

Manager
Contributions and Accumulation Unit
Personal Retirement and Income Division
The Treasury
Langton Crescent
PARKES ACT 2600

Dear Sir/Madam

Today I attended a seminar presented by the ATO regarding Division 293 Tax and its application to Defined Benefit funds. We are the Trustee and Administrator for The University of Adelaide Superannuation Scheme A 1985 (ABN: 94 615 635 536), which is a defined benefit fund.

We have major concerns about sections 134-65(3) and 134-115 of the Exposure Draft. These sections require us to supply information to the ATO in the required form about the amount of the "employer financed component" of a member's superannuation interest at the end of the financial year before the benefit is payable, within 14 days of receiving a request to pay a benefit or 7 days of receiving a request from the ATO.

The benefit calculations for the this fund require the application of earnings rates determined by the fund's actuary (both at end of year reporting dates and when benefits are payable). This takes a significant period of time to perform and as such, the above sections are not workable in their present form. We are unable to tell a member (or the ATO) what their exact benefit is until after the calculations have been performed. We understand that the end benefit cap is calculated on the superannuation interest as at the end of the previous financial year, but this is not known for the first few months of the financial year.

Kind regards

Ian Croshaw B.App.Sc FASFA
Administration Manager

Harmony | Consistency | Empathy | Maximizer | Relator

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and CREATING financial PROSPERITY through our strategic ADVICE"*