



**I am 61 with \$236,000 in super. I am planning on leaving my current job and take up another part-time role in the industry. Can I get my super now that I am over 60? Is it simply a matter of telling my current employer that I will be retiring or putting in my resignation?**

**Brian, Boronia**

A common mistake being made at the moment is that those that have reached the magical age of 60 (where lump sums from super are tax free) is that they think that they can automatically access their super at this age. Unfortunately before you can get your hands on your super you need to satisfy all conditions of release which include:

- Having reached the age of 55 (rising to 60 for those born after 1960); and
- Be permanently retired from the workforce.

If you elect to continue working Brian, even with a different employer, you will not be able to access your super just yet as you have not satisfied all of the conditions mentioned.

Is there anything stopping you from saying that you are permanently retiring, getting the cash and then going back to work? Nice try but not quite.

Whilst it is potentially possible it is not so simple and definitely not advisable. Super funds will generally get you to sign a statutory declaration that not only are you retiring but you are also intending on being permanently retired. Signing a false statutory declaration can lead to criminal charges which is definitely a situation that you would want to avoid.