



## Plug the \$100 million a week unpaid super drain: Pass payday super laws in the first 100 days of Parliament

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Landmark laws to require super to be paid to workers on paydays - not just four times a year - must be prioritised and passed urgently to end shocking losses of \$100 million a week in unpaid super.

Ahead of the federal election, the Super Members Council has pressed all parties and candidates to clearly pledge to pass the payday super legislation in the first 100 days of the new Parliament.

These laws will be a gamechanger to ensure 2.8 million Australians are paid the super they are legally owed, on time and in full. Unpaid super costs workers \$5 billion a year in lost retirement savings.

Super Members Council CEO Misha Schubert said millions of Australians needed to know that every candidate and party standing for election had declared their clear support for swift passage of the laws.

"By the time these laws start on 1 July 2026 Australian workers will have waited three years for these reforms. Millions of Australians pay the price of unpaid super every single day. They cannot afford any delay," she said.

"Payday super will dramatically reduce the level of unpaid super, improve compliance with the law and make the super system fairer for workers and businesses alike."

In its submission on the payday super exposure draft legislation, SMC has recommended a series of small but important changes to give employers the support and confidence they need in the transition to the new payment regime, smoothing the path to implementation.

These include extending the payment processing deadline from 7 calendar days to 7 business days, outlining a phased approach to ATO enforcement in the early stages give comfort to employers genuinely trying to do the right thing, and letting employers validate a worker's correct super account details at any time to prevent processing errors.

"Over the coming year, concerted effort will be needed from the ATO, employers, payroll personnel, digital service providers, and super funds to prepare for this crucial reform," Ms Schubert said.

"This is why this legislation must be passed swiftly - in the first weeks of the next Parliamentary term - to enable businesses and the super payment system to prepare with confidence and certainty."

"These small and sensible changes to the current draft Bill will give employers the confidence they need and will help pave the way for passage of this game-changing legislation."

One in four workers across Australia currently misses out on some or all of the super owed to them.

In 2021-22, \$5.1 billion of super went unpaid for 2.8 million Australians, with an average underpayment of \$1,800 per worker. Over the last nine years, Australian employees have missed out on a staggering \$41.5 billion in super entitlements—that's \$100 million every single week.

Low-income workers, including young people in casual work, women in low-paid industries, and migrant or newly-arrived workers, are more likely to have unpaid super - which robs them of crucial retirement savings and compound returns to support a dignified retirement.

Payday super will ensure more Australians are paid the super they are owed under the law - on time and in full - and enable all businesses to compete on a level playing field.

As a strong voice advocating for more than 11 million everyday Australians with retirement savings in profit-to-member super, SMC asks all candidates to declare their clear backing for the laws.

When super goes unpaid, it makes working Australians poorer in retirement, denying them crucial income to pay the bills after a lifetime of hard work.

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The opinions above are those of the author in their capacity as spokesperson for Super Members Council of Australia. SMC, the authors and all other persons involved in the preparation of this information are not giving legal, financial or professional advice for individual persons or organisations.