

## ***Super Guarantee amnesty and penalties***

You may remember that we discussed the super guarantee amnesty in a newsletter earlier this year. The amnesty allows employers to disclose and pay previously unpaid super guarantee charge (SGC), including nominal interest, that they owe their employees, for quarter(s) starting from 1 July 1992 to 31 March 2018, without incurring the administration component (\$20 per employee per quarter) or Part 7 penalty. **The amnesty closes on 7 September 2020.**

The ATO have now released details about the Part 7 penalty. The penalty can range from 0% up to 200% of the SGC amount, depending on the circumstances. Once the amnesty ends on 7 September 2020, the ATO will no longer be able to reduce the penalty below 100% for these historical quarters.

<b>Penalty treatment up to 07/09/20</b>	Penalty % of SGC	<b>Penalty treatment after 08/09/20</b>	Penalty % of SGC
If an employer voluntarily discloses the SGC to the ATO for quarters up to 31 March 2018	N/A	No employer voluntary action before the ATO start an audit and no exceptional circumstances	100% - 200%
All other cases	0% - 200%	All other cases	0% - 200%

Don't forget that if you pay your employees' super late, you need to lodge an SGC statement with the ATO **within one month** of the due date for the super payment. (e.g. If the payment due date for the September quarter is 28 October 2020 and you pay it late, you will have until 28 November to lodge the SGC statement).

Below are the dates that the super must be paid by:

Quarter	Period	Payment due date
1	1 July – 30 September	28 October
2	1 October – 31 December	28 January
3	1 January – 31 March	28 April
4	1 April – 30 June	28 July