

Orphan of a Pensioner Benefit Application Form

Before you use this form

Before completing this benefit application form, it is recommended that you read the Product Disclosure Statement (PDS) for the MSB Scheme, available on the MilitarySuper website www.militarysuper.gov.au or by phoning 1300 006 727.

Who should use this form?

This form is to be completed by persons who have care, control and custody of the child of a deceased Member that they consider is an 'eligible child'.

A separate form is required for each child.

Eligible children over the age of 18 years may apply for a benefit in their own right.

Who is a child*?

A child, in relation to a pensioner who has died, means a child (including an adopted child, an ex-nuptial child, a step-child, or a child within the meaning of the *Family Law Act 1975*) of the pensioner or of a spouse of the deceased pensioner.

The meaning of child in the *Family Law Act 1975* includes children:

- born to a woman as the result of an artificial conception procedure while that woman was married to, or was a de facto partner of, another person (whether of the same or opposite sex)

and

- who are children of a person because of an order of a State or Territory court made under a State or Territory law prescribed for the purposes of section 60HB of the *Family Law Act 1975*, giving effect to a surrogacy agreement.
-

Who is an eligible child*?

An eligible child is a child of the deceased who:

- has not attained age 16,

or

- has not attained age 25 and is a full-time student not ordinarily engaged in employment.

A child of the deceased also includes:

- an ex-nuptial child, a stepchild, an adopted child, a foster child, a ward of the deceased person, or a child within the meaning of the *Family Law Act 1975*,

or

- a child or ex-nuptial child of the spouse, who was wholly or substantially dependent upon the deceased at the time of death.

**These descriptions paraphrase the definitions in the Military Superannuation and Benefits Scheme rules.*

Entitlement

The calculation of an orphan's pension benefit is based on a percentage of what the pensioner was receiving at the time of their death.

The percentage rate applicable depends on the number of eligible children receiving a benefit.

Number of orphans	Amount as a % of former Member's pension
1	45%
2	80%
3	90%
4 or more	100%

When is the pension paid—Pension is payable on and from the day after the date of the pensioner's death. It is calculated on the basis of a 14 day fortnight and is paid on the alternate Thursday to public service salary paydays.

Pension increases—The legislation provides for bi-annual increases based on upward movements in the Consumer Price Index. These increases are paid on the first payday in January and July each year.

Partially dependent children's pension—The rate of pension will be an amount equal to the regular financial support provided before death occurred, OR if a court order exists, the amount recorded in the order, up to the amount that could have been payable to an eligible child.

When does the pension cease—Pension will cease upon the child reaching age 16 unless they are receiving full-time education, in which case payment will continue until either full-time education ceases or the student attains age 25, whichever occurs first. Student pensions are reviewed at the beginning of each year to establish continuing entitlement. Pension payable in respect of partially dependant children will cease earlier if ordered by the court.

If a student ceases full time study during the academic year you must advise ComSuper immediately to avoid any overpayment of pension.

Tax File Number—In accordance with the *Taxation Laws Amendment (Tax File Numbers) Act 1988*, ComSuper is required to deduct PAYG tax at the Top Marginal Rate plus the Medicare levy from pensions if a person does not provide a Tax File Number (TFN).

If you have not been issued a TFN you should lodge an *Australian Taxation Office Application/Enquiry* form with the Taxation Office. Forms are available at all Taxation Offices. You must provide proof of identity at the time you lodge the form.

Method of payment

Pension is paid by direct credit to an approved financial institution (bank, building society, credit union) of your choice within Australia. If at any time, after the pension has commenced, you wish to change the institution to which the pension is being credited, you will need to contact ComSuper by telephoning **1300 001 877**. This must be done at least 1 week before payday to ensure payment to your new account.

Privacy

The MSB Board and our administrator, ComSuper, are committed to protecting any information you give us. Your information will be used to send you news about your super and to contact you if we need to in the future.

Your information will not be used for any other purpose or disclosed to another party, unless:

- you authorise us to do so
- it is required by law
- it is to Orima Research who may, on our behalf, invite you to participate in a survey about our service (they are required to protect this information from disclosure to another party). If you do not want your contact details passed to Orima Research, please put a cross in the box at Part I on page 7.

Need more information?

Military Superannuation Benefits (MSB) Scheme is administered by ComSuper. If you need more information or help to complete this application please:

Visit

Unit 4 Cameron Offices
Chandler Street
Belconnen ACT 2617

Mail

Pensions Administration
Section
PO Box 22
Belconnen ACT 2616

Email

members@enq.militarysuper.gov.au

Phone

1300 001 877
for the cost of a local call

Fax

(02) 6272 9618

Internet

www.militarysuper.gov.au

When contacting ComSuper, please remember to quote the reference number of the deceased.

Tax File Number

In accordance with the Taxation Laws Amendment (Tax File Numbers) Act 1988, the MSB Board is required to deduct PAYG tax at the highest marginal tax rate plus Medicare levy from benefits if a person does not provide a Tax File Number (TFN).

If you have not been issued a TFN you should lodge an Australian Taxation Office Application/ Enquiry form with the Taxation Office. Forms are available at all Taxation Offices. You must provide proof of identity at the time you lodge the form.

Taxation matters

Lump sums paid to dependants on the death of a Member are not considered to be Superannuation Lump Sum Payments for the purposes of the taxation legislation.

Any pension that is paid is taxed as income.

Disclaimer

IT IS IMPORTANT YOU KNOW - THIS DOCUMENT CONTAINS GENERAL ADVICE OR INFORMATION ONLY

Any financial product advice in this document is general advice only and has been prepared without taking account of your personal objectives, financial situation or needs. Therefore, before acting on any such general advice, you should consider the appropriateness of the advice, having regard to your own objectives, financial situation or needs. You may wish to do so with or without the assistance of a licensed financial advisor.

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PART B
(continued)

9. Date of birth:
day month year

10. Date of death:
(please attach a copy of the death certificate or forward when available)
day month year

PART C
About the child

11. Surname _____
Given names _____

12. Date of birth:
(Include copy of full birth certificate)
day month year

13. What is your relationship to the child? _____

14. What was the child's relationship to the deceased? _____

15. Was the child living with the deceased at the time of death?

Yes - Please complete Question 17

No - Please complete Question 16

16. Was the child wholly or substantially dependent upon the deceased at the time of death?

Yes - Please complete Question 17

No

Include all details of dependency with the application including any supporting documents you may think relevant, e.g. maintenance agreements.

17. Is the child aged 16 years or more?

Yes - Please complete Question 18

No - Please go to Part D

PART C
(continued)

18. Full time study details for child over age 16:

Please provide details of full time student less than age 25 that may be regarded as eligible students and include copies of full birth certificate (not an extract). If duration of course is less than 12 months, please include dates of duration. If course is more than 12 months (eg four year Uni course) only provide dates for current year, at the beginning of each year ComSuper sends out an Annual Student Review confirming full time study. This will verify continuation of study.

Name of student _____
.....

Name of School/College/
University _____
.....

Address of School/College/
University _____
.....

Postcode _____
.....

Type of course _____
.....

Duration of course from |_|_| |_|_| |_|_|_|_|
 day month year

to |_|_| |_|_| |_|_|_|_|
 day month year
.....

Stamp of School/College/University

.....

I certify that this student, whose date of birth is |_|_| |_|_| |_|_|_|_|
 day month year

and address is recorded as _____
.....

is undertaking full-time study.

Principal/Registrar signature

Date

PART D

Method of payment

19. Give details of the account you want your benefit paid into. The account must be in Australia.

Type: Building Society Credit Union Bank

Name of financial institution _____

Branch name _____

Branch No. (BSB) _____

Account No. _____

Account held in name(s)
of (must include your name) _____

PART E

Identification requirements

21. To protect against fraud, safeguard your benefit and comply with the Government's Anti-Money Laundering and Counter Terrorism Financing Legislation, we need you to provide documentation to prove your identity. Please be aware that under some circumstances we may request further information from you. If you are unable to provide documentation of the type set out below you should speak to an information officer on **1300 006 727**.

All documents provided to confirm your identity must be certified.

You will need to provide certified copies of

- one document from column A in the table below, OR
- one document from column B AND one document from column C

For example, you could provide a certified copy of your driver's licence (from column A) OR a certified copy of your birth certificate AND a certified copy of your tax return with your current residential address.

Birth certificate or birth extracts are required to support all applications for children's benefits and where the person is over the age of 18 for identity purposes they must also supply a document from column A, column C or photographic ID from the school or college. Where a child is under school age the claimant must also provide a medicare card or other documentation listing both the caregiver and child.

PART E
(continued)

A	B	C
Driver's licence or permit issued by State or Territory or foreign government	Birth Certificate or Birth Extract, issued by an Australian or foreign Government (either in English or accompanied by English translation prepared by an accredited translator)	Copy of a rates bill with the same address and name as on the application
Passport (current or expired by less than two years)	Australian Citizenship certificate	Copy of an electricity or gas bill with the same address and name as on the application
An identification or proof of age card issued by a State or Territory, containing a photograph	Citizenship certificate issued by a foreign country (either in English or accompanied by an English translation prepared by an accredited translator)	Copy of a tax return letter from the ATO with the same address and name as on the application
A national identity card, containing a photograph, issued by a foreign government (either in English or accompanied by an English translation prepared by an accredited translator)	Pension or other social security/DVA benefit card	A letter from Centrelink or DVA with the same address and name as on the application
	ADF Discharge papers	For a person under the age of 18, a letter from a school principal, within three months of application, stating the name of the student, residential address and period of time the student attended the school

All copies of documents provided to MilitarySuper must be certified as true and correct copies of the original by one of the following:

- a legal practitioner enrolled on the roll of a supreme court or the high court of Australia
- a judge or magistrate of a court
- a chief executive officer of a Commonwealth court
- a registrar or deputy registrar of a court
- a Justice of the Peace (JP)
- a notary public
- a police officer
- an agent or permanent employee of the Australian Postal Corporation in an office supplying postal services to the public
- an Australian consular officer or an Australian diplomatic officer
- a finance company officer with two or more years of continuous service with one or more Finance Companies
- a person employed by or an authorised representative of the holder of a financial services licence with two or more continuous years of service
- a member of the Institute of Chartered Accountants (ICA), Certified Practising Accountants (CPA Australia) or National Institute of Chartered Accountants (NIA) with two or more years of continuous membership

The person certifying your documentation must confirm in writing that you are the valid holder of the ID that you are presenting and that any copies are true copies of the original.

PART E

(continued)

The certification must include the name, address, occupation, telephone number and registration number (if applicable) of the certifying authority.

If you are providing copies of bills or statements, you should black out any personal financial information or details of transactions in order to protect your privacy. Copies of identification provided will be stored electronically in a secure environment. The paper copies will be securely destroyed. All copies will only be used for the purpose of confirming your identity.

List the documents you have attached to prove your identity:

PART F

Tax File Number

22. Under the *Superannuation Industry (Supervision) Act 1993*, we are authorised to collect your TFN, which will only be used for lawful purposes. These purposes may change in the future as a result of legislative change. We may disclose your TFN to another superannuation provider when your benefits are being transferred, unless you request in writing that your TFN not be disclosed to any other superannuation provider. It is not an offence not to quote your TFN. However, giving us your TFN will have the following advantages (which may not otherwise apply):

- We will be able to accept all types of contributions (subject to scheme rules);
- The tax on contributions to your superannuation account/s will not increase;
- Other than the tax that may ordinarily apply, no additional tax will be deducted when you start drawing down your superannuation benefits; and
- It will make it much easier to trace different superannuation accounts in your name so that you receive all your superannuation benefits when you retire.

If you have already provided your TFN to ComSuper, you are under no obligation to provide it again in this application.

Your Tax File Number

Tax File Number remains confidential

PART G

Attachments

23. If you have included some attachments with this application, please tick the appropriate box(es) to ensure the attachments are properly recorded.

- Full birth certificate
- Tax File Number declaration form (this is available from your local Taxation Office)
- Certified copies of documents requested to prove your identity
- Death certificate
- Death certificate to be forwarded later
- Medicare Levy Variation Declaration (if you are claiming a Medicare Levy exemption against a pension entitlement). This form is available from your local Taxation Office.
- Other (please specify below)
