

Completing your *Contributions for personal injury election*

WHO SHOULD COMPLETE THIS ELECTION?

You or your legal representative must complete this election if:

- you have received an eligible personal injury payment, and
- you want to contribute all or part of the amount to super without it counting towards your non-concessional contributions cap.

Eligible personal injury payments are either of the following:

- a payment made under a written settlement agreement of a claim for damages for personal injury or a court order for such a claim
- a workers compensation payment taken as a lump sum.

Additionally, at least two legally qualified medical practitioners must have certified that because of the personal injury, it is unlikely that you can ever be gainfully employed in a capacity for which you were reasonably qualified because of education, experience or training.

If a payment was for compensation or damages for personal injury and for some other matter, you can only include the part of the payment that is compensation or damages for the personal injury.

To exclude your contribution from the non-concessional contributions cap you must:

- send this form to your super fund before or when you make the contribution
- make your contribution within 90 days of whichever of the following events occurs last
 - the day you received the personal injury payment
 - the day an agreement for settlement of personal injury payment was entered into
 - the day on which a court order for the personal injury payment was made.

HOW DO YOU COMPLETE THIS ELECTION?

Section A: Your fund's details

Provide the name of your super fund and your member account number so your super fund can identify your account.



Section B: Your details

Provide your personal details so your super fund can identify you.

You don't have to provide your tax file number (TFN) to your super fund. However, if you don't and your super fund doesn't already have your TFN, they may not be able to accept your contribution.

Section C: Legal representative's details

If your legal representative completes this form on your behalf, they must provide their details.

! Your super fund may need your authorisation to deal with your legal personal representative.

Section D: Amount

Provide the amount of your contributions that arise from the settlement or court order for the personal injury payment and meet the requirements of section 292-95 of the *Income Tax Assessment Act 1997*.

This amount will be excluded from your non-concessional contributions cap.

Section E: Declaration

Read the declaration. If it is correct, print your full name, sign and date the declaration.

If the form is completed by your legal representative, they will need to sign the declaration on your behalf.

➤ Send this election to your super fund either before or when the contribution is made.

! Do not send this election to us, as we do not collect this information.

➤ MORE INFORMATION

For more information about the personal injury election:

- 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
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.

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WHEN COMPLETING THIS FORM

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

Section A: Your fund's details

1 Fund's name

2 Australian business number (ABN)

3 Member account number

Section B: Your details

4 Tax file number (TFN)

! You don't have to provide your TFN to your super fund. However, if you don't and your super fund doesn't already have your TFN, they may not be able to accept your contribution.

5 Full name

Title: Mr Mrs Miss Ms Other

Family name

First given name

Other given names

6 Address

Suburb/town

State/territory

Postcode

7 Date of birth / /

8 Sex Male Female

9 Daytime phone number (include area code)

