



Legislative Instrument

Taxation Administration – Payment Summary Deferral: Employment Termination and Departing Australia Superannuation Payments Deferral 2022

I, Ben Kelly, Deputy Commissioner of Taxation, make this determination under section 388-55 of Schedule 1 to the *Taxation Administration Act 1953* (TAA).

Ben Kelly

Deputy Commissioner of Taxation
Policy, Analysis and Legislation
Law Design and Practice

9 March 2022

1. Name of instrument

This Determination is the *Taxation Administration – Payment Summary Deferral: Employment Termination and Departing Australia Superannuation Payments Deferral 2022*.

2. Commencement

This Instrument commences on 1 April 2022.

3. Application

This Instrument applies to entities that have obligations to provide copies of payment summaries in respect of:

- (a) employment termination payments under paragraph 16-165(1)(b) of Schedule 1 to the TAA, and
- (b) departing Australia superannuation payments made under paragraph 16-166(b) of Schedule 1 to the TAA.

4. Determination

The due date to give a copy of a payment summary to the Commissioner under paragraph 16-165(1)(b) and paragraph 16-166(b) of Schedule 1 to the TAA is varied to 14 August following the financial year in which the payment was made.

5. Definitions

Employment termination payment has the meaning given by section 82-130 of the *Income Tax Assessment Act 1997*.

Departing Australia superannuation payment has the meaning given by section 301-170 of the *Income Tax Assessment Act 1997*.

All other terms take their meaning from the TAA (see subsection 3AA(2) of this Act).

6. Repeals

Each instrument that is specified in Schedule 1 to this instrument is repealed as set out in the applicable items in that Schedule 1.

Schedule 1

Taxation Administration Act 1953 – Pay As You Go (PAYG) Withholding – Payment summary deferral – Employment termination and departing Australia superannuation payments (F2012L00584), registered on 2 March 2012.

1. The whole of the instrument.