SUPERANNUATION AND PENSION FUNDS

Very few people today who have been in paid work do not have some form of superannuation. The methods of supplementing and then accessing such savings are numerous and continuing to grow. Apart from being a form of savings, superannuation does provide some significant benefits especially in tax relief for eligible members of complying superannuation funds.

The various types of pensions that are available, their features and limitations should be considered in detail as they will often provide some useful planning opportunities. The legislation around superannuation is complex and subject to change. It is important to seek professional advice when planning longer term investment strategies that can make use of these laws.

Some of the issues to consider in looking at drawing a pension from a superannuation fund include:

- If the fund is a self managed superannuation fund, does the trust deed permit that type of pension to be paid?
- Self-managed superannuation funds, unless "grand-fathered" are no longer able to pay defined benefits.
- The possibility of reversionary benefits to a spouse and the need, if the spouse is not already a member of the fund, to make them a member and if the fund is self-managed to make them a trustee or a director of the corporate trustee.
- The flexibility in investment strategies and asset allocation that can be adopted, particularly in self-managed funds.
- The interaction of the benefit stream with both potential social security benefits and taxation.
- The opportunities that arise out of and the requirements for the transition from the accumulation phase to the pension phase, particularly with self-managed funds.
- The existence of any death nominations and whether they are and remain binding.
- Availability of significant deductions against fund income to compensate for contributions tax previously paid.
- The now tax-free status of payments from superannuation funds, if the relevant pre-conditions have been satisfied.
- The increased deductibility of superannuation contributions for those who are self-employed.
- Eligibility for government co-contribution.
- The restructuring of contribution limits.
- The increased age limit for making deductible contributions to 75 years.