

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

16 February 2012

Question No: AET 10

Topic: Lost superannuation – States transferring superannuation holdings to ATO

Hansard Page: 80

Senator SHERRY: I notice at the end of that section it says that Victoria and the ACT transferred their unclaimed super money holdings to you during 2010-10. What about the other states? What happened there?

Mr Peterson: Not at this stage. That is still an issue to be followed through.

Senator SHERRY: Why is that? Is it an administrative issue or is there a legal issue?

Mr Peterson: There are some legal issues for the states in releasing the money and then there is the decision by the states about whether they care to let the money go.

Senator SHERRY: Could you take on notice what the issues are relating to the other states—why Victoria and the ACT have been okay but the other states have not?

Mr Peterson: Yes.

Answer:

Legislative changes passed in November 2010 permit the Commissioner of Taxation to accept unclaimed super money (USM) from states and territories that have elected to transfer their USM holdings to the ATO or prescribed public sector super schemes.

Victoria and the ACT have already transferred their USM holdings.

The Commonwealth Treasury has written to the remaining states asking that they advise of their plans to transfer their USM holdings to the ATO.

The New South Wales and Northern Territory state governments have responded indicating that they will not be acting on the change of legislation at this stage.

The Western Australian, South Australian and Queensland governments have indicated a need to progress legislative and regulatory changes to support the transfer of state held unclaimed monies to the ATO. However, the exact nature of these changes has not been advised. These governments have indicated their willingness to progress the legislative and regulatory change and have suggested they should be in a position to progress in the 2012 calendar year.

The Treasury and ATO will liaise with the states in the coming months to discuss the progress of the changes and transfer of monies.