

Dear Trustees,

Your Self-Managed Superannuation Fund Administrator has requested that we prepare an actuarial certificate for your SMSF to comply with Section 295.390 of the Income Tax Assessment Act 1997. The actuary James Fitzpatrick of Waatinga has calculated the tax exempt percentage and has prepared the certificate as requested. This letter and the enclosed certificate and attachments set out the information and assumptions used to calculate the tax exempt percentage.

We understand that the circumstances of the Fund are such that just prior to the start of the income year in question, at least one member with a superannuation interest in the Fund (during the income year in question) had a Total Superannuation Balance exceeding \$1.6 million and that member was a retirement phase recipient of a superannuation income stream. This situation excludes the Fund from being able to use the Segregated Method for claiming Exempt Current Pension Income (ECPI) and so a Section 295.390 certificate is required to support the claim for ECPI.

Effective from the 2017/18 year onwards, if there are any periods of the income year where the only accounts held by the Fund are Retirement Phase accounts, these periods are known as Deemed Segregated Periods (DSPs) and the Segregated Method is generally used to determine the Exempt Current Pension Income (ECPI) during those periods. However the above circumstances of your Fund override that requirement and the ECPI proportion stated in the attached certificate should be applied to all of the relevant income for the whole income year, even if the Fund had one or more DSPs during the year.

The tax exempt percentage specified in the actuarial certificate applies to the net ordinary and statutory assessable income (excluding assessable contributions, non-arm's length income and income derived from any segregated assets) received during the Unsegregated Periods for the given income year.

As a general guide, the tax exempt percentage is calculated as the average Retirement Phase balances as a proportion of the average total Fund balances.

Regards,



Andy O'Meagher  
Director  
Act2 Solutions Pty Ltd  
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# ACTUARIAL CERTIFICATE

Income Tax Assessment Act 1997 (the Act), Section 295.390

We have been requested by Act2 Solutions to prepare an Actuarial Certificate in compliance with the Act for the following Self-Managed Super Fund (SMSF);

## **TM CHONG PTY LTD SUPERANNUATION FUND (the Fund)**

**Trustee(s): T.M. Chong Pty Ltd**

We have been advised the Fund is a complying Self-Managed Super Fund. This certificate is for the year ended 30/06/2021

### Results and Segregation

The Exempt Current Pension Income (ECPI) proportion we have calculated for the unsegregated periods set out below is;

**59.008%**

This certificate relies on the information that we have been provided. If any of the information is incorrect or materially changes, please request an amendment.

There were no actively segregated assets during the year of income.

Effective from 1<sup>st</sup> July 2017, where the Fund does not have Disregarded Small Fund Assets, during any periods where 100% of the SMSF's liabilities are Retirement Phase superannuation income stream benefits then the assets and income derived during these periods are deemed to be segregated and excluded from the calculation of the tax exempt percentage.

The table below sets out any deemed segregated periods, based on the information we have been provided. The appropriate treatment of earnings for the different periods is also set out in table and care should be taken to ensure that the appropriate exemption is applied to each period.

<u>Start Date</u>	<u>End Date</u>	<u>ECPI Method</u>	<u>Taxation treatment of relevant earnings</u>
01/07/2020	30/06/2021	Unsegregated	59.008% of earnings are exempt.

### Liabilities

I am advised the unsegregated net assets at 30/06/2021, prior to application of the above ECPI, which are also equal to liabilities of the Fund, were;

*Current Retirement Phase Liabilities: \$3,272,338*

*Current Superannuation Liabilities: \$5,583,683*

These figures are from draft financial statements. Please note that there is no need to request a revised ECPI if these balances change due to tax or investment income as these do not impact the ECPI calculation.

I certify that I am satisfied that the value of the stated liabilities of the Fund at 30/06/2021 is also the amount of the Fund's assets on this date. These assets plus any future contributions plus expected future earnings will provide the amount required to discharge the liabilities as they fall due.

### Exempt Current Pension Income (ECPI)

Subsection 295.390(1) of the Act states "that a proportion of ordinary income and statutory income of a complying superannuation fund that would otherwise be assessable income is exempt from income tax."

To assist the trustee with calculating this proportion for the year of income ending 30/06/2021 set out below is a proportion that is calculated consistently with the Act.

*Average Value of Current Pension Liabilities: \$2,905,482*

*Average Value of Superannuation Liabilities: \$4,923,837*

*ECPI Proportion: 59.008%*

The ECPI proportion should be applied to the Fund's assessable income (excluding any non-arm's length income, contributions and any income derived from segregated assets) to determine how much income is exempt from tax.

Please Note: The average values are time weighted average balances over the financial year and exclude net investment earnings and expenses. These average values are appropriate to calculate the proportion on the assumption that the Trustee will allocate the relevant unsegregated assessable income in proportion to member's unsegregated account balances at a fixed crediting rate throughout the unsegregated period.

### Data Summary

The data on which the above certification and calculation is based has been provided by Act2 Solutions. I have been provided with details of contributions, benefits payments and transfers for each member throughout the year. A summary of this data for the Fund is set out below

	<u>Contributions</u>	<u>Benefit Payments</u>	<u>Transfers</u>
<b>Fund Transactions</b>	<b>\$5,874</b>	<b>(\$93,024)</b>	<b>\$0</b>

The net assets at 01/07/2020 were \$4,919,710. The member balances as at 30/06/2021 provided were;

	<u>Retirement Phase</u>	<u>Total Balance</u>
<b>Total Fund</b>	<b>\$3,272,338</b>	<b>\$5,583,683</b>
Carol Oi Wah Chong	\$1,368,174	\$2,343,935
Christopher Chong	\$0	\$62,726
Jonathan Wee Li Chong	\$0	\$61,411
Terry Min Sin Chong	\$1,904,164	\$3,115,610

## Assumptions and Notes

I have been advised by Act2 Solutions that the relevant pension liabilities meet the requirements to be considered a retirement phase superannuation income stream. This advice has been relied upon in preparing this certificate.

The information provided indicates that during the income year the assets of the Fund were Disregarded Small Fund Assets as defined in the Act. As such, the Fund is not eligible to use the Segregated Method to claim ECPI and we have prepared the certificate on this basis.

I have been advised that the values at 01/07/2020 are from audited financial statements and that the values for the financial year are from unaudited draft financial statements. If there are material changes after the certificate was issued an amendment should be requested.

As the fund only contained account-based pensions and member accounts in accumulation phase, the liabilities have been taken to be the balances of the relevant accounts and reserves (if any). We have been advised there are no unusual terms or guarantees in the SMSF however should this be incorrect please contact Act2 Solutions as this certificate may need to be revised.

For the calculation of the exempt proportion we have relied on data provided that included the Fund's balances in accumulation phase, the Fund's balances in retirement phase, transactions within, to and from the Fund during the year.

The Fund contained only member accounts in accumulation phase and account-based pensions. Therefore, no assumptions about future inflation, future contributions, investment returns or discount rates have been required to calculate the tax exempt percentage.

The preparation of this actuarial certificate and the determination of the liability values are in accordance with Professional Standard 406 of the Institute of Actuaries of Australia.

Yours sincerely,



James Fitzpatrick  
Fellow of the Institute of Actuaries of Australia

20th of June 2022