in Australia.

You or your employer won't have to pay additional super (or its equivalent) in the other country if both of the following apply:

- the country has a bilateral social security agreement with Australia to avoid double superannuation obligations
- your employer gets a certificate of coverage from us.

However, your employer is not required to make super contributions if you're:

- a foreign resident for tax purposes who is paid to do work outside Australia
- an Australian resident for tax purposes who is paid by a nonresident employer for work done outside Australia.

Working in Australia temporarily

Your employer is **not required** to make super contributions if you're:

- a senior foreign executive working in Australia on a certain class of visa
- temporarily working in Australia for an overseas employer and are covered by the super provisions of a bilateral social security agreement.

With multiple employers you may be able to partially opt out of SG

If you have more than one employer and expect their super contributions will exceed your concessional contributions cap, you can apply to opt out of receiving SG from some of your employers.

Super guarantee opt out for high-income earners with multiple employers



Check if you can opt out of receiving super guarantee from some employers to avoid exceeding the contributions cap.

Super guarantee opt out for highincome earners with multiple employers

Check if you can opt out of receiving super guarantee from some employers to avoid exceeding the contributions cap.

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On this page

Eligibility

How to apply for an exemption certificate

What we consider

Eligibility

You may be eligible to opt out of receiving some super guarantee (SG) contributions if you have more than one employer and expect their mandated concessional super contributions to exceed your concessional contributions cap for a financial year.

The SG employer shortfall exemption certificate releases one or more of your employers from their SG obligations for up to four quarters in one financial year. You still need to receive SG contributions from at least one employer for each quarter.

The exemption certificate means the employer will not be liable for the super guarantee charge (SGC) if they don't make SG contributions on your behalf for the quarters covered by the certificate. It's important you talk to your employer before applying as they can choose to disregard an exemption certificate and continue to make SG contributions.

Before applying, consider your employment arrangements, such as how your pay and other entitlements may change and the effect of any relevant award or workplace agreement. Your tax agent may provide you with advice based on your circumstances.

How to apply for an exemption certificate

Use the Super guarantee opt out for high income earners with multiple employers form (NAT 75067) to apply for a SG employer shortfall exemption certificate.

The application:

- must be made by the employee to be covered by the certificate an employer can't apply for an exemption certificate
- can only be made in respect of current employers
- must be lodged in the approved form at least 60 days before the first day of the first quarter that the application relates to.

We must receive your application at least 60 days before the first quarter for which the employer shortfall exemption certificate is sought as shown in this table.

Due dates for super guarantee opt out exemption certificate

Quarter beginning	We must receive the application on or before
1 July	2 May
1 October	2 August
1 January	2 November of the preceding calendar year
1 April	31 January (or 1 February in a leap year)

An exemption certificate can be for a period of up to four quarters in one financial year. A separate application is required for each financial year.

What we consider

We will only issue you with an exemption certificate if:

• you're likely to exceed your concessional contributions cap in the financial year that includes the quarters for which an exemption is

sought

 after issuing the certificate, you will still have at least one employer obliged to pay SG contributions in each quarter covered in the exemption certificate.

When considering your application, we will take into account the effect of any other certificates already issued to you for the financial year.

If your application is approved, we will issue a written notice to each of your employers covered by an exemption certificate. We will also send you a copy of the certificate for each exempted employer.

Once issued, the exemption certificate cannot be varied or revoked.

If we decline your application, we will notify you. We are not required to inform your employers.

If you're dissatisfied with our decision, you may Dispute or object to an ATO decision.

QC 60265

Unpaid super from your employer

What you can do if you think your employer hasn't paid your full super entitlements.

Last updated 17 February 2025

On this page

If your employer hasn't paid your super correctly

Unpaid super - what you can do

Other ways to claim your unpaid super

Unpaid super for independent contractors

If your employer hasn't paid your super correctly

As an employee, or an independent contractor paid mainly for your labour, you're entitled to mandatory <u>super guarantee</u> (SG) contributions from your employer.

If you suspect your employer hasn't paid in full, on time and to the correct fund, you should check with them and your nominated super fund.

If you're not sure which fund your super may have been paid into, you can check and <u>keep</u> 't track of your super online using ATO online services.

If you confirm your employer hasn't met their super obligations, follow the steps on this page to report unpaid super.

If we determine that your employer (or former employer) has not complied with their SG obligations for you, or we reasonably suspect this to be the case, we may disclose details to you.

Employers who don't pay your super contributions in full, on time or to the correct fund must pay the **super guarantee charge** (SGC) to us. We then pay SG shortfalls and interest into your super account. In this case, your super entitlement is based on your gross salary and wages including any allowances and overtime payments.

Unpaid super - what you can do

If you think your employer has not been paying your super contributions correctly, follow these steps:

Step 1: Am I entitled to super?

Use our Am I entitled to super? 1 tool to confirm that you're entitled to super before taking any further steps.

After answering some questions about the working arrangement between you and your employer, you'll determine whether you're entitled to super contributions from them.

If you are entitled to super, go to step 2.

Step 2: Has the correct super been paid into the right fund?

Employers have an obligation to pay SG a minimum of 4 times a year. These quarterly due dates are outlined in due dates for lodgment. Employers may pay more frequently, for example, with your salary payment (weekly, fortnightly or monthly). But if they don't, it doesn't mean they have failed to meet their SG obligations.

Check how much has been paid into your super fund by:

- looking up your super account in ATO online services to view the super contributions that have been paid into your nominated super fund and reported to us
- asking your employer
 - how much they've paid
 - was it paid on time
 - which fund they've paid it into
- checking your member statement from your super fund.

If you've left a job and are no longer in touch with your previous employer, check whether your super has been paid into a different fund than the one you expected. You can keep track of your super online using ATO online services.

If you think your super entitlements have not been paid into the right fund, check if you're eligible to **choose a super fund**. If so, check whether the payments have been paid into the fund you nominated on a superannuation standard choice form.

If you're satisfied that your super entitlements have not been paid or have been underpaid, go to step 3.

Step 3: Calculate my super entitlements

If you know how much super hasn't been paid and the period it relates to, go to step 4.

If you're unsure of how much super you should be paid, use the $\underline{\text{estimate my super}}$ \square calculator to work out your entitlement. If you believe you haven't been paid the correct super, go to $\underline{\text{step 4}}$.

Step 4: Report any unpaid super

If possible, try to discuss your unpaid super with your employer before reporting them. For example, if they've made a simple mistake in calculating your entitlement or paying it into the right fund, an open discussion might be the most effective way to sort things out and get your super back on track.

If you've confirmed your super still hasn't been paid correctly and you have completed all the checks in the above steps, use our online tool to report unpaid super contributions from my employer .

We will notify you if we successfully collect your unpaid super and pay it to your super fund. This process can take some time, and not every referral results in the collection of unpaid super.

How we are prompting employers to pay super

If an employee believes their SG contribution hasn't been paid correctly, they can contact us and lodge a referral. We have improved access to Single Touch Payroll and superannuation fund data, which is combined with employee referrals to help identify employers who may not have met their super guarantee obligations. We use this information to detect non-compliance and implement preventative and corrective strategies when employers do not meet their obligations.

If our data indicates that an employer isn't meeting their SG obligations, we will remind them to lodge an SGC statement and meet their obligations.

Early identification means we can act sooner to prompt employers who are not meeting their obligations and reduces the need for employees to notify us of unpaid super. Many cases of unpaid super are resolved when we issue prompts and reminders.

We are treating all employers equally based on their behaviour, regardless of whether we are alerted to their non-compliance by data or an employee.

Documentation if your unpaid super is from over 5 years ago

We may not be able to take action where your unpaid super is for a period that ended over 5 years ago. This is because employers are only required to keep employment records for 5 years.

However, if you reported your income as salary and wages to the ATO, we may be able follow up an unpaid SG referral for a period that ended

over 5 years ago. You will need to provide:

- payslips and any other payment documentation, including payment summaries, for the relevant period
- super fund statements for the relevant years, plus a further 6 months.

Even with this information, there's no guarantee your unpaid SG referral can be progressed.

Other ways to claim your unpaid super

There are other ways you can try to claim unpaid super from your employer:

- The Fair Work Ombudsman (FWO) may be able to help you if you haven't received all your workplace conditions and entitlements. They may get you to complete a wages and conditions claim form and pursue your entitlements on your behalf, including going to court. The ATO can only investigate shortfalls in contributions that are required under the SG rate. Any entitlement you have above this (such as under an industrial award) is a matter for the FWO.
- Some investigations result in the FWO receiving payments from employers for outstanding wages and entitlements. You can <u>search</u> <u>for unpaid wages</u> ☐ on the FWO website to find out if your employer paid the Australian Government money owed to you.
- If you're employed under the national workplace relations system, you can seek an order from an eligible court under the Fair Work Act 2009. This includes people who are or were employed in any state or territory other than Western Australia, or by a company in Western Australia or under a federal award or agreement.
- If you're employed under one of the state industrial relations systems (in NSW, Queensland, South Australia, Western Australia or Tasmania), each state has laws that enable the courts to order your employer to pay the shortfall amount to your super fund.

Unpaid super for independent contractors

If you're an independent contractor paid mainly for your labour, you're considered an employee for SG purposes. You're entitled to employer SG contributions under the same rules as other employees.

If you're entitled to SG contributions and your employer doesn't pay the amount because they incorrectly classify you, we can take compliance action against your employer.

However, we may decide not to get involved nor allocate resources to take compliance action, when:

- both parties have in the past had a mutual understanding that the worker is not an employee for SG purposes
- you presented yourself as an independent contractor who is not paid mainly for your labour – for example, if you've been claiming substantial business deductions or the entrepreneur's tax offset.

If you consider yourself to be an employee for SG purposes, you should first review your personal tax returns to see if you've claimed business income and deductions.

Note that penalties for false or misleading statements may apply if you deliberately misrepresented the information supplied in your tax returns.

If your employer deliberately misclassified you as an independent contractor, and you have been presenting yourself as an employee for SG purposes, we will take compliance action against your employer for unpaid SG contributions.

QC 47931

Our commitment to you

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet your obligations.

If you follow our information and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we will take that into account when determining what action, if any, we should take.

Some of the information on this website applies to a specific financial year. This is clearly marked. Make sure you have the information for the right year before making decisions based on that information.

If you feel that our information does not fully cover your circumstances, or you are unsure how it applies to you, contact us or seek professional advice.

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