

## Tax & superannuation

The Australian Taxation Office (ATO) gives advice and information about tax requirements and super guarantee contributions.

For questions about your tax contact the ATO on 13 28 61 or [visit their website](http://www.ato.gov.au/) .

For information about recording tax or superannuation on employee records or pay slips (including end-of-year payment summaries), go to [Pay slips and record-keeping \(www.fairwork.gov.au/pay/pay-slips-and-record-keeping/default\)](http://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/default) .

### Superannuation guarantee

Under the superannuation guarantee, employers have to pay superannuation contributions of 9.5% of an employee's ordinary time earnings if:

- when an employee is paid \$450 or more before tax in a month and is:
  - over 18 years, or
  - under 18 years and works over 30 hours a week.

This applies to full-time and part-time employees and some casual employees, and includes temporary residents.

Superannuation has to be paid at least every 3 months, into the employee's nominated account.

For more information about the superannuation guarantee, including [what counts as ordinary time earnings \(https://www.ato.gov.au/Business/Super-for-employers/How-much-to-pay/#OrdinarytimeearningsOTE\)](https://www.ato.gov.au/Business/Super-for-employers/How-much-to-pay/#OrdinarytimeearningsOTE) , visit the [ATO website \(https://www.ato.gov.au/Super/\)](https://www.ato.gov.au/Super/) or contact the ATO on 13 10 20.

### Extra terms about superannuation

Some awards, enterprise agreements and other [registered agreements \(www.fairwork.gov.au/Dictionary.aspx?TermID=2034\)](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034) have extra terms about superannuation. These terms apply on top of the superannuation guarantee.

Find more information about superannuation in your award by selecting from the list below.

Based on what you've told us, it looks like you're covered by the Clerks Private Sector Award [MA000002].

Under the Clerks Award, superannuation needs to be paid during periods of leave while on workers compensation if the employee:

- can't work because of a work-related injury or illness
- is getting paid workers compensation payments or regular payments from their employer
- is still employed by their employer.

For each workers compensation claim, superannuation must be paid for no more than 52 weeks. The weeks don't have to be consecutive.

For more information about superannuation entitlements in this award, go to [Clerks Private Sector Award \[MA000002\] clause 20](http://awardviewer.fwo.gov.au/award/show/MA000002) .

To find out more about who this award applies to, go to the [Clerks Award summary \(www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000002-summary\)](http://www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000002-summary) .

Source reference: [Clerks Private Sector Award \[MA000002\] clause 20.5](http://awardviewer.fwo.gov.au/award/show/MA000002) .

### What happens if superannuation hasn't been paid?

Employees who think superannuation hasn't been paid can make a complaint to the ATO.

Before doing this you should:

- know the [award or registered agreement \(https://www.fairwork.gov.au/awards-and-agreements\)](https://www.fairwork.gov.au/awards-and-agreements) covering your employment
- check if your award or agreement has extra terms about super (use the filter above or see our [full list of awards \(https://www.fairwork.gov.au/awards-and-agreements/awards/list-of-awards\)](https://www.fairwork.gov.au/awards-and-agreements/awards/list-of-awards) )
- check a pay slip to see if it has information about your super payments

- contact your super fund to find out whether a payment has been made
- talk to the employer if you have any concerns.

If there are extra superannuation terms on top of the superannuation guarantee in your award or agreement, you can [contact us \(https://www.fairwork.gov.au/contact-us\)](https://www.fairwork.gov.au/contact-us) for further assistance.

Information about what an employer must do if they haven't met their superannuation obligations can be found on the [ATO website \(https://www.ato.gov.au/individuals/super/growing-your-super/unpaid-super-from-your-employer/\)](https://www.ato.gov.au/individuals/super/growing-your-super/unpaid-super-from-your-employer/).

### What to do next

- Visit the [ATO website](http://www.ato.gov.au/Super/) for superannuation questions
- Contact the ATO Superannuation infoline on 13 10 20
- Find out about [record-keeping and pay slip requirements \(www.fairwork.gov.au/Pay/pay-slips-and-record-keeping/default\)](http://www.fairwork.gov.au/Pay/pay-slips-and-record-keeping/default) for superannuation and tax
- Download the [pay slip template \(DOC 53.5KB\) \(www.fairwork.gov.au/ArticleDocuments/766/Pay-slip-template.doc.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/766/Pay-slip-template.doc.aspx)
- Find an [award or registered agreement \(www.fairwork.gov.au/Awards-and-agreements/default\)](http://www.fairwork.gov.au/Awards-and-agreements/default)

### Help for small business

- Find tools, resources and information you might need on our [Small business page \(www.fairwork.gov.au/Find-help-for/Small-business/default\)](http://www.fairwork.gov.au/Find-help-for/Small-business/default).

### You might also be interested in

- [Super obligation employer's checklist](https://www.ato.gov.au/Business/Super-for-employers/Run-a-quick-check-of-your-super-obligations/) for superannuation obligations
- [Super for temporary residents leaving Australia](https://www.ato.gov.au/Business/Super-for-employers/Run-a-quick-check-of-your-super-obligations/) (https://www.ato.gov.au/departaustralia)

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### Contact us

Fair Work Online: [www.fairwork.gov.au](http://www.fairwork.gov.au)

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

The Fair Work Ombudsman is committed to providing advice that you can rely on. The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.