

# Employer and Salary Sacrifice Contributions for Defined Benefit Members of the NRMA Superannuation Plan

## 1. Concessional Contributions Cap

Concessional contributions include employer contributions, salary sacrifice contributions and personal contributions for which a tax deduction is claimed. Concessional contributions up to the cap are taxed at 15% and concessional contributions above the cap are subject to additional tax.

The concessional contributions cap is:

<b>Financial Year</b>	<b>Concessional Contributions cap</b>
2021 - 22	\$27,500

The \$27,500 cap is indexed to AWOTE (Average Weekly Ordinary Time Earnings), however the actual increase only occurs in increments of \$2,500.

For defined benefit members, the Government has set out a standard method that superannuation funds must follow to work out the amount of concessional contributions for a financial year. The total concessional contributions for a defined benefit member include any concessional contributions to provide accumulation benefits as well as notional taxed contributions relating to their defined benefit. These notional taxed contributions are calculated using a standard method that is set out in Sections 3 and 4 as it applies to the NRMA Superannuation Plan.

If the concessional contributions for a financial year exceeds your concessional contribution cap, then the concessional contributions above the cap are subject to additional tax. However, special Grandfathering provisions may apply - see Section 4 for more information.

Carry-forward rules allow you to make extra concessional contributions - above the general concessional contributions cap - without having to pay extra tax. The carry-forward arrangements involve accessing unused concessional cap amounts from previous years if your total super balance at the previous 30 June is less than \$500,000.

If your concessional contributions have exceeded the concessional contribution cap, the Australian Taxation Office (ATO) will contact you directly.

Please note that if you are a member of any other superannuation fund, your contributions will consist of the amount reported by Sunsuper plus the total of all other amounts reported by any other superannuation fund(s) for which you are a member.

## **2. Additional Tax Where Income Exceeds \$250,000 - The Division 293 Tax**

If your income including before-tax (concessional) contributions is over \$250,000, an additional 15% tax will apply to some or all of these contributions. Please refer to the ATO website for the definition of income.

The ATO is responsible for assessing liability for this tax, based on a member's personal income tax returns and contribution information provided by superannuation funds. ATO assessments relating to this tax refer to it as 'Division 293 Tax'.

For defined benefit members, the standard method for calculating total concessional contributions for a financial year for the NRMA Superannuation Plan is as set out in Section 3.

Please note that if you are a member of any other superannuation fund, your contributions will consist of the amount reported by Sunsuper plus the total of all other amounts reported by any other superannuation fund(s) for which you are a member.

Where a defined benefit member is subject to a Division 293 Tax assessment, then payment of that part of their liability will be deferred until the defined benefit becomes payable.

If this additional tax applies to you, the ATO will contact you directly.

## **3. Total Concessional Contributions for Defined Benefit Members**

The standard method for calculating the total concessional contributions for a defined benefit member for a financial year is the sum of items A and B below:

### **A. Notional Taxed Contributions**

The amount is calculated as:

$$\begin{aligned} & \text{(Contribution Rate x Salary)} \\ & \text{less} \\ & \text{(1.2 x Dollar value of Member After-Tax Contributions)} \end{aligned}$$

Where:

**Contribution Rate** is the rate for the benefit category set out below.

Description of the Benefit Category	Contribution Rate
DB Category A5 Ex-NRMA 5% member contribution rate After-tax	16.8%
DB Category A5A Ex-NRMA 5% member contribution rate Before-tax	15.6%
DB Category A3 Ex-NRMA 3% member contribution rate After-tax	13.2%
DB Category A3A Ex-NRMA 3% member contribution rate Before-tax	13.2%
DB Category A0 Ex-NRMA Non-contributory	9.6%

**Salary** is the member’s annual superannuation salary on 1 July at the beginning of each financial year.

**Member After-Tax Contributions** is the amount of member’s compulsory after-tax contributions for the defined benefit.

Notes

- a. Where the compulsory member contribution is made by salary sacrifice there is no deduction from the formula in item A. above as these are incorporated into the Contribution Rate.
- b. For part-time members, the calculation is done on a pro-rata basis.
- c. For a member who leaves the plan during the financial year, the calculation is done on a pro-rata basis.
- d. Where a defined benefit is increased above the benefits provided in the Plan’s rules, an additional concessional contribution may be reported to the Tax Office as a concessional contribution amount.

**B. Accumulation Component**

The amount of concessional contributions during a financial year to provide accumulation benefits that are not included in item A. above (the notional taxed contributions component). For example:

- Additional salary sacrifice contributions above the compulsory defined benefit member contribution amount.
- Additional employer contributions allocated to a separate accumulation account that is payable in addition to the basic defined benefit component.
- The 0.05% p.a. on a defined benefit member’s Additional accumulation account that represents the administration fee paid by your employer.

#### **4. Grandfathering Arrangements for Defined Benefit Members**

Grandfathering arrangements may apply if you were a defined benefit member on 12 May 2009 and the Notional Taxed Contribution (item A above) exceeds the concessional contribution cap.

Note that grandfathering arrangements do not apply to the Division 293 Tax.

If you are eligible for grandfathering, then the maximum amount of the Notional Taxed Contribution under item A above will be equal to the concessional contribution cap for the financial year.

The Grandfathering arrangements cease to apply in certain circumstances, for example:

- If the rules have changed or a discretion is exercised to improve the member's defined benefit;
- If the member has moved to a new benefit category and the Contribution rate increases;
- If the method of calculating superannuation salary has changed in a way that would increase the superannuation salary;
- If the rate of superannuation salary increase is more than 50% in 1 year on a non-arms length basis; or
- If the rate of superannuation salary increase is more than 75% over 3 years on a non-arms length basis.

#### **5. Example**

A DB Category A5A Ex-NRMA 5% member contribution rate (Before-tax) member has a salary of \$100,000 at the beginning of the 2021/22 financial year. The compulsory member contributions are paid as salary sacrifice contributions. The member pays additional salary sacrifice contributions of \$4,000. The employer pays an additional contribution of \$1,000 on their behalf. The member has an average Additional accumulation account of \$50,000 over the financial year.

The amount of concessional contributions to be reported to the ATO for the 2021/22 financial year would be:

1. Notional Taxed Contributions

(Contribution Rate x Salary) less (1.2 x Dollar value of Member After-Tax Contributions)

$$\begin{aligned} &= (15.6\% \times \$100,000) - (1.2 \times 0) \\ &= \$15,600. \end{aligned}$$

Plus

2. Accumulation Component:  $\$4000 + \$1,000 + (0.05\% \text{ pa} \times \$50,000) = \$5,025$ .

**For the 2021/22 financial year, the total amount of concessional contributions to be reported to the ATO is \$20,625.** In this example, the member could make additional salary sacrifice contributions of up to \$6,875 (\$27,500 less \$20,625) without breaching the concessional cap of \$27,500.

As the salary plus concessional contributions is less than \$250,000, no Division 293 Tax is payable.

July 2021

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