

SUPERANNUATION STAPLING – EMPLOYER GUIDE

Superannuation ‘stapling rules’ apply to employees who start employment on or after 1 November 2021 (‘new employees’). The stapling rules limit the creation of multiple superannuation accounts for employees when they start a new job.

If a new employee does not choose a super fund and has a stapled fund, you are required to make Superannuation Guarantee contributions to the stapled fund. However, if a new employee does not choose a super fund and does not have a stapled fund, you can make Superannuation Guarantee contributions for the employee to your chosen default fund.

MAKING CONTRIBUTIONS FOR NEW EMPLOYEES

Step 1 – Superannuation standard choice form

Provide your new employee with the **Superannuation standard choice form**. Employees can elect to join the employer’s default fund (ANZ Smart Choice Super), or have contributions made into their other choice fund if they have one.

Employers are required to provide this form to employees, but completion of the form is optional for employees.

Has your new employee chosen a super fund?*

Yes	No
Simply make contributions to the chosen fund. No further action is required.	See Step 2.

* Employers can offer choice of fund electronically via email confirmation or their digital onboarding process

Step 2 – identify your employee’s stapled fund

If the new employee doesn’t choose a super fund, employers are required to make contributions to the employee’s ‘stapled’ super fund (if they have one).

A stapled fund is usually the super fund which received the employee’s most recent contribution (additional rules apply – see ‘What is a stapled fund’ in the FAQs below for more information).

To determine if an employee has a stapled fund:

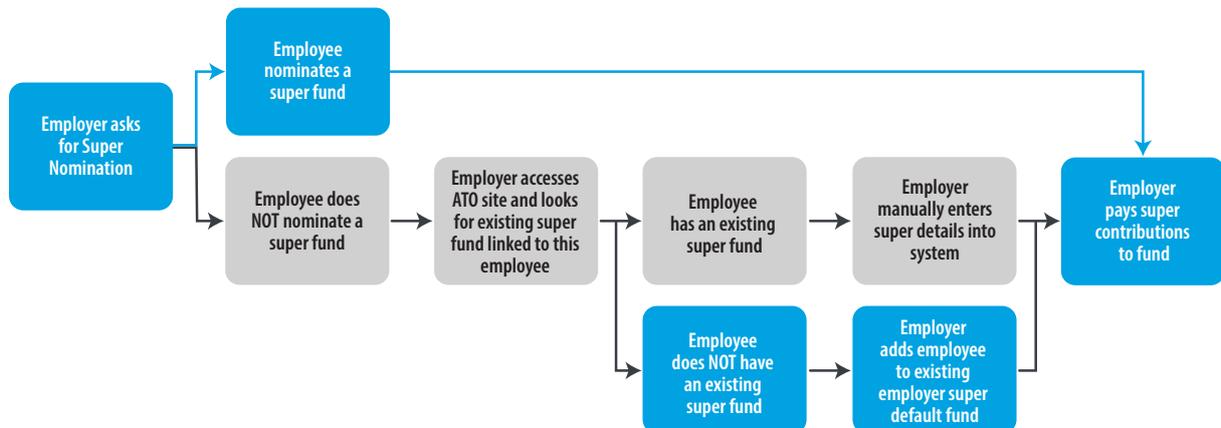
- 1) Log in to the [ATO Services website](#) and search for the employee using their payroll information.

If the employee has a stapled fund, the ATO portal will provide details.

- 2) Make future contributions to:
 - the employee’s stapled fund, **or**
 - if no stapled fund, the employer’s default fund (ANZ Smart Choice Super).

Regardless of fund, you can contribute by way of your normal method (e.g. clearing house, etc).

STAPLING PROCESS



STAPLING – EMPLOYER FAQs

What are superannuation stapling rules?

Under superannuation stapling rules effective 1 November 2021, an employee's 'stapled' super fund effectively follows them to their new job (see 'What is a stapled fund?' below).

What is a stapled fund?

The ATO is responsible for identifying an individual's stapled fund. The legislation provides specific requirements of what is classified as a stapled fund. In general, a stapled fund is the super fund which received an individual's most recent super contribution.

Tiebreaker rules determine an employee's stapled fund in the event they have multiple accounts that satisfy the requirements of a stapled fund. These rules consider factors such as the most recent contribution, the largest account balance and attributes about the active status of an account.

What do employers need to do for new employees?

Employers are still required to provide employees with a standard choice form within 28 days of commencement, but completion of this form remains optional for employees. If employees submit this form, employers can simply make contributions to the fund listed on that form (either the member's own choice of fund, or the employer's default fund, e.g. (ANZ Smart Choice Super).

If the employee doesn't complete the standard choice form or give notification of their chosen fund, employers are required to make contributions to the employee's stapled super fund if they have one (see below).

How do employers find new employees' stapled fund?

Employers are required to request stapled super fund details via [ATO Online Services](#). The ATO is responsible for identifying an individual's stapled fund and providing that information through the ATO Online Services portal (see link above).

To find the employee's stapled fund in the ATO portal, employers will need to search for the new employee using the employee's payroll information.

Once submitted, the ATO portal will disclose the individual's fund name (and related information), member number, stapling status, and other information required to make contributions to that fund.

What happens if a new employee doesn't have a stapled fund?

For new employees who don't have a stapled super fund and haven't chosen a super fund (e.g. by submitting a Superannuation standard choice form), employers can establish a new account for the employee.

Employers can establish a new account through their existing default super fund joining process (e.g. through ANZ EasyTransact).

Can an employee join the employer's default fund instead of having contributions made to their stapled fund?

Yes. Employees who wish to join their employer's default fund can do so by notifying that fund as their chosen fund or completing the Superannuation standard choice form and selecting 'Join my employer's default fund' or electronically through the employer's onboarding system (if available).

Are there any requirements for existing employees?

No changes are required for existing employees receiving employer contributions when the stapling rules come into effect.

For employees who cease employment after 1 November 2021, the super fund into which the employee was receiving contributions when they ceased employment will usually be the member's new stapled fund (subject to other stapling rules described above).

Who do I speak with if I need more information?

Please speak with our [Employer Services team](#) or visit [ATO Online Services](#).

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