



Super guarantee opt out for high income earners with multiple employers

- <https://www.ato.gov.au/Individuals/Super/In-detail/Growing-your-super/Super-guarantee-opt-out-for-high-income-earners-with-multiple-employers/>
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Super guarantee opt out for high income earners with multiple employers

From 1 January 2020, eligible individuals with multiple employers can apply to opt out of receiving super guarantee (SG) from some of their employers. This will help you avoid unintentionally going over the [concessional contributions](#) cap.

You may be eligible to opt out if you have more than one employer and expect your employers' mandated concessional super contributions to exceed your concessional contributions cap for a financial year.

Submit the *SG opt out for high income earners with multiple employers* form (NAT 75067) to apply for an SG employer shortfall exemption certificate. The certificate releases one or more of your employers from their SG obligations for up to four quarters in one financial year. You'll still need to receive SG contributions from at least one of your employers for each of those quarters.

The exemption certificate means the employer will not be liable for the super guarantee charge (SGC) if they don't make SG contributions on your behalf for the quarters covered by the certificate. It's important you talk to your employer before applying as they can choose to disregard an exemption certificate and continue to make SG contributions.

This measure may not benefit everyone who's eligible. Consider your employment arrangements, such as how your pay and other entitlements may change and the effect of any relevant award or workplace agreement applicable to you. Your accountant or tax agent may provide you with further advice based upon your circumstances.

Find out about:

- [Applying for an exemption certificate](#)
- [Issuing an exemption certificate](#)
- [What an employer needs to know](#)

Applying for an exemption certificate

An application for an SG employer shortfall exemption certificate:

- must be made by the employee to be covered by the certificate – an employer can't apply for an exemption certificate
- can only be made in respect of current employers
- must be lodged in the approved form at least 60 days before the first day of the first quarter that the application relates to.

When to apply

We must receive your application at least 60 days before the first quarter for which the employer shortfall exemption certificate is sought:

Quarter beginning	Received by us on or before
1 July	2 May
1 October	2 August
1 January	2 November of the preceding calendar year
1 April	31 January (or 1 February in a leap year)

An exemption certificate can be for a period of up to four quarters in one financial year. A separate application is required for each financial year.

Next steps:

- Before you apply, talk to your employer about the effect an exemption certificate may have on your pay or other entitlements. Note that your employer can disregard an exemption certificate and continue making SG contributions.
- Complete the [Super guarantee opt out for high income earners with multiple employers form \(NAT 75067\)](#).

Issuing an exemption certificate

We will only issue you with an exemption certificate if:

- you are likely to exceed your concessional contributions cap for the financial year that includes the relevant quarters for which an exemption is sought
- after issuing the certificate, you will still have at least one employer obliged to make mandated SG contributions for your benefit in each quarter covered in the exemption certificate

When considering your application, we will take into account the effect of any other certificates already issued to you for the financial year.

If your application is approved we will issue a written notice to each of your employers covered by an exemption certificate. We will also send you a copy of the certificate for each exempted employer

Once issued, the exemption certificate cannot be varied or revoked.

If we decline your application, we will notify you of the decision. We are not required to inform your employers.

If you're dissatisfied with our decision, you may object.

See also:

- [Dispute or object to an ATO decision](#)

What an employer needs to know

Employees are encouraged to discuss the effect of the exemption certificate with their employers before applying.

Where an application by an employee to opt out of receiving SG contributions from one or more of their employers is successful, we'll issue an SG shortfall exemption certificate to the covered employers.

An employer that's covered by an exemption certificate for a particular employee for a specified quarter has a maximum contribution base of \$0 for that employee for that quarter.

This means the employer will not be liable for the SGC (or face other consequences under the *Superannuation Guarantee (Administration) Act 1992*) if they don't make contributions on behalf of the employee for the exempted period.

The exemption certificate:

- does not prevent the employer from making super contributions on behalf of the employee
- does not change the employer's obligations under a workplace award or agreement, or an employer's agreement with their super fund
- cannot be varied or revoked once it's issued.

The employer may agree to an alternative remuneration package with their employee. They will have certainty that the exemption cannot later be withdrawn to the employer's disadvantage.

See also:

- [The super guarantee charge \(SGC\)](#)

Our commitment to you

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet your obligations.

If you follow our information and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we will take that into account when determining what action, if any, we should take.

Some of the information on this website applies to a specific financial year. This is clearly marked. Make sure you have the information for the right year before making decisions based on that information.

If you feel that our information does not fully cover your circumstances, or you are unsure how it applies to you, contact us or seek professional advice.

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