

Cover sheet for: SMSFD 2013/2W

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SMSFD 2013/2W history

31 July 2013 **Original ruling**

You are here → 30 May 2018 **Withdrawn**



Notice of Withdrawal

Self Managed Superannuation Funds Determination

Self Managed Superannuation Funds: does a payment made as a result of a commutation of an account based pension count towards the minimum annual amount required to be paid under paragraph 1.06(9A)(a) of the *Superannuation Industry (Supervision) Regulations 1994*?

Self Managed Superannuation Funds Determination SMSFD 2013/2 (the Determination) is withdrawn with effect from 1 July 2017.

1. The Determination sets out the Commissioner's view that certain payments made as a result of a partial commutation of an account based pension count towards the minimum annual amount required to be paid from the pension account under paragraph 1.06(9A)(a) of the *Superannuation Industry (Supervision) Regulations 1994* (SISR 1994).

The Determination also sets out the Commissioner's view that a payment made as a result of a full commutation cannot count towards the minimum annual amount required to be paid under paragraph 1.06(9A)(a) of the SISR 1994 as the account based pension ceases before the payment is made.

2. Due to an amendment made in Schedule 1 to the *Treasury Laws Amendment (Fair and Sustainable Superannuation) Regulations 2017* the view expressed in the Determination is no longer current.

3. The amendment was made to paragraph 1.06(9A)(a) of the SISR 1994 to specifically exclude payments by way of commutations from being counted towards the minimum annual payment amount required to be paid from the pension account.

4. The Determination continues to apply to payments before 1 July 2017.

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ATO references

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