IOOF

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Claiming a tax deduction for personal contributions

Are you eligible to claim a tax deduction?

You can claim a tax deduction for personal super contributions if you have sufficient assessable income and you satisfy the following eligibility requirements:

- If you are under age 18 at the end of the income year in which you made the contribution, you can only claim a tax deduction if you earned income as an employee or business operator.
- You are age 18 or over and eligible to contribute to super.
- From 1 July 2022, you are no longer required to meet the work test if aged from 67 to 75 to make or receive personal super contributions. However if you are aged 67 or over at the time you made the contribution and you intend to claim a deduction for these contributions, you are required to satisfy the work test.
- If you are age 75 or over, you can only claim a deduction for contributions you made before the 28th day of the month following the month in which you turned 75 (you must also satisfy the work test or work test exemption conditions).

You cannot claim a tax deduction for any salary sacrifice contributions made to your account (as these are treated as employer contributions) or any spouse contributions paid into your account (however your spouse may be eligible to claim a spouse superannuation contributions tax offset).

How much can you claim?

Provided you are eligible, you can claim all your personal contributions to superannuation as a tax deduction. The concessional contributions cap for the 2021/22, 2022/23, and 2023/24 financial years was $27,500. For the 2024/25 financial year, the cap increased to $30,000. Additionally, you may be able to use the catch-up rule, which allows you to use any unused cap amounts from up to five previous financial years, provided your total super balance is less than $500,000 at the end of the previous financial year. You can check your eligibility via your MyGov account.

Please refer to 'More information about your tax-deductible personal contributions'.

How do you claim a tax deduction?

In order to claim a tax deduction you must complete and return the 'Notice of intent to claim or vary a deduction for personal superannuation contributions' (Notice).

When the Notice has been received, we will send you a written acknowledgement which you will need to retain for your tax records. Under taxation law you cannot claim a tax deduction for your personal contributions unless you have written acknowledgement from the Trustee. If you are 67 or older when making the contribution, you will need to satisfy the work test or work test exemption. The work test is met if you are employed or self-employed for at least 40 hours during a 30 day period. The work test exemption can apply if your total super balance is under $300,000 at 30 June prior to the year of the contribution, and you met the work test in the previous financial year. This exemption can only be used once. The ATO will assess the work test when you lodge your tax return.

When do you have to return the Notice?

To claim a tax deduction for contributions you make during the relevant financial year, you must return the Notice before you submit your tax return for the financial year in which you are claiming the tax deduction and no later than 30 June of the following financial year. Also if you intend to commence a pension or withdraw your benefits from the fund, you must provide a Notice to the Trustee in respect of any personal contributions you wish to claim as a tax deduction before you take this action. A Notice cannot be accepted after either of these events has occurred.

Further, if you make a partial withdrawal, some or all of your personal contributions may be included in the withdrawal. Unless a Notice is provided before the withdrawal, the amount of contributions you can claim as a deduction may be reduced.

If you are claiming a tax deduction for more than one financial year, please submit a separate Notice for each financial year.

Can you vary an earlier Notice?

You can submit a new Notice to vary the amount provided in a previous Notice, but only to reduce the amount you wish to claim as a tax deduction (including reducing it to nil).

You must submit any variation Notice within the same timeframe as an initial Notice.

You can also put in a variation Notice after the required date if your claim for a deduction (in whole or part) has been rejected by the Australian Taxation Office (ATO).

No variation Notice can be submitted if you have withdrawn your benefits or commenced a pension.

If you have made further contributions after submitting a notice you can submit a new notice to claim on your additional contribution.

For further information on claiming tax deductions for personal superannuation contributions please refer to the ATO website at www.ato.gov.au

More information about your tax-deductible personal contributions

Concessional contributions cap

Tax-deductible personal contributions are classified as concessional contributions and subject to an annual cap. This is called the concessional contributions cap and for the 2021/22, 2022/23, and 2023/24 financial years was $27,500 which increased to $30,000 for financial year 2024/25. This cap applies to the total amount of concessional contributions made to all super accounts for you during the year, including tax deductible personal contributions, superannuation guarantee contributions and salary sacrifice contributions. You can only claim carried forward amounts if your total super balance at the previous 30 June is less than $500,000.

What happens if you exceed the concessional contributions cap?

Concessional contributions that exceed your cap are included in your assessable income (with a 15% offset for tax already paid by the super fund). You can elect to have up to 85% of your excess concessional contributions released from your super fund to pay the income tax liability.

Tax on concessional contributions for those on higher incomes (Division 293 tax)

For individuals who have taxable income plus concessional contributions that exceed $250,000, a 15% additional tax is payable on the concessional contributions that exceed the $250,000 threshold. This is in addition to the 15% tax already paid by your fund, and brings the rate of tax on concessional contributions for higher income earners to 30%. If you are assessed for this extra tax, you can either pay it directly, or the ATO will allow you to release from the fund to pay the tax.

If you claim a tax deduction for your personal contributions, can you still receive the Government co-contribution?

The Government co-contribution is a valuable addition to retirement savings for low and middle income earners who make personal (after tax) contributions to superannuation. Called a co-contribution, the government will match 50% of your contributions up to a maximum of $500 provided you meet certain eligibility conditions. However, if you claim a tax deduction for a personal contribution, the amount claimed will not be eligible for the Government co-contribution. Only non-deductible personal contributions in your fund up to $1,000 are eligible for the Government co-contribution.

The Government co-contribution has further income and age eligibility requirements. **You can find more information about the Government co-contribution eligibility conditions on the ATO website www.ato.gov.au**