



YEAR-END PLANNING KEY ISSUES

With the end of financial year fast approaching, now is a good time to think about opportunities and risks that should be addressed before 30 June 2025.

To help you with this, we have included some of the key issues that clients should be thinking about pre year end. If you would like to discuss any of these, or other things that are on your radar, don't hesitate to contact your Hall Chadwick team.

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A KEY PLAN FOR BUSINESS

ITEM	DETAILS	WHY NOW?
Pre year-end expenditure	Consider whether any deductible expenditure should be brought forward before 30th June.	<ul style="list-style-type: none"> Companies (with active businesses) with aggregated turnover less than \$50m can deduct prepaid expenses if the period to which the service relates ends no later than 30 June 2026.
Writing Off Bad debts	Review your list of debtors and if all attempts have failed and no payment is expected, write off the debt before 30 June.	<ul style="list-style-type: none"> You can claim a tax deduction for the bad debt written off Ensure to keep a record and document the bad debt written off
Employee Bonus Plans	Deductions are NOT available for accrued bonuses unless all steps have been taken before year-end for employees to legally qualify for payment of the bonus by year-end.	<ul style="list-style-type: none"> If your bonus plan is based on financial results for the year ended 30 June 2025 and you have already met those targets, if board approval or other processes are required to create the legal liability to pay the bonus, consider whether these should occur before 30th June to make sure your bonus accrual is deductible in the 2025 year.
Pre-year-end Board Initiatives	The board should make all the resolutions before the year-end. These can include solvency declarations and reporting decisions and, in the case of trustee companies, determining distributable income and which beneficiaries should receive distributions.	<ul style="list-style-type: none"> Good housekeeping with contemporaneous documentation. Some of these are required by ASIC pre year-end to prevent audited accounts being requested.
Pre-year-end Trustee Initiatives	<p>The trustee resolutions should be made before the year-end. These can include determining distributable income and which beneficiaries should receive distributions.</p> <p>If you intend to distribute to a corporate beneficiary, please ensure that the legal entity has been established.</p>	<ul style="list-style-type: none"> The ATO has withdrawn its administrative concession allowing trustees to determine distributable income and distributions to beneficiaries in the 2 months after year-end. Based on most trust deeds, this means decisions need to be made pre year-end. We see some trust deeds that don't allow for distributions to corporate beneficiaries or other un-nominated beneficiaries. These should be reviewed and updated pre year-end. If corporate beneficiaries are not established before year-end, they are unable to be nominated as beneficiaries.
Instant Asset Write-off	Instant asset write-off remains available for small business with aggregated turnover of less than \$10M, for eligible assets first used or installed ready for use between 1 July 2024 to 30 June 2025 for up to \$20,000 per asset.	<ul style="list-style-type: none"> Assets need to be used or delivered and installed ready for use before 30 June 2025 to be eligible for the deduction. Based on current legislation, the instant asset write-off threshold reverts back to \$1,000 from 1 July 2025

ITEM	DETAILS	WHY NOW?
General Interest Charge (GIC) and Shortfall Interest Charge (SIC) no longer deductible from 1 July 2025	<p>General Interest Charge (GIC) applies to various unpaid tax and superannuation liabilities and accrues daily on the outstanding liability. Shortfall Interest Charge (SIC) is generally imposed on the tax shortfall arising from an amended assessment.</p> <p>Legislation has passed making GIC and SIC non-deductible from 1 July 2025.</p> <p>This change will impact taxpayers:</p> <ul style="list-style-type: none"> • With tax liabilities that are overdue • Liabilities that arise as a result of tax shortfalls. 	<ul style="list-style-type: none"> • From 1 July 2025 GIC and SIC will no longer be deductible. From 1 July 2025 where an amount is owed to the ATO, ideally this debt is repaid first ahead of other interest-bearing debt where interest remains deductible. • Where the ATO pays interest on early or overpayments, the interest will continue to be assessable to the taxpayer.

A KEY PLAN FOR SUPERANNUATION

Superannuation related matters BEFORE 30th June 2025		
Concessional Contributions	Maximise your contributions for FY2025	<ul style="list-style-type: none"> • Concessional contributions cap for all people, regardless of age, is \$30,000 for FY2025 (and FY2026). • Please check all contributions received (not due or accrued) by all of your super funds including employer superannuation contribution for the year to date before making further contributions. • Consider whether unused concessional contributions from prior years can be utilised to maximise deductions and contributions. • If you intend to claim a tax deduction for personal contributions made to a complying fund, ensure that you notify your super fund AND receive a confirmation from the super fund.
Non-Concessional Contributions	Maximise your Non-Concessional Contributions	<ul style="list-style-type: none"> • The non-concessional contribution cap for all regardless of age is \$120,000 for FY2025 (and FY2026). • The "bring forward" rules are still available to individuals under the age of 75 up to three times of the non-concessional contribution cap. The amount able to be contributed is reduced where superannuation balance at 30 June 2025 between \$1,760,000 and \$2,000,000 (the bring-forward cap). • If your total super balance exceeds \$1.9M at the start of the financial year (i.e. 1 July 2024), you can no longer make non-concessional contributions. • If you triggered the bring forward provisions in prior years, you have a transitional cap. Your remaining contribution cap will depend on the year you triggered the provisions and how much the contribution totalled.

Superannuation related matters BEFORE 30th June 2025		
Spouse contributions	Changes to eligibility threshold	<ul style="list-style-type: none"> A maximum tax offset of \$540 is available if you make a super contribution on behalf of your spouse, provided that your spouse's assessable income, plus reportable FBT and reportable super is under \$40,000, and their total super balance is under \$1,900,000 at 30 June 2024 and have not exceeded the non-concessional contribution cap. From 1 July 2020, the age limit for spouse contributions made to a spouse's account has increased. To qualify for the offset, the spouse must be under 75 years of age when the contributions are made.
Low Income Superannuation Tax Offset (LISTO)	Replaces Low Income Super Contribution (LISC)	<ul style="list-style-type: none"> Tax offset of 15% of concessional contributions via a payment to your superannuation fund is available for anyone with an income under \$37,000. The maximum payment you can receive for a financial year is \$500.
New pension accounts	Advise our office if new pensions have commenced	<ul style="list-style-type: none"> Due to reporting requirements to the ATO, if you have commenced a new pension or intend to do so in the near future, please contact us immediately.
Superannuation Pension Drawings	Draw at least the minimum pension	<ul style="list-style-type: none"> Minimum pension requirements must be drawn in cash by 30 June 2025, or the account will cease to be a pension account. Minimum pension is 4% of the balance at the beginning of the income year for individuals under 65 years of age, 5% if aged from 65-74, 6% if aged from 75-79 and 7% if aged 80-84. Higher drawdowns are required for older person accounts. Please check your super fund records to confirm any drawings that have been made this year that will be considered to be pension payments.
Division 293	Income threshold	<ul style="list-style-type: none"> If your combined Div293 income and taxable super contributions exceeds \$250,000, an additional 15% tax will be levied on the lesser of the amount over threshold or concessional super contributions made for the year.
Transition to Retirement Income Stream (TRIS)	No longer a tax-exempt pension	<ul style="list-style-type: none"> If you are receiving a TRIS but your circumstances have changed, you may be eligible to convert your pension to a full account-based pension. The rules in this area are now quite complex so please contact us to discuss further.

Superannuation related matters BEFORE 30th June 2025

Death Benefit Pensions	If you are receiving a superannuation reversionary pension following a recent death or are nominating a reversionary beneficiary for your pension account	<ul style="list-style-type: none"> You need to seek advice regarding how this is to be treated in the context of all your potential superannuation benefits. This is URGENT and may require changes to your SMSF Trust Deed.
Trust Deed and Estate Planning	Schedule a review of your Trust Deed and Binding Death Benefit Nominations	<ul style="list-style-type: none"> Due to the changing rules and regulations, your existing arrangements may no longer be suitable or feasible, so it is essential that your arrangements and the deed be reviewed promptly.
First Home Super Saver (FHSS) Scheme	Eighth year of operation	<ul style="list-style-type: none"> The 2018 year was the first year contributions could be made under this scheme. All voluntary contributions can be included; there is no need to nominate or separate any contributions. You can apply to release your voluntary contributions, along with associated earnings to help to purchase your first home. However, you must meet the eligibility requirements to apply for the release of these amounts. The amount of eligible contributions that can count towards your maximum releasable amount across all years is \$50,000. You can apply to have a maximum of \$15,000 of your voluntary contributions from any one financial year included in your eligible contributions to be released under the FHSS Scheme. The assessable FHSS released amount must be included as assessable income and tax withheld shown on your payment summary in your tax return for the year you requested the release.

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INDIVIDUALS

Maximising allowable deductions

Bringing forward deductions before 30 June 2025 will reduce your assessable income for this financial year and may include:

- Work-related expenses;
- Professional memberships;
- Donations to deductible gift recipients;
- Income protection insurance.

Work from home deductions

For 2025 financial year, the fixed rate method allows you to claim a fixed rate of 70 cents per hour you worked from home. This covers your electricity and gas, internet expenses, mobile and home phone expenses, stationery and computer consumables such as ink and paper, which means you will not be able to claim any of the above expenses in addition to the deductions worked out using fixed rate. You will also need to keep a record of your actual working days and time you worked from home during the year in order to use the shortcut method. The ATO has stated that they will not accept estimates.

The alternative method being the actual method has not changed. The actual method requires you keep a copy of the actual expenses you have incurred on top of your normal running cost for working from home, as well as a diary for at least 4 continuous weeks that represents your typical work pattern.

Investments

- Rental property income and expenses – ensure all payments are made before year-end and that you retain records of all income and expenses relating to the property during the 2025 income year.
- If you have the available cash, consider prepaying interest for the 2025 income year on your rental property (or interest in relation to loans used to acquire other income-producing assets).
- Investment property deductions:
 - » Consider arranging for a quantity surveyor to prepare a Property Depreciation Report to allow you to claim the maximum amount of depreciation and building write-off deductions available and allow you to claim the cost of

obtaining the Property Depreciation Report itself.

- » However, depreciation is no longer allowed on previously used plant and equipment bought on or after 9 May 2017 (i.e. if you bought a second-hand residential property after 9 May 2017, you can only claim the building write-off deduction and not the depreciation on plant and equipment unless you buy it directly).
- » From 1 July 2017, you can no longer claim travel expenses as a deduction relating to inspecting, maintaining, or collecting rent for a residential rental property.
- » Where any part of the loan relates to personal expenses, or where part of the loan has been refinanced to free up cash for private purposes, such as school fees, holidays etc. then the loan needs to be apportioned and only the interest relating to the portion of the loan for investment purposes can be claimed.

Defer Investment Income & Capital Gains

- Broadly, capital gain on disposal of a capital asset is generally assessable on the date the relevant contract is entered into. If you are considering selling shares, business or property, you may wish to bring forward or delay signing the contract until the new financial year, depending on whether you are seeking to crystallise a loss before year-end or delay a capital gain. Realising a capital loss to offset against prior realised capital gains derived in the 2025 financial year can assist in minimising taxation payable for the 2025 financial year.

Superannuation – Personal Deductions

- All individuals are now eligible to claim a tax deduction for personal superannuation contributions. This is subject to super caps of \$30,000 (FY2025) for concessional contributions. You should check existing contributions (including those made by your employer) before making any additional contributions as excess contribution taxes apply where caps are breached.
- Concessional contributions are only deductible when the super fund receives the payment before 30

June 2025, you have notified your super fund of your intention to claim a tax deduction for personal super contributions AND you have received a confirmation from the super fund acknowledging your intent to claim a tax deduction for super contributions.

- Individuals may be eligible to access carry forward unused concessional contributions from prior years if superannuation balance at the beginning of the financial year is less than \$500,000

General Interest and Shortfall Interest Charges - Personal Deduction

- General Interest Charges (GIC) and Shortfall Interest Charges (SIC) charged by the ATO from 1 July 2025 will no longer be deductible. Therefore, where possible, individual taxpayers should ensure that all tax obligations are up-to-date and minimise outstanding debts with the ATO.
- If you have overdue tax returns, please ensure you provide the necessary information to your Hall Chadwick advisor to ensure any overdue tax returns are prepared and lodged as soon as possible.

INDIVIDUALS IN BUSINESS

- Income derived and deductions that are incurred before 30 June 2025 will be included in this income year.
- If you use a motor vehicle for work-related purposes, it is important to monitor your work-related kms travelled and have your logbook up-to-date to ensure you can claim the highest deduction available. Note that the 12% of the cost of the car and one-third of actual expenses method of claiming motor vehicles deductions no longer apply.
- Temporary full expensing is no longer available from 1 July 2023 but instant asset write-off for small businesses up to \$20,000 remains available to 30 June 2025. The instant asset write-off threshold reverts back to \$1,000 from 1 July 2025.

General Interest and Shortfall Interest Charges - Business Deduction

- General Interest Charges (GIC) and Shortfall Interest Charges (SIC) incurred from 1 July 2025 will no longer be deductible.
- If you have overdue tax returns, please ensure you provide the necessary information to your Hall Chadwick advisor to ensure any overdue tax returns are prepared and lodged as soon as possible.
- Individuals in business may be able to obtain finance from financial institutions, such as banks, to pay for tax-related debts associated with their business income. The interest expense on such debt may be deductible as a normal incidence of the business. Therefore, if you are a sole trader, have a large tax debt and alternative form of finance is needed, you should contact your financial advisor to discuss the possibility of obtaining additional credit to pay off the tax debt.



BUSINESS ENTITIES

Defer Income

- Where practical for Small Business Entities and depending on whether it returns on a cash or accruals basis, you may wish to consider deferring the issue of invoices and/or the receipt of cash until after 30 June 2025. Please note that the ATO will generally require you to pay tax on income that you have either received or become entitled to due to the completion of work.

Maximise Your Deductions

- From 1 July 2021, businesses with aggregated turnover of less than \$50M can immediately deduct certain start-up expenses.
- Review inventory and assets schedules for obsolete items and items that may be scrapped. Pay professional fees or other employment or business-related deductions before 30 June 2025.
- For companies and other businesses that are taxed on an accrual basis, it is not always essential that an invoice is received for an expense to be deductible. Prior to year-end consider what additional specific accruals can be booked into the accounts and deducted for tax purposes on the basis that you are wholly committed to the expense at year-end, it is capable of reasonable estimation (e.g. accrued utilities) and the accrual relates to work or services provided before year-end.

Private Company ("Division 7A") Loans

- Business owners who have borrowed funds from their company in previous income years and put the loan under a complying loan agreement must ensure that the appropriate minimum payments of principal and interest repayments (ATO Benchmark interest rate for 2024-25 – 8.77%) are paid by 30 June 2025. Note, if business owners borrowed funds from the company during 2025 financial year, then they must ensure that it is either repaid in full or put under a complying loan agreement by the relevant date (that is generally the due date for the lodgement of the relevant company's tax return for 2025 or the actual date of lodgement, whichever is earlier).

- Treasury has released a long-awaited consultation paper to amend the operation of Division 7A on 22 October 2018, however, the Government announced on 30 June 2020 to delay start date of amendments to Division 7A to income years commencing on or after the date of Royal Assent of the legislation. As most of the proposed changes are detrimental, clients concerned with the operation of their Division 7A loans should contact Hall Chadwick for advice. At the date of this publication, the Federal Labor Government have not made any written announcements regarding any proposed amendments to Division 7A.
- *Bendel* case on 19 February 2025 ruled the ATO's 15 year stand on trusts and Division 7A to be incorrect, and that UPEs are not loans for Div 7A purposes. This case is currently being appealed and outcome uncertain. The ATO is maintaining their existing view until the appeal process is completed.

Prepayments

- Generally, businesses must deduct expenses of \$1,000 or more over the relevant period to which they relate. However, if the entity is a small or medium business entity (generally, aggregated turnover <\$50m), they may prepay up to 12 months' worth of expenses and claim the full amount in the current year.
- Taxpayers that are not in business may also prepay up to 12 months of deductible expenses including interest on investment loans and related subscriptions and claim full deductions.

Year-End Stock Take/Work in Progress

- If applicable, you need to prepare a detailed stock take and/or work in progress listing as at 30 June 2025. Review your listing and write-off any obsolete or worthless stock items.
- If you are a small business entity or medium business entity (turnover < \$50 million), stock valuation is not required if the difference between opening and estimated closing value of trading stock for the year is \$5,000 or less.

Write-off Bad Debts

- Review your trade debtors listing and write off all bad debts before 30 June 2025. Prepare a minute of meeting, listing each bad debt as evidence that these amounts were actually written off prior to year-end, and ensure accounting records as at 30 June 2025 evidence the debt being written off.
- Bad debts may not be deductible if there has been a change in ownership or control of a company or trust (unless company passes the similar business test).

Employee Superannuation Payments

- The superannuation guarantee rate is 11.50% of an employee's ordinary time earning from the period 1 July 2024 to 30 June 2025. From 1 July 2025, you should ensure your payroll systems have been updated so that all eligible employees are receiving contributions at the increased rate of 12.00% from 1 July 2025.
- From 1 July 2022, all employee wages are liable to the superannuation guarantee, subject to the quarterly contribution threshold. The previous exemption for monthly wages less than \$450 no longer applies.
- Contributions are only deductible when paid and only if paid on or before its due date. Please ensure all contributions are paid within 28 days after the end of the quarter. Payments must be made electronically and the fund must be notified in an approved electronic format.

Dividends

- You may wish to pay dividends on or before 30 June 2025 in order to ensure that the dividend income is derived by the relevant shareholders during the 2025 income year (particularly where shareholders, or beneficiaries of a family trust that is a shareholder of a company have losses or are otherwise on low tax rates so as to minimise the overall tax payable). Note, however, the Commissioner's views in relation to 'reimbursement agreements', where trustees make a tax distribution to a low tax rate beneficiary as part of an arrangement whereby the actual benefit is received by a higher rate beneficiary. In these circumstances, the Commissioner may seek to assess the trustee at the top marginal tax rate.

- Changes to the company tax rates now means that franking credits attached to franked dividends are limited to the corporate tax rate applicable to the entity paying the dividend. This means base rate entities that now have access to the 25% tax rate will only be able to frank dividends at the franking rate of 25%, irrespective of whether the tax rate applicable to the profits generating the franking credit may have been taxed at 30% (or other) rate.

General Interest and Shortfall Interest Charges - Business Deduction

- General Interest Charges (GIC) and Shortfall Interest Charges (SIC) incurred from 1 July 2025 will no longer be deductible.
- If your business has overdue tax returns, please ensure you provide the necessary information to your Hall Chadwick advisor to ensure the tax returns are prepared and lodged as soon as possible.
- Businesses may be able to obtain finance from financial institutions, such as banks, to pay for tax-related debts associated with their business income. The interest expense on such debt may be deductible as a normal incidence of its business. Therefore, if the business has large tax debts and alternative form of finance is needed, you should contact your financial advisor to discuss the possibility of obtaining additional credit to pay off the tax debt.



TRUSTS

Trust Resolutions

- Ensure that Trustee Resolutions are prepared and signed before 30 June 2025 for all Discretionary ("Family") Trusts. Most trust deeds (and the tax law) generally require such discretion to be exercised by 30 June each year and in the absence of such exercise, either:
 - » default beneficiaries under the trust will be assessable in relevant proportions (and this may not be tax effective); or
 - » in the absence of default beneficiaries, the trustee will be assessed at the top marginal tax rate.
- Trustees should examine their compliance with recent ATO rulings and taxpayer alerts that seek to apply section 100A, an anti-avoidance section of the Tax Act, to trust distributions to beneficiaries that do not receive the actual cash or benefit of the trust distributions.

Trust to Trust Distributions

- Trusts are generally subject to carry forward loss rules, including the 'income injection' test. However, if trusts are within a 'family group', trust income from one trust may be 'injected' into a loss trust so as to soak up the losses and reduce assessable income. Please ensure appropriate Family Trust Elections and/or Interposed Entity Elections are made.
- Trust deeds should be regularly reviewed to confirm how it interacts with the various tax requirements, some of which are mentioned above.

SUPERANNUATION FUNDS

Super contribution caps

- Concessional contribution cap for FY2025 is \$30,000 for FY2025 (and FY2026).
- For concessional contributions, a super fund must receive the contribution by 30 June 2025 for it to be deductible to the payee.
- If you have unused concessional contributions from the previous years and your total super balance is less than \$500,000 at 30 June 2025, you may be able to carry forward the unused concessional cap from the previous (up to 5) financials years.
- Non-concessional contribution cap for FY2025 is \$120,000 for FY2025 (and FY2026) only if your total super balance is less than \$1.9m at 30 June 2024; otherwise it's nil.
- If your total super balance is less than \$1,900,000 at 30 June 2024, you may be eligible to bring forward the non-concessional caps from the next 1 or 2 years.
- If you are aged 75 and above, the super fund is only able receive compulsory employers' contribution and downsizer contribution. It would be unable to accept any voluntary contributions including salary sacrifice.

First home super saver scheme (FHSS)

- If you have made eligible contributions under the FHSS Scheme, you will be able to apply to have these released to purchase or build your first home.
- You can withdraw up to \$15,000 of your voluntary contributions from any one financial year, up to a total of \$50,000 across multiple years, plus associated earnings.
- FHSS isn't right for everyone. Consult with your Hall Chadwick adviser if you would like to know more.

Downsizer contribution scheme

- From 1 January 2023, if you are 55 or older and sell your home that you owned for more than 10 years, an additional contribution of up to \$300,000 can be made from the sale proceeds into your super fund.
- Downsizer contribution does not count toward non-concessional contribution cap, but it counts toward

towards transfer balance cap.

- If you are considering making a downsizer contribution, please contact your Hall Chadwick adviser.

Starting pension

- If you are 55 years of age or over, you can commence a transition to retirement (TTR) pension. Transition to retirement means you are able to contribute to your fund and withdraw a maximum pension amount of 10% of your member balance at the beginning of the income year (or when you commence the pension). Earnings to support a TTR pension are taxable.
- If you have started an account-based pension, you need to make sure you meet the minimum annual pension requirement. Minimum pension payment is 4% of the balance at the start of the income year for individuals under 65 years of age, 5% if aged from 65-74, 6% if aged from 75-79 and 7% if aged 80-84. Higher rates are applicable for those aged 85 or over. These minimum pension payments must be made before 30 June 2025.

Division 293 tax

- If you have Div293 income plus taxable super contributions over \$250,000, you will need to pay additional tax of 15% on your concessional superannuation contributions.
- Div293 income is ordinary taxable income plus reportable fringe benefits, plus total net investment losses (which is added back), plus amount on which family trust distribution tax has been paid, plus super lump sum tax element with a zero tax rate, and plus assessable first home super saver released amount.

Division 296 tax

- The government is proposing to levy 15% on an individual's "superannuation earnings" (including unrealised capital gains) on the part of their total super balance over \$3m at the end of each financial year.
- The \$3m will not be indexed.
- This proposal lapsed prior to the last election and its status remains uncertain.

SMALL BUSINESS CGT CONCESSIONS

- If you make a personal super contribution using the capital proceeds received from the sale of certain small business assets, you could consider whether to apply the small business capital gains tax cap election. For the 2025 income year, the lifetime CGT cap is \$1,780,000 for FY2025. These contributions are excluded from being counted towards the non-concessional contributions cap.

In conjunction with your year-end planning, it is also important to consider where you and/or your business are and where you would like to be going forward.

Whether you are:

- planning to expand your business interstate or internationally;
- planning to purchase an investment property, a share portfolio;
- planning for your retirement (whether it be establishing an SMSF, structuring property investments/ developments in an SMSF);

- reviewing the adequacy of your current insurance coverage (income protection, life insurance, TPD);
- thinking about business succession; and thinking about estate planning.

Given the complexity of some of the issues mentioned above and some other issues which may apply to your business, it is important that you obtain expert tax advice in relation to your particular circumstances.

If you would like to make an appointment for further discussion, please feel free to contact your Hall Chadwick adviser.



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