

# Completing the compulsory release authority and statement

These instructions will help you complete your *Compulsory release authority and statement for excess contributions tax*, which authorises your superannuation fund to withdraw funds to pay excess non-concessional contributions tax

## ABOUT THIS AUTHORITY

You have received this compulsory release authority because we have issued you with an excess non-concessional contributions tax assessment.

You must use it to authorise your super fund (other than a defined benefit interest fund) to withdraw funds from your super account equal to the assessed amount of excess non-concessional contributions tax.

You must release the full amount of tax owed from your super interests (other than defined benefit interest).

▶ You must complete sections A, B and C of this authority and send it to your super fund within 21 days of the issue date. **Do not** send the form to us. Your super fund will forward the form to us after they have completed sections D and E.

⊖ If your fund does not receive the authority within 21 days of the issue date, we may charge you penalties. If you do not send the authority to your super fund within 21 days of the issue date, we may contact your super fund directly and authorise it to withdraw funds from your super account equal to the assessed amount of excess non-concessional contributions tax.



**! IF YOU HAVE A DEFINED BENEFIT INTEREST FUND**

You cannot use this authority to withdraw an amount from a defined benefit interest fund. However, you can use it to withdraw an amount from other types of super funds even if you did not make contributions to that super fund during the year.

If all your super is in a defined benefit interest fund, you cannot use this authority. You must pay the excess non-concessional contributions tax from other sources.

This authority is only valid for 90 days after the issue date.

**WHAT IF YOU WITHDRAW EXTRA FUNDS?**

Your super fund must tell us the amount it releases.

**—** If you withdraw an amount greater than the amount of excess non-concessional contributions tax we have included on this authority:

- we may charge you an administrative penalty of 20 penalty units (currently \$3,600)
- you will be taxed on this extra amount, as you must include it in your assessable income for the financial year in which you received it.

**HOW TO COMPLETE THIS AUTHORITY – MEMBER TO COMPLETE**

**Section A: Your details**

Provide any of your personal details that we have not completed to ensure your super fund can identify you correctly.

**Section B: Your super fund's details**

Provide your super fund and membership details to ensure your super fund can identify your account.

Only include a nominated amount you want withdrawn from your super fund at question 13, if the amount is less than the full excess non-concessional contributions tax amount because:

- you are withdrawing amounts from more than one super fund to pay the total amount of tax
- you do not have enough funds in your super accounts (other than defined benefit interest funds) to pay the total amount of tax.

You must release the full amount of tax owed from your super interests (other than defined benefit interest).

You must choose who you want your super fund to pay the amount to. If you choose for the amount to be paid to us, we will apply the amount to your excess non-concessional contributions tax debt. If you choose for the amount to be paid to you, you will have to make arrangements to pay your excess non-concessional contributions tax debt to us.

You should contact your super fund for more information if:

- you have more than one account
- you are requesting your fund to make the payment to you, but you have not previously identified a preferred payment method.

If you want amounts withdrawn from more than one super fund, you must complete a separate authority for each fund. You can do this by photocopying the authority and nominating the amount to be withdrawn from each fund.

**!** You must provide an original signature on each copy of the authority you use.

**Section C: Member authorisation**

Print your full name, and sign and date the authorisation.

**➤** When you have completed sections A, B and C, send the authority to the super fund you nominated in section B. **Do not** send the form to us. Your super fund will forward the form to us after they have completed sections D and E.

## HOW TO COMPLETE THIS STATEMENT – SUPER FUND TO COMPLETE

### Section D: Details of the released amount

The super fund completes this statement by providing details of the amount released and sends the statement to us within 30 days of releasing the amount.

To work out the amount you must release, determine which of the following is the **lesser** amount:

- the excess non-concessional contributions tax amount at question 12
- the amount nominated by the member at question 13
- the total value of your member's super interests in your fund (other than a defined benefit interest fund).

 If you do not pay the amount to your member or us within 30 days of receiving the release authority, we may charge you an administrative penalty of 20 penalty units (currently \$3,600).

### Section E: Super fund declaration

Complete the declaration that applies to you if you are either:

- a trustee, director or authorised officer
- an authorised agent.

Print your full name, and sign and date the declaration.

 Send the completed statement to us within 30 days of releasing the amount by:

- fax to **1300 139 024**
- mail to  
**Australian Taxation Office**  
**PO Box 3578**  
**ALBURY NSW 2640**

 Send a copy of the statement to your member within 30 days of releasing the amount. Keep a copy for your records for five years.

 If you do not send the statement to us and send a copy to your member within 30 days of releasing the amount, we may charge you an administrative penalty. Penalties range from 1 to 25 penalty units (currently \$180 per penalty unit), depending on the size of your fund and how long the statement is overdue.

### MORE INFORMATION

For more information about completing the *Compulsory release authority and statement for excess contributions tax*:

- visit **ato.gov.au**
- phone us on **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 need help from the ATO, phone the Translating and Interpreting Service on **13 14 50**.

If you are deaf or have a hearing or speech impairment, phone us through the National Relay Service (NRS) on the numbers listed below, and ask for the ATO number you need:

- TTY users, phone **13 36 77**. For ATO 1800 free-call numbers, phone **1800 555 677**.
- Speak and Listen users, phone **1300 555 727**. For ATO 1800 free-call numbers, phone **1800 555 727**.
- Internet relay users, connect to the NRS at **relayservice.com.au**

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## **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 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 information 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 more recent information on our website at [ato.gov.au](http://ato.gov.au) or contact us.

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# Compulsory release authority and statement for excess contributions tax

- !** There are two components to this form:
- if you are the member – complete the authority (sections A–C)
  - if you are the super fund – complete the statement (sections D–E).

## WHEN COMPLETING THIS FORM

- Print clearly in BLOCK LETTERS using a black or blue pen.
- Place  in all applicable boxes.

1 **Reference**

2 **Issue date**   /   /

**!** The authority cannot be used to release funds more than 90 days after the issue date and cannot be reissued.

3 **Contribution year**

## AUTHORITY – Member to complete

### Section A: Your details

4 **Tax file number (TFN)**

**!** You do not have to provide your TFN to your super fund. However, if your fund does not have your TFN, it will be harder to keep track of your super, you may miss out on super co-contributions and your fund may not be able to accept some other contributions for you.

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 the area code)





**25 The reason for partial or non-release of the excess non-concessional contributions tax amount**

(place  in the applicable box)

Not applicable

The member's account balance is less than the excess non-concessional contributions tax amount or the amount nominated by the member

Authority received outside of legislative time limit – the authority is only valid for 90 days after the issue date

Other  Provide details below

**Section E: Super fund declaration**

Complete and sign the declaration that applies to you.

Penalties may be imposed for giving false or misleading information.

If your fund is a self-managed superannuation fund:

- the trustee may be liable for an administrative penalty of 20–60 penalty units
- the fund can be made non-complying.

**TRUSTEE'S, DIRECTOR'S OR AUTHORISED OFFICER'S DECLARATION**

Complete this declaration if you are the trustee, director or authorised officer of the superannuation fund.

*I declare that the information in the statement is true and correct.*

Name (Print in BLOCK LETTERS)

Trustee's, director's or authorised officer's signature

Date   /   /

**AUTHORISED AGENT'S DECLARATION**

Complete this declaration if you are an agent of the superannuation fund.

*I declare that:*

- I have prepared the statement with the information supplied by the superannuation fund
- I have received a declaration from the superannuation fund that the information provided to me for the preparation of this statement is true and correct
- I am authorised by the superannuation fund to give the information in the statement to the ATO.

Name (Print in BLOCK LETTERS)

Authorised agent's signature

Date   /   /

Send the completed statement to us by:

■ fax to **1300 139 024**

■ mail to

**Australian Taxation Office  
PO Box 3578  
ALBURY NSW 2640**

**Methods of payment**



**BPAY:** contact your financial institution to make this payment from your cheque or savings account. Quote biller code **75556** and your PRN (shown on the front of the payment slip) as the customer reference number.

**Direct credit:** you can electronically transfer funds to the ATO's direct credit bank account using online banking facilities. Use BSB **093 003**, Account number **316 385** and your PRN. Phone **1800 815 886** for help if needed.

**Mail payments:** mail the payment slip together with your cheque or money order to the address printed on the slip. Do not use pins or staples. Do not send cash. See below for cheque information.

Cheques/money orders should be for amounts in Australian dollars and payable to 'Deputy Commissioner of Taxation'. Cheques should be crossed 'Not negotiable'. **Payments cannot be made by credit card, or in person at any ATO branch or shopfront.**