

Contributions for 2012–13 and earlier years

For 2012–13 and earlier years, if you exceeded your concessional or non-concessional contributions cap you needed to pay excess contributions tax (ECT).

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ECT assessment

If we identify you have excess contributions for 2012–13 or earlier, we generally write to you so you can check our information.

If this information is correct, we will send you an ECT assessment that will tell you how much you need to pay. The ECT assessment can cover both excess concessional contributions tax and excess non-concessional contributions tax (ENCC tax).

Excess concessional contributions tax

Excess concessional contributions for 2012–13 and earlier years were taxed at 46.5% as follows:

- 15% of the tax was applied in the super fund
- 31.5% of the tax was payable in the ECT assessment.

The [concessional contributions cap](#) varied. For:

- 2012–13, the cap was \$25,000 for people of any age
- 2011–12 and earlier years, the cap varied depending on your age.

Paying the excess concessional contributions tax

If you exceed your concessional contributions cap for 2012–13 and earlier years, we will send you a ECT assessment and a [voluntary release authority](#).

There are several ways you can pay your excess concessional contributions tax:

- use the voluntary release authority to ask your super fund to release the money to you and then pay the tax yourself

- use the voluntary release authority to instruct your fund to pay the money to us on your behalf
- pay the tax yourself using your own money without using the voluntary release authority
- pay using a combination of these options.

You can use a voluntary release authority to withdraw excess contributions from multiple funds, but the total amount withdrawn must not exceed the excess contributions tax amount.

You need to send the voluntary release authority to your fund within 90 days of the date the assessment was issued.

Pay your excess concessional contributions tax on time

The ECT amount is due 21 days after you receive your ECT assessment. If you don't pay the liability by the due date, we may apply a [general interest charge](#) (GIC).

You can request we remit (refund) the GIC. We may remit the GIC if both the following apply:

- you give your release authority to your fund within the time allowed for payment
- your fund makes the payment within 30 days. If any delay in payment occurred, it was out of your control.

Offer to have excess concessional contributions refunded for 2011–12 and 2012–13 only

For 2011–12 or 2012–13, you may receive an offer to have your excess concessional contributions refunded and assessed at your marginal tax rate, rather than paying ECT.

This may occur if all the following conditions were met:

- you exceeded your concessional contributions cap for the first time in either 2011–12 or 2012–13
- you exceeded the concessional contributions cap by no more than \$10,000
- you lodged your tax return for the relevant financial year within 12 months of the end of that year (or within a longer period, if the Commissioner of Taxation allows it).

This is a once-only offer. Once you make your choice, you can't change your mind. If you receive an offer you won't receive another offer later.

If you are eligible for the refund offer, we send you a letter explaining your options.

You can choose to either:

- accept the refund offer
- pay your excess concessional contributions tax liability.

Before accepting the offer

Before you decide whether to accept the offer, consider:

- the income tax implications of accepting an offer
- that part or all of the refund you receive could be used to pay any outstanding ATO or other Australian Government debts (such as Child Support Agency or Centrelink)
- any flow-on impacts of a change in your income to a range of government income tests used for calculating offsets, surcharges, benefits and payments.

For more information, see [individual income tax rates](#) and [income tests](#).

Excess non-concessional contributions tax

Excess non-concessional contributions for 2012–13 and earlier years were taxed at 46.5%.

The non-concessional contributions cap for 2012–13 and earlier years was \$150,000. The bring-forward arrangement was available if you were under 65 years of age. This meant you could contribute up to \$450,000 over a 3-year period.

Paying the ENCC tax

If you exceed your non-concessional contributions cap for 2012–13 and earlier years, we will send you a [compulsory release authority](#) along with your ECT assessment.

You must use the compulsory release authority to remove the ENCC tax amount from your super fund, even if you have paid the tax from your own money. If the ENCC tax amount is not released from your fund you could be penalised up to 20 [penalty units](#).

There are several ways you can pay your ENCC tax:

- pay the tax yourself and use the compulsory release authority to ask your super fund to release the money to you
- use the compulsory release authority to instruct your fund to pay the money to us on your behalf
- pay using a combination of these options.

Regardless of how you pay the tax, you must withdraw the full amount of your ENCC tax from your super.