

KnowHow

First Home Super Saver Scheme

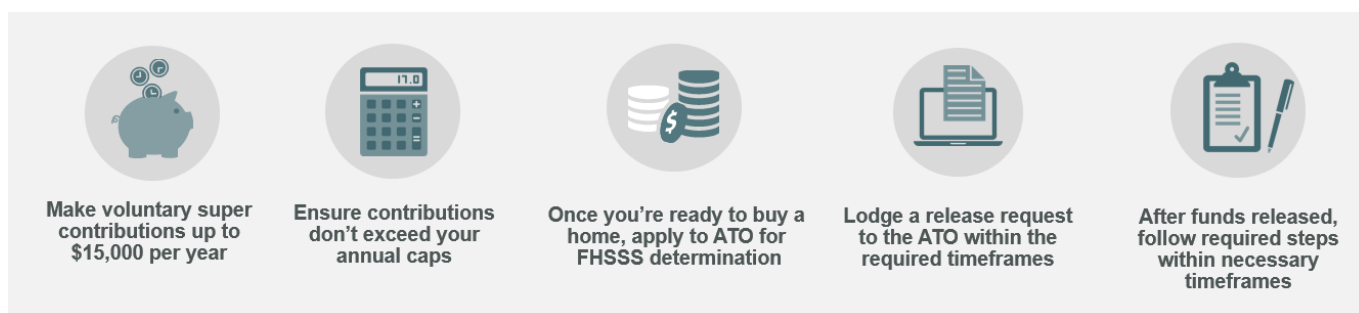
1 November 2023

Did you know that you may be able to make voluntary contributions to super to help save for a deposit on your first home? What are the potential benefits of using super? We explain more about the scheme below.

Tell me the basics - how does it work?

When it comes to saving for your first home, super probably isn't an investment option that springs to mind. Generally, super can only be accessed once you've retired or met another 'condition of release', which could be a long way down the track.

However, under the First Home Super Saver Scheme (FHSSS), you may be able to make voluntary contributions to super, and you may be eligible to withdraw these amounts, plus associated earnings¹ to put towards a deposit on your first home. Below, we highlight the key steps you need to follow.



Why use super to save?

There are a few potential benefits to using super to save for a home deposit, including:

- earnings in super are taxed at up to 15% and are concessional tax when you make a withdrawal from super under the scheme. Earnings on investments or bank accounts in your own name are taxed at your marginal tax rate (MTR) which could be up to 47%², and
- depending on the type of contributions you make, these amounts may reduce your assessable income for the year and therefore reduce tax payable.

The tax effectiveness of the scheme may free up more of your hard-earned funds and increase the amount you can save for that home deposit.

Am I eligible?

To be eligible for the FHSSS, you must meet certain conditions, including:

- be aged 18 years or older at the time you apply to withdraw the funds
- have not ever owned or had an interest in Australian real estate (including residential, investment and business properties)³, and
- make **voluntary** super contributions.

¹ Earnings are deemed to accrue at a set rate known as the shortfall interest charge (SIC) which is 7.15% pa for October- December 2023. This rate fluctuates over time.

² Including Medicare levy

³ The ATO may allow exceptions under financial hardship provisions, including where you've previously lost a property due to divorce, loss of employment or a natural disaster.

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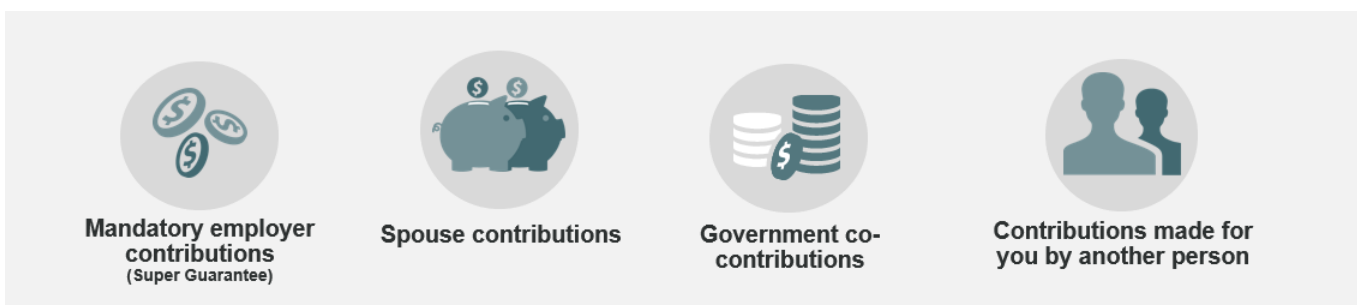
What contributions can I make and access under the FHSSS?

You can make voluntary contributions of up to \$15,000 per year within your ordinary contribution caps and can withdraw a maximum of \$50,000 of voluntary contributions plus earnings (calculated at a set rate by the ATO on the amount you withdraw⁴). You can read more about the different types of contributions and contribution caps at ato.gov.au

Voluntary contributions include:



Voluntary contributions do not include:



Applying to have funds released

Important timeframes and requirements

There are some important steps and timeframes you must understand.

1. Request and receive a FHSS determination

A FHSS determination provides you with the maximum amount you're eligible to withdraw. You can request a determination via myGov. You'll need to have requested and received a determination from the ATO **before** signing a contract of sale or for construction⁵, or purchasing a home at auction. If you don't, you won't be eligible to access the contributions you've made to super.

2. Request to withdraw funds

Provided you've received your FHSS determination, you may request to release (or withdraw) an amount up to the figure noted in the FHSS determination before or after you sign a contract. However, **if you apply for the release authority after you've signed a contract, you need to make sure you do so within 14 days**. From 20 September 2024, the applicant will have 90 days to request a release authority after they enter a contract to purchase or construct a home. A release request can be made via myGov.

After the funds are released, there are additional requirements and obligations - see below.

⁴ Earnings are calculated by the ATO at a set rate rather than reflecting actual fund earnings. The rate is the shortfall interest charge.

⁵ If you're building a home, you need to ensure you have applied for a FHSS determination **before** purchasing vacant land.

First Home Super Saver Scheme

Taxation of funds

Some of the amount withdrawn is subject to tax (known as the assessable amount). This includes any concessional contributions⁶ that are released to you, plus any associated earnings that have accrued on any of the contributions released to you (either concessional or non-concessional). The assessable amounts are taxed at your MTR less a 30% tax offset. The ATO will estimate your income for the year in which you withdraw the funds and will withhold tax from the amount paid to you at your estimated tax rate.⁷

What happens after applying to release funds?

It generally takes the ATO between 15 and 20 business days to send the funds to you (see ato.gov.au). You'll need to purchase a home or sign a construction contract within 12 months of receiving the funds. If you don't, the ATO automatically provides an additional 12 month extension to you, and will notify you in writing. After you sign a contract you must notify the ATO within 28 days.

You must move into your home as soon as possible after purchase or construction is complete, and you must intend to live there for at least six of the first 12 months.

If you still haven't purchased a home or signed a construction contract within that timeframe, you'll need to either:

- recontribute the funds to super as a non-concessional contribution⁸ for which you can't claim a tax deduction and notify the ATO⁹, or
- pay FHSS tax of 20% on the assessable amount that was released to you, which is in addition to any tax payable on the withdrawal¹⁰.

What if you change your mind?

If you change your mind **after you've contributed** to super and no longer intend to purchase a home, the money you've contributed to super won't be accessible.

If you change your mind **after the funds have been released**, you'll need to either recontribute the money to super, or pay additional FHSS tax.

From 20 September 2024, if you change your mind **before the funds have been released**, you can amend or withdraw your FHSSS application. You can then re-apply in future should the need arise once you have withdrawn your application. Currently, one of the eligibility criteria requires an applicant to not have previously requested a release from superannuation under this scheme.

What next?

To find out more about the FHSSS and to understand the different ways you can contribute, and the benefits it may provide to you, we recommend you seek financial advice and visit ato.gov.au. You may also be eligible for state/territory based stamp duty concessions or first home buyer grants and you should seek further information from the revenue office in your location.

Important information:

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⁶ Concessional contributions include personal contributions which you have claimed as a tax deduction and salary sacrifice amounts.

⁷ If the ATO can't estimate your income for the year and therefore your MTR, they will withhold tax on the assessable amount at 17% and any adjustment will occur when you submit your tax return for the year.

⁸ The contribution counts towards your non-concessional contribution cap. Tax penalties may apply if you exceed your cap. Refer to ato.gov.au or your adviser for further information.

⁹ You can notify the ATO via your myGov account.

¹⁰ This will also apply if you recontribute the amount to super but you don't notify the ATO.