

I have had some dealings recently with the ATO and my super, and need some advice and potentially someone to act as my agent. I'm not sure if this is something you might be interested in - I have set out a brief summary below and can provide more detail if required.

I lived in Australia for 8-9 years up until around September 2017, when I moved to NZ with my wife and children, where I'm now a permanent resident. I had accumulated approx. \$97k in super, which I left in my Hostplus account. It remained there untouched since, apart from a withdrawal of \$10k as part of the COVID-19 early release programme.

A couple of weeks ago, upon checking my super balance, I found out it was zero, and after speaking with someone there, found out that it had been transferred to the ATO (I had no prior notification from Hostplus that this was about to occur). I applied to have the super released from them, and this was completed the other day, after being taxed at 65%, so that component of my retirement plan has just taken a c. \$63k hit.

Upon reading the information on their website, it appears that the ATO has done all of this correctly, as I originally worked and had super contributions made while I was on a working holiday visa, and even though the vast majority of the super was paid while I was on a subclass 461 visa, they can charge the 65% rate on all of the contributions because of the working holiday visa.

As you can imagine, the hit to my super is substantial, and I'd like to explore any mitigation avenues that might be available. I have two potential options, neither of which I have much faith in:

1) For part of the time I worked in Australia, I was employed by RMIT, and some of my super was paid to Unisuper. During this time I was employed under my subclass 461 visa, and these contributions may come under the lower (I think it's 35%) rate. However, I did merge the Unisuper fund into my Hostplus account some years ago, so this may not help this argument. In any case, the tax savings won't be huge, but probably worth pursuing.

2) As far as I know, if you switch super from qualifying Australian funds into the NZ equivalent, Kiwisaver, it can be done tax free. The ATO won't make this switch, but potentially they could pay the super back to Hostplus, who would then transfer it to my Kiwisaver fund.

I strongly suspect neither is likely to be an option, but would be interested to hear your thoughts on these, and any others you may have.

If this isn't your area of expertise, but know of someone who might be able to help, your suggestions would be appreciated.

Thanks for taking the time to read this, and if you are interested in taking it on, please let me have an estimate of costs.