



The Trustee for  
 HKM Superannuation Fund  
 C/- BWR Accounting  
 11 Daniel Street  
 GRANVILLE NSW 2142

**Our Reference:** SMSF Vol Disc  
**Phone:** 13 10 20  
**Client ID:** 29443300384

15 February 2023

## Your SMSF regulatory contravention disclosure

- › Your rectification proposal has been accepted
- › Act now to complete the steps outlined in your rectification proposal.

Dear Trustees,

We refer to your *SMSF regulatory contravention disclosure* form dated 22 November 2022 in relation to The Trustee for HKM Superannuation Fund (the fund). We apologise for the delay in issuing our response.

You advised us that Harish Matnri transferred a total of \$3,000 and \$18,950 during the 2022 and 2023 financial years respectively from the fund's online SMSF account to his personal account.

### Rectification proposal

The rectification proposal provided was for the repayment of \$3000 including interest by December 2022 and the repayment of \$18,950 including interest by 30 June 2023.

We accept your rectification proposals.

### What you need to do

You need to:

- › honour your commitment to comply with the rectification proposal by 30 June 2023
- › complete the actions set out in your rectification proposal
- › keep evidence of the rectification for your records
- › keep a copy of this letter for your records
- › consider speaking to your tax agent or SMSF specialist to get help with preventing future contraventions
- › ensure your fund meets all of its obligations under superannuation law.

You don't need to notify us when the rectification has been completed.

#### NEED HELP?

If you have any questions, you can phone us on **13 10 20** between 8.00am and 6.00pm, Monday to Friday.

We're committed to supporting people through difficult times. If you're struggling to meet your tax and super obligations visit **ato.gov.au/support**

For more information about your rights and obligations, go to **ato.gov.au/taxpayerscharter**

#### MORE INFORMATION

You can find more information on our website about:

- › trustee obligations  
**ato.gov.au/SMSFadmin**
- › how we deal with non-compliance  
**ato.gov.au/SMSFnoncompliance**
- › winding up your fund if you're not able to meet your obligations  
**ato.gov.au/SMSFwindup**

## What happens if your fund does not meet its obligations

We may take compliance action if you do not comply with the agreed rectification proposal or if we discover your fund has breached its obligations in the future. This could result in serious outcomes which may place your fund's compliance status at risk.

You need to act now and ensure that you meet your obligations as an SMSF trustee, so that you can benefit from your fund in your retirement.

Yours faithfully,

**Emma Rosenzweig**

Deputy Commissioner of Taxation