

## The Australian Government's Support Package Response to the COVID-19 pandemic

The following is a broad summary of the key aspects of the Federal Government's support package in response to the COVID-19 pandemic, as recently announced and enacted.

### 1. Cash flow assistance for businesses

The Government is providing cash flow assistance for eligible businesses (to manage cash flow challenges and to help businesses retain employees), in the form of:

- specific payments that are based on the amount of PAYG withheld from salary and wages paid to employees (and other similar payments – e.g., termination payments, director's fees and payments to contractors that are subject to voluntary withholding arrangements); and
- wage subsidies paid to eligible employers who retain an apprentice or trainee.

Small and medium-sized businesses and not-for-profit entities, with an aggregated annual turnover of *less than \$50 million* (usually based on their prior year's turnover) that employ people, may be eligible to receive a **total payment of up to \$100,000** (with a **minimum total payment of \$20,000**), based on their PAYG withholding obligations, in the following two stages:

(a) **Stage 1 payment** – Commencing from the lodgement of March 20 BAS returns from 28 April 2020, eligible employers that withhold PAYG tax on their employees' salary and wages will receive a **tax-free payment equal to 100% of the amount withheld, up to a maximum of \$50,000**. Eligible employers that pay salary and wages will receive a **minimum (tax-free) payment of \$10,000, even if**

**they are not required to withhold PAYG tax.**

The tax-free payment will broadly be calculated and paid by the ATO as an automatic credit to an employer, upon the lodgement of activity statements **from 28 April 2020**, with any resulting refund being paid to the employer. This means that:

- **quarterly lodgers** will be eligible to receive the payment for the quarters ending March 2020 and June 2020; and
- **monthly lodgers** will be eligible to receive the payment for the March 2020, April 2020, May 2020 and June 2020 lodgements. However, the payment for the March 2020 activity statement will be calculated as being **three times** the actual amount withheld.

Note that, the **minimum payment** of \$10,000 will be applied to an entity's first activity statement lodgement (whether for the month of March or the March quarter) from 28 April 2020.

(b) **Stage 2 payment** – For employers that **continue to be active**, an additional (tax-free) payment will be available in respect of the **June to October 2020 period**, basically as follows:

- **Quarterly lodgers** will be eligible to receive the additional payment for the quarters ending **June 2020 and September 2020**, with each payment being equal to 50% of their total initial (or Stage 1)

payment (up to a maximum of \$50,000).

- **Monthly lodgers** will be eligible to receive the additional payment for the June 2020, July 2020, August 2020 and September 2020 activity statement lodgements, with each additional payment being equal to a quarter of their total initial (or Stage 1) payment (up to a maximum of \$50,000).

The ATO will **automatically** calculate and pay the additional (tax-free) payment as a credit to an employer upon the lodgement of their activity statements **from July 2020**, with any resulting refund being paid to the employer.

Furthermore, eligibility for the above payments is subject to a **specific integrity rule** that is designed to stamp out artificial or contrived arrangements that are implemented to obtain access to this measure. In particular, if an employer or an associate enters into a scheme with the sole or dominant purpose of obtaining or increasing any of the above payments for a particular employer, for a period, the employer will **not** be eligible for any such payments for the relevant period.

## 2. Wages subsidies for apprentices and trainees

Employers with *less than* 20 full-time employees, who retain an apprentice or trainee who was in training with the employer **as at 1 March 2020**, may be entitled to Government funded **wage subsidies equal to 50%** of the apprentice's or trainee's wage paid during the nine months **from 1 January 2020 to 30 September 2020**. The maximum wage subsidy over the nine-month period will be \$21,000 per eligible apprentice or trainee.

Employers can **register for the subsidy from early April 2020**. Final claims for payment must be lodged by 31 December 2020. Employers will be able to access the subsidy after an eligibility assessment is undertaken by an Australian Apprenticeship Support Network ('AASN') provider.

## 3. Increasing the instant write-off threshold for business assets

Broadly, the depreciating asset **instant asset write-off threshold will be increased from \$30,000** (for businesses with an aggregated turnover of less than \$50 million) **to \$150,000** (for businesses with an aggregated turnover of less than **\$500 million**) **until 30 June 2020**.

The measure applies to both **new and second-hand assets first used or installed ready for use** in the period beginning on 12 March 2020 (i.e., the date on which this measure was announced) and ending on 30 June 2020.

As with the current instant asset write-off concession, the threshold will generally be applied to the **GST-exclusive cost** of an eligible asset (i.e., assuming the relevant business is entitled to an input tax credit for any GST included in the acquisition cost of the asset).

Importantly, this increased threshold also continues to operate on a 'per asset' basis, which means that eligible businesses can immediately write-off multiple assets (as long as each of the assets individually satisfy the relevant eligibility criteria).

#### 4. Backing business investment – accelerating depreciation deductions for new assets

Broadly, a new **time-limited 15-month investment incentive** (which will be available **up until 30 June 2021**) will also be introduced to accelerate certain depreciation deductions for businesses with an aggregated turnover below **\$500 million**, in respect of eligible depreciating assets.

This incentive basically allows a **deduction equal to 50% of the cost of an eligible asset**, with existing depreciation rules applying to the balance of the asset's cost.

More specifically, the amount that an eligible entity (other than an SBE that is depreciating assets in its **general small business pool**) can deduct in the income year in which an eligible depreciating asset is *first used or installed ready for use* for a taxable purpose is:

- 50% of the cost (or adjustable value where applicable) of the asset; and
- the amount of the usual depreciation deduction that would otherwise apply (if it were calculated on the remaining cost of the asset).

Different rules will apply where an SBE is using the **general small business pool** (i.e., for assets that do **not** qualify for the instant asset write-off). In this case, the SBE may deduct an amount equal to **57.5%** (rather than 15%) of the business-use portion of the cost of an eligible depreciating asset acquired by the entity in the year it is allocated to the pool.

#### 5. Income support for individuals

From **27 April 2020**, the Government will introduce a **Coronavirus supplement** of **\$550** per fortnight (payable to individuals currently receiving certain eligible income support payments) and will also temporarily expand access to certain income support payments, over a six-month period.

The Government will also provide two separate \$750 tax-free payments to certain social security, veteran and other income support recipients, and to eligible concession card holders.

#### 6. Introducing a new Coronavirus supplement

A new Coronavirus supplement at the rate of \$550 per fortnight will be paid to individuals who are currently eligible for certain income support payments, including:

- Jobseeker Payment.
- Youth Allowance; and
- Parenting Payment (Partnered and Single).

According to the Government, anyone who is eligible for COVID-19 supplement will receive the full rate of the supplement of \$550 per fortnight.

Furthermore, it appears that this new (additional) supplement will be paid to eligible individuals as part of their existing income support payments (e.g., Jobseeker Payment and Youth Allowance).

## 7. Expanding access (and eligibility) to certain income support payments

For the period that COVID-19 supplement is paid, the Government will also expand access to certain income support payments (e.g., the Jobseeker Payment, the Youth Allowance Jobseeker and the Parenting Payment) for eligible individuals. For example:

- (a) A new category of **Jobseeker Payment** and **Youth Allowance Jobseeker** will become available for eligible individuals who are financially impacted by COVID-19 and satisfy certain requirements. According to the Government, this could include, for example, permanent employees who are stood down or lose their employment; sole traders; the self-employed; casual workers; and contract workers who meet the income tests, as a result of the economic downturn due to COVID-19.
- (b) **Asset testing** for the JobSeeker Payment, the Youth Allowance Jobseeker and the Parenting Payment, **will be waived** for the period of COVID-19 supplement. Income testing will still apply to the person's other payments, consistent with current arrangements.

Also, reduced waiting times will result from the waiver of traditional waiting periods.

## 8. Tax-free payments of \$750 to eligible recipients

The Government will be providing **two separate \$750 tax-free payments** (referred to as 'economic support payments') to social security, veteran and other income support recipients, and to

eligible concession card holders, as follows:

The **first \$750 payment** will be available to individuals who are residing in Australia and are receiving an eligible Government payment, or are the holders of an eligible concession card, at any time **from 12 March 2020 to 13 April 2020** (inclusive). Also, where an individual has lodged a claim for one of the eligible payments or concession cards at any time **from 12 March to 13 April 2020** (inclusive), they will also receive the payment if the claim is granted. **This payment will be made automatically to eligible individuals from 31 March 2020.**

| Age Pension                                      | Austudy                   | Special Benefit  |
|--|---------------------------|--|
| Disability Support Pension                       | Bereavement Allowance     | Widow Allowance  |
| Carer Payment                                    | Newstart Allowance        | Family Tax Benefit, including Double Orphan Pension                                      |
| Parenting Payment                                | JobSeeker Payment         | Carer Allowance  |
| Wife Pension                                     | Youth Allowance           | Pensioner Concession Card (PCC) holders  |
| Widow Pension B                                  | Partner Allowance         | Commonwealth Seniors Health Card holders   |
| ABSTUDY (Living Allowance)                       | Sickness Allowance        | Farm Household Allowance   |
| Veteran Service Pension & War Widow(er) Payments | Veteran Gold Card holders | DVA PCC holders; DVA Education Scheme recipients; Disability Pensioners at the temporary |

|  |  |   |
|--|--|---|
|  |  | special rate; and DVA Income support pensioners at \$0 rate |
|--|--|---|

The **second payment** will be available to individuals who are residing in Australia and are receiving one of the above eligible Government payments or are the holders of one of the above eligible concession cards, on **10 July 2020** (except for those receiving an income support payment that qualifies them to receive the \$550 fortnightly Coronavirus supplement).

**This payment will be made automatically to eligible individuals from 13 July 2020.**

Note that, an individual can be eligible to receive **both the first and second support payment**. However, they can only receive one \$750 payment in each round of payments, even if they qualify in each round of the payments in multiple ways.

Each of the \$750 payments will be **exempt from income tax** and will **not** count as income for the purposes of Social Security, the Farm Household Allowance and Veteran payments.

The following example is adapted from the fact sheet: *"Payments to support households"*.

## 9. Early access to superannuation benefits

Under the existing **'compassionate grounds'** conditions of release, an individual can access their preserved superannuation benefits (as a lump sum), subject to any cashing restrictions, on a number of different (specific) grounds where certain conditions are satisfied. For example, an individual who satisfies

certain conditions could access their superannuation entitlements under this condition of release in order to pay for certain medical treatment, or to enable the individual to make a repayment on a home loan in order to prevent the mortgagee selling their home.

The Government will introduce a **new** compassionate ground of release that will allow individuals to access their superannuation entitlements where those benefits are required to assist them to deal with the adverse economic effects of COVID-19, but only where **one or more of the following requirements are satisfied**:

- (a) The individual is unemployed.
- (b) The individual is eligible to receive the Jobseeker Payment, Youth Allowance for jobseekers, Parenting Payment (which includes the single and partnered payments), Special Benefit or Farm Household Allowance.
- (c) On or after 1 January 2020:
  - the individual was made redundant; or
  - the individual's working hours were reduced by at least 20%; or
  - if the individual is a sole trader – their business was suspended or there was a reduction in the business's turnover of at least 20%.

Under this new compassionate ground of release, eligible individuals will be able to access as a lump sum, **up to \$10,000** of their superannuation entitlements **before 1 July 2020**, and **a further \$10,000 from 1 July 2020** (but subject to the six-month time frame noted below).

Eligible individuals who are looking to access their superannuation entitlements

under the above new ground of release will be able to **apply directly to the ATO** through the myGov website (at [www.my.gov.au](http://www.my.gov.au)) and certify that the above eligibility criteria is satisfied.

An individual will be able to apply for early release of their superannuation entitlements **from mid- April 2020**. However, note that **no application** may be made after the end of the period of six months from the day on which the new compassionate ground of release commences.

## 10. Reducing minimum drawdown amounts for super pensions

The Government will be temporarily **reducing the superannuation minimum drawdown amounts for account-based pensions and similar products by 50% for the 2020 and 2021 income years**. This basically means that the total minimum annual pension amount that a superannuation fund is otherwise required to pay to a member receiving a pension from the fund (e.g., an account-based pension) will be reduced by half for these two income years.

Under the superannuation rules, the total **minimum pension amount** that a superannuation fund is required to pay to a fund member receiving a pension (e.g., an account-based pension) from the fund in an income year is generally calculated by: **multiplying the member's pension account balance at the beginning of the year, by the relevant drawdown percentage**.

The current minimum drawdown percentages, together with the reductions for the 2020 and 2021 income years, are outlined in the following table.

| Recipient's age | Current minimum drawdown | Reduced drawdown for 2020 and 2021 income years |
|-----------------|--------------------------|---|
| <b>Under 65</b> | 4%                       | 2%  |
| <b>65 to 74</b> | 5%                       | 2.5%  |
| <b>75 to 79</b> | 6%                       | 3%  |
| <b>80 to 84</b> | 7%                       | 3.5%  |
| <b>85 to 89</b> | 9%                       | 4.5%  |
| <b>90 to 94</b> | 11%                      | 5.5%  |

## 11. Reducing the social security deeming rates

**From 1 May 2020**, the Government will be reducing both the upper and lower social security **deeming rates** by a further 0.25 percentage points, in addition to the 0.5 percentage point reduction to both rates announced on 12 March 2020. This will result in an overall reduction to the social security deeming rates of 0.75 percentage points.

**As of 1 May 2020, the upper deeming rate will be reduced from 3% to 2.25%, and the lower deeming rate will be reduced from 1% to 0.25%.** The reductions reflect the low interest rate environment and its impact on the income from savings.

The social security deeming rates apply (for 'income test' purposes) to determine the amount of income that an individual is 'deemed' (or taken to) earn from financial investments (e.g., cash deposits and listed securities), irrespective of the actual amount of income (e.g., interest income and dividend income) earned by the individual.