



'super, your business and modern awards'

**Guild Super's helpful guide to your key employer
superannuation obligations**



Super is an everyday reality for you and your employees. GuildSuper can help you meet your super responsibilities as an employer.

Our simple steps and checklists can assist your business to comply with relevant superannuation and workplace obligations. The Fair Work Ombudsman can conduct audits of veterinary practices to check their compliance with obligations under modern awards and enterprise agreements – so it's important that you're prepared.

What rules are you bound by?

Your key super responsibilities are covered by:

1. The Superannuation Guarantee (SG) legislation;
2. Australian Workplace Law - the *Fair Work Act 2009*;
3. A relevant modern award or enterprise agreement that covers your employees.

This booklet summarises your key obligations in relation to superannuation and answers some frequently asked questions. While this booklet focuses on obligations relating to employees covered by a modern award, similar steps can be applied to employees covered by an enterprise agreement.

The information in this booklet is based on legislation as at October 2015, and is subject to change.

Your first decision – your default super fund

Federal legislation requires most employers to nominate a 'default' super fund for the payment of Superannuation Guarantee (SG) contributions if an employee decides not to choose their own super fund.

If your employees are covered by a modern award, the default fund must be a fund that is listed in the modern award (unless the modern award allows otherwise). The default super fund you select must hold a MySuper authorisation and must comply with certain legislative requirements which includes offering a minimum level of life insurance cover.

Did you know?

GuildSuper is an authorised MySuper provider and can be your default super fund for employees covered by a modern award, as it is listed in the Animal Care and Veterinary Services Modern Award 2010.



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Your default super fund

Your first decision – your default fund *continued...*

Your default super fund checklist

Have you...	Make sure you...
chosen a default super fund for new employees covered by a modern award?	check that your default fund: <ul style="list-style-type: none">• is an authorised MySuper provider.• is named or allowed under the modern award.• has the minimum required level of life insurance cover.
recorded your default fund?	check that you have inserted the name and required details of your default super fund in Section B of the <i>Superannuation Standard Choice form</i> (see 'Helpful Hint' below).
changed default funds?	inform all your staff. You may need to let your existing employees know that you have changed the nominated default super fund and provide them with a <i>Superannuation Standard Choice form</i> within 28 days after the change.



Helpful hint

If you would like a copy of the *Superannuation Standard Choice form* pre-filled with GuildSuper's details, you can download it from the forms section at **guildsuper.com.au**

What you need to do for new employees

Here are some simple steps to help you meet your super obligations when a new employee starts work.

Step 1: Understand that employees can choose their own fund

Employees employed under a modern award can usually choose their own super fund. For an employee's nomination to be valid, the chosen fund must be a complying fund and be able to accept contributions from you.

Did you know?

You may face significant financial penalties if the default fund you choose [for new employees covered by a modern award] isn't allowed in the relevant award and you make SG contributions into that fund.

Step 2: Provide a *Superannuation standard choice form* to new employees

If a new employee is eligible to choose their super fund, they should usually be provided with a *Superannuation Standard Choice form* within 28 days from the day they started working with you.

They don't need to complete the form if they don't want to choose a fund, but they must be given the choice.

As an employer, it may be necessary for you to provide a *Superannuation Standard Choice form* within 28 days of the following:

- a) if an existing eligible employee asks (in writing) for a form (unless you have provided them with the form within the previous 12 months);
- b) if you are unable to contribute to an employee's chosen fund; or
- c) if you change your nominated default fund.

Step 3: Completing the *Superannuation Standard Choice form*

It is important you complete your default super fund's details in Part B of the *Superannuation Standard Choice form* before giving it to your employee. This lets the employee know that unless they provide details of an alternative super fund, you will make contributions to the fund named as your default super fund.

Failing to keep adequate records could lead to financial penalties. It is best practice to keep records that demonstrate you have followed the correct procedures.

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What you need to do for new employees

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This includes keeping records that clearly show that you provided the *Superannuation Standard Choice form* in a timely manner.

Step 4: Make the first payment

If the employee does not choose a fund, you must pay the required SG contributions for the employee to your nominated default super fund.

If an employee does choose a super fund, you have 60 days following receipt of their *Superannuation Standard Choice form* to start paying superannuation contributions to the employee's chosen super fund.

When you make a superannuation contribution for your employee, you need to

give your employee's TFN to their super fund on the day of the first contribution. If your employee has not quoted their TFN by the date of the first contribution, you should give their TFN to their super fund within 14 days of receiving it. Penalties may apply if you do not do this.

Did you know?

If you don't meet your 'choice of fund' obligations you could face penalties. To avoid paying any penalties, please ensure you pay the required amount of super contributions to the correct super fund by the due date.

New employee checklist

Do you...	Make sure you...
tell new employees of your nominated default fund?	check that the <i>Superannuation Standard Choice form</i> you issue to new employees notes your default super fund in Section B. This form helps ensure new employees understand that they can ask you to pay their superannuation contributions into a fund of their choice.
provide employee TFNs to their super fund?	check that you have a process in place to pass on TFNs within the required timeframe
keep records that you've provided new employees with the right documentation?	contact us for a copy of our <i>New Employee Super Checklist</i> , complete it and keep a copy on file. Perhaps attach it to the employee's personnel file.

What you need to do on an ongoing basis for existing employees

Making payments

Which employees receive the Superannuation Guarantee (SG) contributions?

Generally, you need to make SG contributions for employees who earn \$450 or more in a calendar month.

You don't have to make SG contributions for some employees. For example, employees who:

- earn less than \$450 per calendar month, or
- are under age 18 and work less than 30 hours per week.

Prior to 1 July 2013, employees aged over 70 were not eligible for SG contributions. On 1 July 2013 this age restriction was removed and all eligible employees now receive SG contributions, regardless of their age.

How much super do you need to pay?

Currently the minimum SG contribution is 9.5% of an employee's ordinary time earnings.

Unless you are under higher contribution obligations (as specified in a modern award or enterprise agreement) the formula is:

$$\text{Ordinary Time Earnings (OTE) per calendar month} \times 9.50\%^* = \text{SG payable.}$$

Employees can also choose to top-up their super with either before or after-tax contributions. Before-tax contributions are also known as Salary Sacrifice contributions. It is at your discretion, as an employer, whether or not you allow your employees to make salary sacrifice contributions.

*The SG contribution rate is subject to change. Furthermore, you do not have to apply it to earnings of an employee above a certain limit, called the maximum contribution base, which changes from year to year. Please refer to ato.gov.au for full details.



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What you need to do on an ongoing basis for existing employees *continued...*

When are SG payments due?

You are able to make SG payments as often as you like.

However, payments must be made at least quarterly as shown below:

SG Quarter	Due date
1 July – 30 September	28 October
1 October – 31 December	28 January
1 January – 31 March	28 April
1 April – 30 June	28 July

When a cut-off date for payment falls on a Saturday, Sunday or public holiday, you can make the payment on the next working day.

Claiming a tax deduction for your business

You may be able to claim a tax deduction for super contributions you make in relation to your employees for the financial year in which you pay them. You should seek taxation and accounting advice from an appropriately qualified professional regarding the deductions that might be available to you.



What you need to do on an ongoing basis for existing employees *continued...*

Employees checklist

Requirement	To do
Do you keep records on how you calculated SG amounts?	Records showing the amount of super you paid for each employee, and any documents that helped you calculate the amount you paid must be kept for at least five years.
If covered by relevant Commonwealth workplace laws	Keep employee records relating to super contributions for seven years including: <ul style="list-style-type: none">• amount of contributions made• period over which contributions were made• dates on which contributions were paid• names of the super funds, and• the basis on which the contribution liability arose including records and date of employee choice.
Do you include super details on your employees' payslips?	Check that your payslips include the amount of SG contribution paid (or payable) and the name of the fund it was (or will be) paid to.
Prepare for the Government's SuperStream e-commerce standards that started from 1 July 2014	Soon it will be compulsory for all employers to pay super contributions electronically. The deadline to meet this new standard depends on your size. The final deadline for businesses with 20 or more employees was 31 October 2015. The deadline for smaller employers with 19 or less employees is 30 June 2016.



Helpful hint

GuildSuper provides access to two simple electronic payment solutions: Employer Online and a Clearing House[^]. For more information visit guildsuper.com.au

[^] The Clearing House and Employer Online are issued by Mercer Outsourcing (Australia) Pty Ltd ABN 83 068 908 912 AFSL 411980. Please refer to the PDS for MercerSpectrum before making a decision about this product.

Frequently asked questions

How do I join GuildSuper?

Joining GuildSuper is easy. Just complete an *Employer Application Form*. This is available at **guildsuper.com.au**.

How do I make payments to GuildSuper?

We recommend you call us on 1300 309 882 for more information on paying electronically.

How do I start paying for a new employee?

To pay electronically – just add them when you log into Employer Online or the Clearing House.

Remember to provide the employee's TFN to their super fund. For more information please refer to the 'Tax file number declaration' form which can be found at ato.gov.au.



Frequently asked questions *continued...*

What happens when an employee...

takes unpaid leave? Super contributions are generally not made when an employee is away from work and not receiving their pay, such as when they are on unpaid approved parental or other leave. A modern award or enterprise agreement can specify otherwise.

If an employee is a GuildSuper member and takes leave without pay, keep including them on the information you send to us, but note a \$0.00 payment for them.

leaves my employment? If they're a GuildSuper member and they've stopped working for you permanently, pay their final super contribution and notify us of the date ceased.

can't work due to illness or injury? If your employee is a GuildSuper member,

ask them to contact us immediately to discuss their insurance cover.

passes away If your employee is a GuildSuper member please notify us so we can arrange to pay their account balance and any associated insurance cover to their eligible beneficiaries.

starts maternity or paternity leave? If your employee is a GuildSuper member please let us know about approved maternity, paternity or adoptive leave before the leave period begins. Members may be eligible for up to a maximum 12 month dollar-based administration fee waiver depending on how their account balance is invested.*

takes long-service leave? You may need to continue paying SG contributions for employees on long-service leave. If your employee is paid in advance, you may also pay their super contributions at that time.

*Only for members invested 100% in GuildSuper's MyMix investment option, while on leave. Refer to the GuildSuper Product Disclosure Statement and Member Guide for more information.

For answers to more of your frequently asked questions, visit guildsuper.com.au



Further information

The following websites provide further information:

- www.guildsuper.com.au for information about employer super responsibilities.
- www.ato.gov.au/employers for tax and superannuation.
- www.fwc.gov.au for a range of workplace matters including minimum wages, employment conditions and modern awards.

GuildSuper helps employers through a range of great benefits including:

- Electronic contribution and payment options through a Clearing House or Employer Online[^].
- Regular e-news updates.
- A range of general financial education programs.
- An SMS contribution reminder service.
- Workplace visits to help employers and their staff with their super including a:
 - lost super service at no extra cost;
 - rollover service at no extra cost.



'we're here to help

To join GuildSuper

 1300 309 882

 guildsuper.com.au

 employers@guildsuper.com.au



GuildSuper is a proud partner of the
AVA Graduate Mentoring Program



*Important Note: The information contained in this document is intended only to be a summary of the subject matter covered. This document contains general information only, it does not purport to be comprehensive, nor does it purport to provide you with legal advice. It has not taken into account your specific circumstances. If you are unsure about your legal obligations as an employer or should you require specific advice about employment law, your superannuation obligations, modern awards or enterprise agreements, you should seek advice from a suitably qualified professional.

[^] MercerSpectrum Clearing House and Employer Online are issued by Mercer Outsourcing (Australia) Pty Ltd ABN 83 068 908 912 AFSL 411980. Please refer to the PDS for information about MercerSpectrum before making a decision about this product.

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