

# Commissioner's compulsory authority to release excess contributions tax and statement

How to complete the *Commissioner's compulsory authority to release excess contributions tax and statement*

## IMPORTANT INFORMATION

You have received this final release authority and statement because your member has not complied with a *Compulsory release authority and statement* to release an excess non-concessional contributions tax liability from their superannuation interest.

This Commissioner's release authority requires you to:

- release the amount stated in section C from your member's account
- pay this to the ATO within 30 days
- complete sections D and E and send the release authority statement to us
- give a copy of the statement to your member within 30 days of making the payment.

- !** Penalties may apply if you don't:
- make the required payment to us within 30 days of receiving this authority
  - lodge the completed release authority statement with us and provide a copy to your member within 30 days of making the payment.

- !** You can complete this statement or create a statement of your own, as long as it contains all the required information.

## HOW TO COMPLETE THE RELEASE AUTHORITY STATEMENT

### Section C: Amount to be released

You must pay either:

- the amount to be released shown in section C
- if the account balance is less than this amount, the total value of your member's super interests in your fund (other than a defined benefit interest).

### Section D: Details of the release amount

Complete this section with details of the amount released.

If you have released only some or none of the amount shown in section C, explain why.

### Section E: Declaration

Complete the declaration that applies to you. Print your full name then sign and date the declaration.

- ➔** Send the completed release authority statement to us:
- fax **1300 139 024**
  - mail to  
**Australian Taxation Office**  
**PO Box 3578**  
**ALBURY NSW 2640**

Give a copy to your member.



## HOW TO PAY

Instructions on how to pay the amount to be released to us are shown on the reverse side of the payment slip attached to this compulsory authority to release excess contributions tax and statement.

➤ For more information about the *Commissioner's compulsory authority to release excess contributions tax and statement*:

- visit [www.ato.gov.au](http://www.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 the ATO through the National Relay Service (NRS) on the numbers listed below:

- TTY users, phone **13 36 77** and ask for the ATO number you need
- Speak and Listen (speech-to-speech relay) users, phone **1300 555 727** and ask for the ATO number you need
- internet relay users, connect to the NRS on [www.relayservice.com.au](http://www.relayservice.com.au) and ask for the ATO number you need.

## 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 [www.ato.gov.au](http://www.ato.gov.au) or contact us.

This publication was current at **May 2012**.



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## WHEN COMPLETING THIS STATEMENT

■ Print clearly in BLOCK LETTERS using a black pen only.

S M / T H S T

➤ Complete and send the completed release authority statement to us within 30 days after the amount is paid out of your member's account:

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

You must release the stated amount (or account balance if lower) and pay it to the ATO within 30 days of receiving the release authority.

Remember to send a copy of the statement to your member.

Reference

Issue date  /  /

Excess non-concessional contributions tax amount \$ , , .

Excess contributions tax year 30 June

## Section A: Your details

Fund name

Fund address

Australian business number (ABN)

## Section B: Your member's details

### Full name

Title: Mr  Mrs  Miss  Ms  Other

Family name

First given name

Other given name

### Address

Suburb/town/locality

State/territory

Postcode

Sex Male  Female

## Section C: Amount to be released

1 The amount to be released is \$ ,,.

**!** You must pay the lesser of this amount or the total value of your member's superannuation interest in your fund (other than a defined benefit interest). Instructions on how to pay are shown on the reverse side of the payment slip.

## Section D: Details of the released amount

2 What date did you release money from the member's accounts?  /  /

3 What amount was released from the member's accounts? \$ ,,.

4 If you did not release the full amount, why not? (place an  in the applicable box)

Account balance is less than the nominated amount to be released

Other (provide details below)


## Section E: Declaration

Complete and sign **one** of the following declarations that applies to you.

**➤** Before you sign the declaration, check you have provided true and correct information. Penalties may be imposed for giving false or misleading information.

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

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

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

Name (Print in BLOCK LETTERS)

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

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Date

Day	Month	Year
<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

OR

### AUTHORISED AGENT'S DECLARATION

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

*I declare that:*

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

Name (Print in BLOCK LETTERS)

--

Authorised agent's signature

--

Date

Day	Month	Year
<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

**!** You are required to keep a copy of the completed *Commissioner's compulsory authority to release excess contributions tax and statement* for five years.

Sample  
only



Australian Government  
Australian Taxation Office

PAYMENT SLIP –

Amount paid \$

PRN

Australian Taxation Office  
Locked Bag 1793  
Penrith NSW 1793

Sample  
only

### 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 assistance if required.

**Cheques/money orders:** Orders should be for amounts in Australian dollars and payable to 'Deputy Commissioner of Taxation'. Cheques should be crossed 'Not Negotiable'. Mail the payment slip together with your cheque or money order to the address printed on the slip. Please do not use pins or staples. **Do not send cash.**

**Payments cannot be made by credit card, or in person at any ATO branch or shopfront.**