

LCG 2016/12A3 - Addendum - Superannuation reform: total superannuation balance

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Addendum

Law Companion Guideline

Superannuation reform: total superannuation balance

This Addendum is a public ruling for the purposes of the *Taxation Administration Act 1953*. It amends Law Companion Guideline LCG 2016/12 to reflect amendments to the law made by the *Treasury Laws Amendment (2017 Measures No. 2) Act 2017*.

LCG 2016/12 is amended as follows:

1. Preamble

In the second paragraph, after '2016'; insert 'and the *Treasury Laws Amendment (2017 Measures No. 2) Act 2017* to entities that rely on it in good faith.'

2. Paragraph 8

- (a) In the second dot point omit the words 'age 65.'; substitute 'age 65), or'.
- (b) After the second dot point insert:
- if it is a transition to retirement income stream, transition to retirement income pension, non-commutable allocated annuity or a non-commutable allocated pension (collectively known as TRIS), when the member (including a reversionary beneficiary in the case of death of a member):
 - is 65 years old or older, or
 - has met a relevant condition of release with a nil cashing restriction (retirement, terminal medical condition, permanent incapacity) and they have notified the superannuation provider for the TRIS of that fact.¹⁷

3. Paragraph 8A

Omit second dot point; substitute:

- a TRIS when the member:
 - is under 65 years of age, or
-

¹⁷ Paragraph 307-80(2)(c).

- has not met a relevant condition of release with a nil cashing restriction (retirement, terminal medical condition, permanent incapacity), or
- they have met a relevant condition of release with a nil cashing restriction (retirement, terminal medical condition, permanent incapacity) but have not notified the superannuation provider for the TRIS of that fact.¹⁹

4. References

Insert Legislative reference 'Treasury Laws Amendment (2017 Measures No. 2) Act 2017'.

This Addendum applies on and from 20 December 2017.

Commissioner of Taxation

20 December 2017

ATO references

NO: 1-CMCZNWM

ISSN: 2205-6211

BSL: SPR

ATOlaw topic: Superannuation ~~ Income tax - individuals (superannuation) ~~ Other

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¹⁹ Subsection 307-80(3).