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First home super saver scheme

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QC 54085

About the FHSS scheme

Learn how the first home super saver (FHSS) scheme can help you save for your first home.

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How the FHSS scheme works

The FHSS scheme helps you save for your first home by letting you:

- put extra money into your super in the form of personal voluntary contributions
- later withdraw the money to use as part of your home deposit.

Because super is taxed differently from your regular income, this can help your savings grow faster. Your voluntary concessional contributions are taxed at 15%, which is usually less than your marginal income tax rate. Assessable FHSS released amounts also benefit from a 30% FHSS tax offset.

You don't need to be an Australian citizen or Australian resident for tax purposes to use the FHSS scheme.

How much you can contribute and withdraw

Using the FHSS scheme, you can contribute a maximum of $15,000 in any one financial year up to a total maximum of $50,000 across all years.

When you want to access your FHSS amount to buy a home you can withdraw:

- 100% of your eligible personal voluntary contributions that you **have not claimed** a tax deduction for. These are non-concessional contribution.
- 85% of eligible personal voluntary super contributions you **have claimed** a tax deduction for. These are concessional contribution.
- 85% of your eligible salary sacrifice contributions. These are concessional contribution.
- an amount of associated earnings on both concessional and non-concessional contributions.

Working out how much you have for your purchase

When you're ready to use the funds to help buy a home in Australia, you can:

1. request an FHSS determination to work out how much you have available for release
2. submit a request to release your FHSS amount plus associated earnings.

It's important you request a FHSS determination before ownership of any real property transfers to you. You must request the determination before settlement of a property contract.

QC 107677

Is the FHSS scheme right for me?

Understand the impact of the scheme on your tax, your property purchase and other available government schemes.

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What you need to know about using the FHSS scheme

The FHSS isn't right for everybody. Before you start saving in your super fund, make sure you understand:

- the impacts of using the scheme
- property purchase considerations when using the scheme
- the use of state or territory government concessions
- the eligibility criteria.

The content on this page explains the basics of the FHSS. You can also visit the ATO Publication Ordering Service to place an order or download our FHSS scheme essentials (PDF, 365KB). The publication summarises everything to consider if you're planning to use your super savings to purchase your first home.

For technical information on the FHSS scheme, see:

- Guidance Note GN 2024/1 *First home super saver scheme*
- Taxation Ruling TR 2024/4 *First home super saver scheme*.

Impacts of using the FHSS scheme

The following are possible impacts of using the FHSS scheme:

- Assessable FHSS amounts that are released to you will affect your income tax in that year. You will receive a FHSS payment summary from us which details the total amount released, the amount that is assessable for tax (called the assessable FHSS released amount) and the amount of tax that was withheld. You need to include these amounts in your tax return in the year in which you make the request to release.
- Your assessable FHSS released amount is **not** included in your assessable income for calculating family assistance and child support payments.
- If you have an outstanding debt with the ATO or another Commonwealth agency, your FHSS release amount
  - may be offset against this debt
  - could be reduced (including to nil)
  - will take longer to be released to you.

If you are unsure the FHSS scheme is right for you, consider getting help from a financial advisor. For financial tips, safety advice and free tools and calculators, you can also visit the ASIC's Money Smart website or call **1300 300 630**.

Property purchase considerations when using the FHSS scheme

If you use the FHSS scheme to buy your first home, you must both:

- genuinely intend to occupy the property as a home as soon as practicable after purchase
- occupy it for at least 6 of the first 12 months from when it is practicable to occupy it.

You can't use the FHSS scheme to purchase:

- any premises not capable of being occupied as a residence
- a houseboat
- a motor home
- vacant land.

However, you can use the FHSS scheme for the construction of a home on vacant land, provided ownership of the vacant land has not transferred to you before applying for a FHSS determination. The contract to construct the home on the vacant land must be entered into within 12 months (or other period allowed) from the date you request a FHSS release.

State or territory government concessions

The FHSS scheme is separate to other concessions offered by state or territory governments.

Using other state or territory government concessions as a first home buyer doesn't impact your ability to access the FHSS scheme.

If you want to access state or territory government concessions as a first home buyer, you will need to check with the relevant state or territory government authority to confirm you meet the eligibility criteria for each concession, including whether using the FHSS scheme may impact your ability to access those concessions.

QC 107678

Eligibility for the FHSS scheme

Understand the eligibility conditions for using the first home super savers scheme.

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Eligibility for the FHSS scheme

The FHSS scheme can be used to purchase or build residential property in Australia for you to live in as your first home.

Eligibility is assessed on an individual basis. This means that couples, siblings or friends can each access their own eligible FHSS contributions to purchase the same property. If any of you have previously owned a home, it will not stop anyone else who is eligible from applying.

To use this scheme, you must satisfy **all** the following conditions:

- You're 18 years old or older when requesting a FHSS determination. Your FHSS determination can include eligible contributions that were made before you turned 18.
- You're a first home buyer who has never owned property in Australia. This includes an investment property, vacant land, commercial property, a lease of land, or a company title interest in land. However, if you've previously owned property, you may still qualify if we determine that you've suffered FHSS financial hardship.
- Your name must be on the title of the property you buy. **Note:** If you have inherited a share of a property and your name was listed on the title, you are still considered to be an owner of the property. Being listed on utility bills but not listed on the title is not considered ownership for the purpose of eligibility for FHSS.
- You don't have a completed release request in relation to a FHSS determination made in relation to you.

Example: eligibility to request a first home super saver determination

Sushant, who was born in 1987, has never:

- used the FHSS scheme before
- owned property in Australia.

On 20 February 2025, Sushant enters a contract to purchase a house in Broome. Sushant registers his interest in the property with the Western Australian Land Title Office on 17 April 2025.

Sushant is eligible to request an FHSS determination as long as he does so before 17 April 2025. He is not eligible to request one after that time because he will then own property in Australia.

Example: eligibility to request a first home super saver determination

Guo, who is aged over 18, has never used the FHSS scheme before. He currently owns a residential property in Melbourne. He decides to sell his property and buy another home with his partner, Caleb.

Caleb is also aged over 18 and has never used the FHSS scheme before. He has never held any interest in real property in Australia.

Guo is not eligible for the FHSS scheme as he has already held a relevant interest in real property in Australia. He can't make a valid request for an FHSS determination.

However, eligibility for the FHSS scheme is determined on an individual basis, so Guo having owned property will not stop Caleb from being eligible to request an FHSS determination.

Caleb is eligible to request an FHSS determination, as he is over 18 and has not previously requested the release of an amount under the FHSS scheme. Caleb must also have eligible contributions to be able to release an amount from his super under the FHSS scheme.

For more examples about using the FHSS scheme, see Guidance Note GN 2024/1 *First home super saver scheme.*

Before you plan to use the FHSS scheme

Before you start making contributions under the FHSS scheme you should take the following steps:

1. Read and understand all the requirements of the FHSS scheme to ensure it is right for you, including considering whether you need independent financial advice.

2. Check that your contributions are eligible for use under the FHSS scheme.
3. Check that your nominated super fund(s) will release FHSS amounts.
4. Ask your fund about any fees, charges and insurance implications that may apply.
5. Check that your super fund has your current contact details. Make sure your name and address in the super fund's records exactly match the details we have for you in our records.

While you should have contacted your super fund about points 3, 4 and 5 above, you do not need to notify them if you choose to start making FHSS contributions. You also do not need to notify your employer or the ATO of this.

QC 107679

About your contributions

Eligible and ineligible contributions under the FHSS scheme and how study and training support loans are affected.

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Eligible contributions

Under the FHSS scheme you can only access eligible contributions that have been made on or after 1 July 2017. These include:

- Voluntary concessional contributions (pre-tax), including salary sacrifice amounts or personal contributions you have claimed or intend to claim a tax deduction for. These are taxed at 15% in your fund.
- Voluntary non-concessional contributions (post tax), including personal after-tax contributions you haven't claimed a tax deduction for. These are not taxed in your super fund.

- Certain KiwiSaver and other transfer amounts from foreign super funds. For more information, see GN 2024/1 *First home super saver scheme*. An eligible KiwiSaver amount must be included in your FHSS determination request as a single personal voluntary (after tax) contribution, with details of the date it was credited to your Australian super fund account. You can't split this contribution over different financial years.

Using the FHSS scheme, you can contribute a maximum of $15,000 in any one financial year up to a total maximum of $50,000 across all years. To determine how much of the annual limit ($15,000) and overall year limit ($50,000) you have used, you need to assess all voluntary contributions in full, regardless of whether they are concessional or non-concessional.

Contributions you make for FHSS purposes are not accounted for separately in your super account(s). You are not required to withdraw them to purchase a home if your circumstances change.

If you don't release contributions under the FHSS scheme, they remain part of your super interest until you meet another condition of release (for example, retirement).

Ineligible contributions

The following contributions are **not eligible** for release under the FHSS scheme:

- contributions made before 1 July 2017
- super guarantee (SG) contributions made by your employer
- contributions to defined benefit interests or constitutionally protected funds – **note:** rolling over contributions from these types of account/funds to an accumulation plan account does not make those contributions eligible for the scheme
- mandated employer or member contributions made for you under an award or industrial agreement
- member contributions made for you by your spouse, parent or other friends or family
- amounts you receive under a contributions-splitting arrangement
- government co-contributions

- contributions under a structured settlement or personal injury order
- amounts contributed to super as part of the small business CGT concessions
- amounts transferred from a KiwiSaver scheme that are Australian-sourced amounts or returning New Zealand-sourced amounts
- applicable fund earnings from a foreign fund transfer you elect to include in the receiving fund's assessable income
- contributions that are mandatory under a state or territory law or the rules of a fund
- contributions that exceed the legislated contributions caps – these are not eligible once they exceed the legislated contribution caps, even if they would otherwise be eligible
- COVID-19 early release of superannuation re-contributions.

If there are any of these amounts in your request for a FHSS determination, your request may be delayed or cancelled.

You can check your eligible contributions with your super fund(s) at any time to see how much you have saved. This will help you keep track of the maximum FHSS amount you can have released.

Example: eligible contributions

Anh is required to contribute a minimum of 2% of his after-tax salary under his award to his accumulation interest. Anh also elects to contribute a total of 5% of his after-tax salary.

Anh's employer is required under the award to match his after-tax contributions by making additional contributions above the super guarantee rate.

The amount equal to 2% of his after-tax salary that Anh is required to contribute does **not** form part of eligible contributions, as his award requires it. However, the extra contributions beyond that required minimum amount, equal to 3% of his after-tax salary, are considered 'voluntary' member contributions and form part of eligible contributions for the FHSS scheme.

Anh will need to work out the total amount of extra voluntary member contributions, that are eligible contributions for the FHSS scheme. If he can't, he may need to check with his employer. When he applies for an FHSS determination, Anh should ensure that the contributions equivalent to the 3% after-tax salary are included. If requested, he will need to provide this additional information to verify his eligible contributions.

The extra contributions Anh's employer makes above the super guarantee rate are **not** eligible contributions, as they are also required by the award.

Example: amounts transferred from a KiwiSaver scheme

Mei returns to Australia in June 2024 after several years working in New Zealand. At that time, she transfers her retirement savings of $18,000 from her KiwiSaver scheme to her Australian super fund. No part of this balance had previously been transferred to New Zealand from her Australian super fund.

Although Mei made KiwiSaver contributions over several years, for FHSS purposes the ATO treats her transfer as a single contribution of $18,000 in the 2023–24 financial year.

Because of the annual contribution limit, only $15,000 of the KiwiSaver amount will count as eligible FHSS contributions.

Study and training support loans

If you make salary sacrifice contributions into super, they will be a reportable employer super contribution in that income year. These contributions are included in your repayment income for study and training support loans.

Study and training support loans include:

- Higher Education Loan Program (HELP)
- Student Start-up Loan (SSL) and ABSTUDY SSL schemes

- Australian Apprenticeship Support Loan (AASL) previously known as Trade Support Loan (TSL)
- Student Financial Supplement Scheme (SFSS).

You will need to review your pay as you go (PAYG) withholding arrangements with your employer, so the tax they withhold from your salary and wages during the year is enough to cover the amount you're liable to pay.

When you withdraw contributions under the FHSS scheme they are not part of your repayment income in the year you request the withdrawal.

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About FHSS release amounts

How much you can access, the maximum release amounts and when you need to request a determination.

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How much you can access

Your FHSS maximum release amount includes:

- your FHSS releasable contributions
- the earnings associated with those contributions.

Your eligible non-concessional or concessional contributions made under the FHSS scheme are subject to the following limits:

- $15,000 of total contributions made in any single financial year starting on or after 1 July 2017
- $50,000 of total contributions made from 1 July 2017.

Your FHSS maximum release amount includes:

- 100% of your non-concessional contributions
- 85% of your concessional contributions

- the amount of earnings deemed to be associated with the above contributions. Associated earnings are a notional amount of earnings calculated at the shortfall interest charge rate.

To determine how much of the annual limit ($15,000) and overall yearly limit ($50,000) you have used, you need to assess all voluntary contributions in full, regardless of whether they are concessional or non-concessional.

Example: salary sacrifice and the annual $15,000 limit

In the 2023–24 financial year, Mary made a $25,000 salary sacrifice (concessional contributions). Because of the annual contribution limit, only $15,000 will count as eligible FHSS contributions. When Mary requests a release, only 85% of that $15,000 ($12,750) will count towards the calculation of the maximum releasable amount.

In this example, the remaining $10,000 salary sacrifice contributions from 2023–24 can't be counted towards her maximum releasable amount.

Example: FHSS maximum release amount

Jill makes monthly salary sacrifice contributions of $1,500 from July 2020 until October 2024 and receives an FHSS determination on 15 December 2024.

As there are limits on the eligible contributions that Jill can release from super using the FHSS scheme, not all these contributions will count towards Jill's FHSS maximum release amount.

The contributions that count towards Jill's FHSS maximum release amount are eligible concessional contributions of:

•$15,000 in each of 2020–21, 2021–22 and 2022–23, and

•$5,000 ($1,500 each month from July to September 2024 and $500 for October 2024) from 2024–25.

Jill's FHSS maximum release amount is calculated as the sum of:

•$42,500 concessional contributions (being 85% of the $50,000 eligible concessional contributions), and

•$5,190 associated earnings.

Jill's FHSS maximum release amount is $47,690.

How your voluntary contributions are ordered

When you make voluntary contributions into super, the order and type of the contributions can make a difference to the amount released under the FHSS scheme.

We apply the following ordering rules when calculating your FHSS maximum release amount:

First-in first-out rule

The First-in first-out rule applies. This means contributions you make in an earlier financial year are counted before contributions in a later financial year. Your contributions within a financial year are counted in the order you made them.

Example: ordering rules for contributions

Hasan contributes the following amounts to his super fund:

- salary sacrifice contributions of $1,000 on the 15th of each month from January 2023
- non-concessional contributions of $5,000 (for which he does not claim a deduction) on 30 June 2023 and 30 June 2024.

He applies for an FHSS determination on 15 July 2025.

Hasan's eligible concessional and non-concessional contributions for 2022–23, 2023–24 and 2024–25 are illustrated in Table 1.

Table 1: Hasan's total eligible concessional and non-concessional contributions

Eligible contributions	2022–23	2023–24	2024–25
Non-concessional contributions	$5,000	$5,000	Nil
Concessional contributions	$6,000	$12,000	$12,000

Noting the limits of $50,000 in total and $15,000 for each financial year, Hasan's eligible contributions that can be released are illustrated in Table 2.

Table 2: Hasan's eligible contributions that can be released

Eligible contributions	2022–23	2023–24	2024–25
Non-concessional contributions	$5,000	$3,000	Nil
Concessional contributions	$6,000	$12,000	$12,000

As the eligible concessional contributions of $12,000 in the 2023–24 financial year are received earlier than the eligible non-concessional contributions, we apply the eligible concessional contributions first. Therefore, only $3,000 in eligible non-concessional contributions is counted in the 2023–24 financial year.

The remaining $2,000 of Hasan's eligible non-concessional contribution in 2023–24 is not counted because the $15,000 annual limit has been reached.

If the eligible contributions are received at the same time, the simultaneous contribution rule means that we apply the eligible non-concessional contributions first instead.

Simultaneous contributions

The simultaneous contributions rule means that if you make both an eligible concessional contribution and an eligible non-concessional contribution at the same time (such as in the same payroll process), your non-concessional contributions are taken to be made first. This will maximise the FHSS release amount because:

- 100% of non-concessional count towards the release amount

only 85% of concessional contributions are included in your release because they have been taxed at 15% in your super fund.

When you should request a determination

You must request a FHSS determination **before ownership of any real property transfers to you**. Generally, ownership transfers following settlement of a property contract.

Once ownership of real property (including vacant land) has transferred to you, you're no longer eligible to request a FHSS determination.

Example: purchasing vacant land before contract to construct home

Paloma meets the eligibility requirements for the FHSS scheme. On 7 October 2024, she signs a contract to purchase vacant land in Wagga Wagga, on which she plans to construct her home. She requests and receives an FHSS determination on 17 October 2024.

Paloma registers her interest in the vacant land with the New South Wales Land Title Office on 27 November 2024. Paloma is not eligible to request another FHSS determination after she registers her interest, as she now holds a relevant interest, being a legal interest in real property in Australia.

Paloma can use the FHSS determination made on 17 October 2024 to request an amount be released from her super under the

FHSS scheme. Paloma requests release of an amount from her super on 10 December 2024.

To meet the requirements of the FHSS scheme, Paloma must enter a contract for construction of her home by 10 December 2025, being 12 months after Paloma makes her release request. If she has not done so, we can allow her additional time, but only to a maximum of 12 extra months (until 10 December 2026).

Example: off-the-plan purchase

Dylan meets the eligibility requirements for the FHSS scheme and has not previously requested an FHSS determination. He:

- signs an off-the-plan contract to purchase an apartment in Brisbane on 25 May 2025
- registers this property interest with the Queensland Land Title Office on 30 September 2027.

There are some specific steps that Dylan needs to take to make sure:

- his off-the-plan contract counts as meeting the requirements of the FHSS scheme
- he does not need to pay additional FHSS tax.

Dylan must make sure that within 90 days after the date of the off-the-plan contract (23 August 2025), he:

- requests an FHSS determination
- requests release of an amount from his super
- notifies us of the contract.

For information on when you need to sign a contract to buy or build your first home, see Signing a contract for a home and notifying us.

FHSS eligibility when you lost your property due to hardship

Previous property owners may still be eligible to use the FHSS scheme in selected circumstances.

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Eligibility

If you have previously owned property in Australia, you may still be eligible to use the FHSS scheme if we determine you have suffered a FHSS hardship that resulted in you losing ownership of all your property interests.

The events that could result in you losing your property interests include:

- bankruptcy
- divorce, separation from a de-facto partner or a relationship breakdown
- loss of employment
- serious illness
- being affected by a natural disaster.

This FHSS hardship process is only for those who wish to use the FHSS scheme. If you're experiencing severe financial hardship which is unrelated to saving for your first home, see Access due to severe financial hardship.

Before applying

If you believe you meet the FHSS hardship criteria, you should apply to us for FHSS hardship determination before you start saving, so you know if you will be able to release amounts from your super using the FHSS scheme.

You must provide supporting documents with your application that demonstrates the link between your hardship event and the loss of your property.

Supporting documents about the hardship event

To support the specific hardship event that led to the loss of your property, provide **any** of the following documents that apply to your situation:

- Loss of employment: employer's letter; separation certificate; bank/lender letter; recent bank statements; final payslip.
- Separation or divorce: divorce order; property/financial asset distribution order; parenting plan; consent/court orders; settlement certificate; police reports/AVOs.
- Natural disaster: letter from your insurance provider or the Insurance Council of Australia confirming the home was damaged or destroyed (alongside proof the property was sold); a letter from your bank.
- Bankruptcy: an official bankruptcy trustee letter; a letter from the Australian Financial Security Authority; an extract from the National Personal Insolvency Index (NPII); documents disclosing which assets were surrendered.
- Medical illness: a detailed letter from your treating medical practitioner; private health fund statement; employer letter confirming reduced hours / unpaid leave; relevant hospital and medical records.

Supporting documents about the loss of the property

You must also provide evidence confirming that you ceased to hold your property. You can provide one or more of the following documents:

- contract for the sale of the property
- transfer of title papers
- written communication or emails from your real estate agency (particularly if there were delays in selling)
- bank correspondence regarding dishonoured mortgage repayments, repossession or foreclosure.

Alternatives to formal documentation

If you don't have formal records for any of the above, you can submit informal evidence along with a completed Statutory declaration. This declaration must:

- confirm the date and nature of the hardship event
- explain how it led to the loss of your property.

If we accept you have suffered financial hardship that resulted in the loss of ownership of your property, you will be taken to satisfy the property ownership requirement for an FHSS determination.

You must **also meet all** the following FHSS eligibility conditions at the time you lodge your FHSS determination form:

- You haven't acquired a subsequent interest in real property in Australia since you lost your property because of financial hardship.
- You are 18 years old or older.
- You haven't previously made a valid FHSS release request unless a previous request was withdrawn or the release authority was revoked.

Example: financial hardship

Over several years, Peter bought and sold multiple properties located in Australia. During 2024–25, Peter becomes bankrupt and is required to sell all his current real property interests.

Peter is over 18 and has not used the FHSS scheme previously. He has not acquired another real property interest located in Australia after his bankruptcy.

Peter hopes to buy a new property and makes an FHSS hardship application. We make a determination that Peter suffered a financial hardship that led to the loss of all his real property interests located in Australia.

There is no requirement for the financial hardship to be linked to the loss of a first home, if it has resulted in the loss of **all** his current real property interests located in Australia.

How to make a FHSS hardship application

If you want to be considered under the FHSS hardship provision, you must:

1. apply for a FHSS financial hardship determination first
2. be approved under the hardship provisions
3. submit a FHSS determination only after the FHSS hardship has been approved.

The FHSSS hardship application alone will not result in the release any amount from your super fund.

You can apply for FHSS hardship by:

- logging in to ATO online services through myGov
  - select **Super**, then **Manage**, then **First home saver**
  - answer the first 3 questions in the FHSS determination which if answered correctly, should take you to the link to the FHSS hardship request
  - select the link to **Submit a hardship application form.**

Note: Do not use invalid characters, such as # ^ ~ \ < > _ • –, in the description section of the FHSS hardship application as this may prevent the form from lodging successfully.

Log in to ATO online services

QC 107688

Previous unsuccessful FHSS scheme requests

Changes to the law mean some previously unsuccessful applicants may now be able to release a FHSS amount.

Last updated 8 July 2026

If you previously applied for FHSS scheme

Changes to the first home super saver (FHSS) scheme may allow previously unsuccessful applicants to now have a FHSS amount released. These changes take effect from 15 September 2024.

If you've already had a FHSS amount released

If you've previously had an amount released from your super under the FHSS scheme, you **can't** access the scheme again. This includes if you had a FHSS amount offset against a Commonwealth debt.

These law changes don't apply to you, and you can't request to have additional amounts released.

If you now own a property

If you previously applied and did not receive a FHSS amount, you may now be able to access the FHSS scheme if you meet **all** the following conditions:

- You received a FHSS determination before 15 September 2024.
- You haven't received any FHSS amount (including having an amount offset against Commonwealth debt).
- Ownership of real property was transferred to you (generally following settlement of a property contract) after the relevant FHSS determination was made.

If these are your circumstances, you can apply for up to the maximum amount you could have had released at the time your original determination was made. This means you can only use eligible contributions from 1 July 2017 up to the date of your original determination.

Accessing the FHSS scheme when you now own property

There is a period of 3 years from 15 September 2024 to 14 September 2027 for eligible previous applicants who now own property to access the scheme.

We issued letters to all potentially affected individuals to:

- alert them of these changes
- advise them to contact us if they want to be assessed under the retrospective component of this law.

If you contact us regarding your eligibility under these changes, we may also ask you for:

- information about your eligible contributions
- documents related to the purchase of your property.

Example: helping unsuccessful FHSS applicant to use the FHSS after 15 September 2024

Milena receives an FHSS determination on 14 February 2020. The FHSS determination shows an FHSS maximum release amount of $27,365. Milena immediately requests that we issue a release authority for the full amount to her super fund and a release authority is issued.

However, Milena's attempt to use the FHSS scheme in February 2020 is ultimately unsuccessful because we identify, using information reported by Milena's super fund, that Milena incorrectly included $10,000 of super guarantee contributions (which are not eligible to be released) in her request for an FHSS determination. Therefore, we revoked the release authority before Milena's super fund released any amount.

On 17 April 2021, Milena acquires a relevant property interest under the FHSS scheme by:

- purchasing a house in Adelaide
- registering her interest in the property with the South Australian Land Titles Office.

On 3 June 2025, we contact Milena to let her know about the changes to the FHSS scheme which apply from 15 September 2024. Milena confirms that she wishes to apply to amend her FHSS determination to remove the ineligible contributions and we assist her to make that application.

Milena's FHSS determination is amended to only include:

- her eligible contributions made up to 14 February 2020
- the associated earnings in respect of those eligible contributions, calculated to 14 February 2020.

The amended FHSS determination shows an FHSS maximum release amount of $16,419.

Milena is eligible to access the FHSS scheme using the transitional rules because:

- she had an FHSS determination which was made between 1 July 2018 and 14 September 2024 (on 14 February 2020)
- after that FHSS determination was made, she acquired a relevant property interest in Australia (on 17 April 2021)
- she applied to amend her FHSS determination between 15 September 2024 and 14 September 2027 (on 3 June 2025)
- at the time of making the application to amend her FHSS determination (on 3 June 2025) we had not begun treating any credit to which Milena has become entitled under the FHSS scheme. This is because the original release authority was revoked before Milena's super fund released the amount.

On 10 June 2025, Milena makes a release request for $16,419 based on her amended FHSS determination and that amount is released from her super fund.

At the end of the 2024–25 financial year, Milena receives an FHSS payment summary showing the assessable FHSS released amount and the PAYG amount withheld. She correctly includes these amounts in her 2024–25 tax return.

However, as she is accessing the FHSS scheme using the transitional rules, Milena:

- is not required to sign a contract to purchase or construct a home, and is not required to recontribute the super
- is not required to notify us of signing a contract to purchase or construct, or of recontributing
- will not be liable to pay FHSS tax.

If you don't yet own a property

If you applied before 15 September 2024 and did not have a FHSS amount released and you don't yet own a property, you can reapply for the FHSS scheme.

You can reapply any time if you have made eligible contributions to your super fund(s). To reapply you can either:

- request a new FHSS determination
- submit a release request using an existing FHSS determination.

Summary of the changes to the FHSS scheme

The table below explains what has changed in the criteria for the FHSS scheme from 15 September 2024.

Summary of the changes to the FHSS scheme from 15 September 2024

Before the law changes	After the law changes (from 15 September 2024)
You couldn't stop using the FHSS scheme after making a release request if you change your mind. There was a limited time in which changes could be made or where errors could be fixed.	Before we've started processing amounts your super fund sends to us, you can: • choose not to participate in the FHSS scheme (change of mind) • fix errors in your request.
You must have applied for your FHSS determination before signing a contract for any property.	You must have applied for a FHSS determination before any property contract is completed (generally known as settlement) **and** ownership of the real property transfers to you.
You could request a release up to 14 days after you sign a	You can request a release up to 90 days after you sign a

contract to purchase or construct a home. You had up to 2 years after the date you made a valid release request in which to sign a contract to purchase or construct your home.	contract to purchase or construct a home. You must have a FHSS determination before you: • submit a release request • settle on a property. You have up to 2 years after the date you made a valid release request in which to sign a contract to purchase or construct your home.
Users of the FHSS scheme who made errors could not: • correct errors • make further release requests.	If you now own a property and your previous application for a FHSS release was unsuccessful, you may now be able to request a release. See If you now own a property for more details.

Learn more about applying for the FHSS scheme.

QC 102817

FHSS tax assessment

You may need to pay additional tax on amounts released using the FHSS scheme if you don't meet the post-release requirements.

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What you must do after release

When you release amounts using the FHSS scheme, within the applicable time limits you must:

- either enter a contract to purchase or construct residential premises in Australia or recontribute the required amount to your super fund
- notify us which action you have taken and when.

You must do both within the specified time periods.

If you don't satisfy these requirements, you will be required to pay FHSS tax. This FHSS tax is in addition to any income tax you need to pay on the FHSS released amount.

The FHSS tax is calculated as 20% of your assessable FHSS released amount.

When you need to pay FHSS tax, we will send you a notice of assessment which tells you:

- the amount of FHSS tax payable
- the due date for payment
- how to pay it.

Example: first home super saver tax

George requests the release of $26,100 under the FHSS scheme, of which $20,100 of the released amount is the assessable FHSS released amount. We withhold $1,809 and release $24,291 to George.

George subsequently decides not to purchase a home.

Since George has not, and will not be, sign a contract to purchase or construct a home, he needs to recontribute the required amount to his super fund. If he does not recontribute it he will need to pay FHSS tax.

George chooses to keep the money. Therefore, he is required to pay an additional FHSS tax of $4,020 ($20,100 × 20%).

QC 107689

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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