

Property Investment Portfolio Incorporated Into Super (SMSFs) !

房地产投资组合融入退休自助基金!



HOT OFF THE PRESS
热门话题



专业会计师 CPA
Penny Chu

As you are aware there is a general prohibition on acquiring assets from related parties except for Business Real Property (BRP). Which means that SMSFs can generally only acquire commercial property from related parties, but NOT residential property.

So the question remains; can residential property ever be acquired from a related party by a SMSF?

Since real property must be used wholly and exclusively in one or more businesses, the business use test solely focuses on how the property is used by the related party, rather than whether the property itself constitutes commercial property or residential property.

This means that provided residential property meets the 'business use test' (and the other requirements of the definition of BRP and s66(2)(b) can be met), it could potentially be acquired by a SMSF from a related party without breaching s66(1). See SMSFR 2009/1.

This has huge potential for individuals who hold a property portfolio in their individual name or other entity wishing to restructure their assets into a SMSF either for asset protection or income tax minimisation purposes or retirement intentions.

Should you wish to restructure your investment portfolio into SMSF, please contact our office and our professional accountants will be able to assist you. Alternatively, please come see us on 11 and 12 November 2017 at Perth Convention Exhibition Centre booth E1 for more information. We will also be conducting a seminar about investments on the 12 November 2017 at 2pm. Look forward seeing you there.

众所周知，退休自助基金一直以来都是禁止向关系人购买除了商业资产以外的任何资产。即退休自助基金是禁止向关系人购买任何居住房产的。

那么退休自助基金是不是就真的完全不能向关系人购买居住房产呢?

房地产在退休基金里必须用作商业用途而且也需要通过测试。这测试只专注于关系人如何使用其房地产而不是房地产本身是否商业住宅还是自住住宅。

这也能被理解为只要居住房产能够符合‘商业用途’(和符合BRP和s66(2)(b)的规矩)，关系人的投资居住房产是可以让退休自助基金购买的。请查看 SMSFR 2009/1.

这也是一个很好的方法，让资产拥有者把他们名下或其他架构房产投资组合里的一些房产以架构重组方式转入退休自助基金里。这重组方案除了能够达到税务优化和资产保护之外，也能为您的退休做准备。这是一个非常好的方案。

如果您的投资房产也想重组的话，请联系我们的专业团队为您处理。或者在2017年11月11日和12日到Perth Convention Exhibition Centre 的房产博览会摊位E1向我们的工作人员咨询。到时我们也会在11月12日当天下午2点举办一个投资相关的讲座。期待和大家见面。



Kirby Hawke 会计事务所
地址: Unit 8, 24 Parkland Road Osborne Park WA 6017
手机: 0411 399 802
座机: (08) 6365 4545
邮箱: penny@khca.com.au
网址: khca.com.au