

April 2019

Super Discussion Group





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Welcome to the **Super Discussion** **Group: April 2019**

Notes for Super Discussion Group sessions held in Melbourne 4 April 2019 and Sydney 9 April.

The Super Discussion Group notes (SDG) is a compilation of key case law, regulator updates and industry insights for you to easily stay abreast of the ever changing tax landscape.

This edition contains tax and superannuation developments covering the period from **Monday 21 January 2019** till **Friday 15 March 2019** (inclusive).

To aid your navigation, we have linked all resources and source materials within the SDG notes. If you require a greater in depth understanding of an issue, just click on the link through to the additional materials.

We hope you enjoy this update.

Warm regards,

The Team at Tax & Super Australia

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STRUCTURE

Headlines

In-depth analysis of super matters that have occurred over the past two months that will be important to you and your clients. These are must read items!

Super Bulletin Board

A snapshot of salient items which have happened during the last two months that are of relevance to you (which you may have missed).

New superannuation rates and thresholds, recently enacted law or messages from regulators are some of the things you will find in this section.

About the **Super** **Discussion Group** notes

TRAFFIC LIGHTS

Our traffic light system will help you determine whether the tax development has been finalised, is being progressed, or still at early discussion stage. If you only want to know if a measure has passed or an ATO pronouncement has been finalised – then just “Read the Green”.

<p>GREEN</p> 	<p>For legislation: The Bill has passed both Houses of Parliament or received Royal Assent (ie enacted as law).</p> <p>For case law: The decision has been delivered by the relevant Court or the Administrative Appeals Tribunal.</p> <p>For ATO pronouncements: Issued in final form and can be relied upon as the Commissioner of Taxation’s position on, or interpretation of, an issue.</p>
<p>AMBER</p> 	<p>For legislation: The Bill has been introduced and is currently progressing through the Parliament. The measures have not yet been enacted. The Bill may be amended, or not pass through Parliament altogether.</p> <p>For ATO pronouncements: Issued in draft form and under consultation. Can be relied on as the Commissioner’s position on, or interpretation of, an issue until issued in final form or otherwise withdrawn.</p>
<p>RED</p> 	<p>For legislation: Released in exposure draft form and subject to consultation. May be amended before being tabled in Parliament as a bill or scrapped altogether.</p> <p>For regulator updates or Treasury papers: Issued in draft form or issued in final form as a recommendations paper. There is no certainty that the recommendations will be implemented.</p>

GLOSSARY

Administrative Appeals Tribunal..... AAT
 Australian Financial ServicesAFS
 Australian Prudential Regulation Authority..... APRA
 Australian Securities and Investments
 CommissionASIC
 Australian Taxation OfficeATO
 Capital Gains Tax.....CGT
 Commissioner of TaxationCommissioner
 Federal Court of Australia Federal Court
 Full Court of the Federal Court
 of Australia Full Court
 High Court of Australia High Court
 Income Tax Assessment Act 1997ITAA97

Income Tax Assessment Act 1936ITAA36
 Income Tax Assessment Regulations 1997ITAR97
 Income Tax (Transitional Provisions) Act 1997 ..ITTPA
 Law Companion RulingLCG
 Pay As You GoPAYG
 Superannuation Guarantee.....SG
 Superannuation Guarantee (Administration)
 Act 1992.....SGAA92
 Self Managed Superannuation FundSMSF
 Superannuation Industry (Supervision)
 Act 1993 SIS Act
 Superannuation Industry (Supervision)
 Regulations 1994..... SIS Reg

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