

The Secretary,
Economics References Committee.

Re: The Impact of Non-payment of Superannuation Guarantee Enquiry.

I wish to comment on my personal experience of unpaid super and the journey to attempt to recover it. This touches on terms of reference, Sect "c" (1), and Sect " c " generally.

I worked for a sole trader for approximately 5 years from 2008 to 2013. During this time I requested my employer to attend to my super on numerous occasions. I was working 30 hrs per week, was on the books, and did all my tax returns with his ABN. When I finished working for him, after the loss of a major contract I asked him to rectify the super matter, but he refused.

Subsequently I contacted the ATO, and made a formal complaint against the employer. The ATO investigated and established that he did owe approximately \$12,700 in super payments. After three years of " investigating " I was told that they could not recover any of my money. They refused to give me any reasons as to why, quoting the Privacy Act as the reason I was told nothing.

The employer is still solvent, still trading in two businesses, is easy to locate and is still showing clear signs of having more than adequate means to pay the debt.

It concerns me that the ATO apparently has no power to recover unpaid super from employers that have adequate means to pay.

The ATO refuses to assist victims to further their journey to recover super, using unspecified " Privacy " blankets to avoid any scrutiny. Furthermore I have been treated like an offender rather than a victim by all staff at the ATO during the time of my enquiries and the investigation.

I would like to see the ATO have much stronger and timely powers to recover super from employers, maybe including suspending their ACN/ABN, until payment is received.

I apologise for the lateness of this submission, but only became aware of the enquiry today. I am happy for all this information to be freely available to the public or onto the Internet. I am also happy for my personal details to be published.

Thank You.

Yours Sincerely
Eric BROUWERS