

Spouse and Children of a Member or Preserved Benefit Member—Benefit Application Form and Information Leaflet

Before you use this form

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

Who should use this form?

You should complete this form if you consider that you are an eligible spouse of a deceased Member or Preserved Benefit Member of the MSBS. If you are the eligible spouse of a Pension recipient, please complete form MS2SP—Spouse & Children of a Pensioner—Benefit Application Form and Information Leaflet. This is available from the MilitarySuper website, or by calling 1300 001 877. After completing this form please forward it to ComSuper.

Who is an eligible spouse?

An eligible spouse is a person who satisfies the definition of ‘spouse who survives a deceased person’ under the Military Superannuation and Benefits (MSB) Rules.

A ‘spouse who survives a deceased person’ is defined as a person who was in a marital or couple relationship with the deceased person at the time of the person’s death. A marital or couple relationship means ordinarily living with another person as that other person’s husband, wife or partner on a permanent and bona fide domestic basis.

A ‘deceased person’ means a person who has died and was at the time of his or her death a Member or a Preserved Benefit Member.

A marital or couple relationship is regarded as permanent if it had existed for at least three years. If the relationship had not existed for three years, the Board/Delegate will determine whether the relationship was permanent taking account of any relevant evidence such as, but not limited to, legal marriage, registered relationship, financial dependence, children born or adopted during the relationship or joint ownership of a home which was the normal place of residence.

Where a spouse previously had a marital or couple relationship with the deceased person but not at the time of death, a spouse benefit may still be payable if:

- at the time of the deceased person’s death the spouse was legally married to the deceased person; and
- in the opinion of the Board/Delegate, the spouse was wholly or substantially dependent upon the deceased person at the time of death.

Temporary absence or hospitalisation

The MSB Rules provide that a person may be deemed to be living with another person on a permanent and bonafide domestic basis where the Board/Delegate is of the opinion that an absence is a temporary absence or an absence resulting from an illness or infirmity.

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 or a child within the meaning of the Family Law Act 1975 of the deceased person,
- or**
- a child or ex-nuptial child of the spouse, who was wholly or substantially dependent upon the deceased at the time of death.

For a full copy of these definitions please contact ComSuper.

Payment

If you and/or your children are found eligible, lump sum payments are normally paid within 15 working days after the date we verify your eligibility and receive all necessary documentation to enable us to process your application. Pension payments are normally paid on the first available pension pay day after the date we verify your eligibility and receive all necessary documentation to enable us to process your application.

Surcharge debt

If the deceased person had a superannuation contributions surcharge debt, it will be deducted from your benefit before payment.

There are default provisions for the deduction of superannuation contributions surcharge. These are:

- if the Employer Benefit is converted to pension in part or full, any surcharge debt will be taken from the Employer Benefit after conversion to pension,
- or**
- if the Employer Benefit is taken as a total lump sum, the debt will be taken from the employer lump sum benefit.

You can elect that instead of the default provisions applying, the debt be deducted from:

- the Employer Benefit before it is converted to pension,
- or**
- the Member Benefit before it is paid as a lump sum.

Tax File Number

In accordance with the Taxation Laws Amendment (Tax File Numbers) Act 1988, ComSuper is required to deduct PAYG tax at the Marginal Tax Rate plus the 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.

For this reason, any lump sum paid to a spouse is not taxable income and a PAYG Payment Summary will not be issued.

Any pension that is paid is taxed as income.

Tax File Number Declaration Form

If you claim a pension benefit please complete a Tax File Number Declaration form available from the ATO. The information you provide on this form will determine how much tax will be deducted from your pension. Please note that you can only claim the tax free threshold against one source of income.

If you claim the total benefit as a lump sum, there is no requirement to complete a Tax File Number Declaration form.

How to complete this application

Most questions are self-explanatory. However additional information regarding important or optional questions is provided hereunder.

1. About the deceased

This segment provides primary identification details to ensure the correct records are used to calculate your benefit.

2. About yourself

This segment provides necessary details about yourself to enable benefits to be paid in your name. If you will be receiving a pension it is important that you keep ComSuper informed of any changes of postal address, residential address or name.

3. Relationship details

The details you provide here will help ComSuper to establish your eligibility for spouse benefits. Be sure to include a copy of your marriage certificate or relationship registration for verification. If you cannot locate the certificate, please contact the Birth Deaths and Marriages office in the state you were married or relationship registered to obtain another certificate.

4. Details of children

You need to advise if there are any children who could be regarded as eligible children. Remember to include copies of full birth certificates for each child with this application.

5. Payment details

This segment lets you tell ComSuper where to pay the benefit. The account must be an **Australian account** held in your name only or jointly between yourself and one other person (excluding the deceased). Joint accounts held with your late spouse are sometimes frozen by the bank and may not be able to be used. Please check with the bank before providing details of a joint account with the deceased.

6. Declaration

Be sure to sign the declaration to avoid delay in your payment.

7. Attachments

Please ensure relevant documents are included.

Advice and more information

If you wish, you can seek information from ComSuper on **1300 006 727** on your options and completion of this form.

You can also read:

- The MilitarySuper Book (MBOOK)
- Dependants' Benefits fact sheet (MBo2)
- Taxation of Lump Sums fact sheet (MBo9)
- Taxation Concessions—Superannuation Pension Rebates fact sheet (MSo8)
- Superannuation Contributions Surcharge fact sheet (MB15)

All these publications are available on the MilitarySuper website at: **www.militarysuper.gov.au**

A Financial Advisor may also be able to assist.

Privacy

The MSB Board and its Administrator, ComSuper, are collecting the information on this form for the following reasons:

- to confirm your identity
- to assess your eligibility for payment/rollover of the benefit
- to pay your benefit or to roll it over
- to contact you

The MSB Board and ComSuper are committed to protecting any personal information we hold about you. Your information will not be used for any other purpose or disclosed to another party unless:

- you authorise us to do so
- the disclosure is authorised by law. This may include disclosing your personal information to other Government agencies that have specific legislative authority to collect this information as required by policy and legislation. We will not disclose your personal information to these agencies unless it is lawful to do so
- 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 Question 31A on page 9 of the benefit application form.

Contact us

We must provide you with any information you need to understand your benefit entitlements.

If you have any further questions about your benefit entitlements or investment options you can contact us in the following ways:

Visit

Unit 4 Cameron Offices
Chandler Street
Belconnen ACT 2617

Mail

PO Box 22
Belconnen ACT 2616

Email

members@enq.militarysuper.gov.au

Phone

1300 006 727
for the cost of a local call

Fax

(02) 6272 9617

Internet

www.militarysuper.gov.au

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.

Spouse and Children of a Member or Preserved Benefit Member – Benefit Application Form

PART A

About the deceased

This segment provides primary identification details to ensure the correct records are used to calculate your benefit.

1. Service Navy Army RAAF

2. Service Number/
Employee ID

3. Service Number from a previous period of service (if applicable)

4. Title

Surname

Given names

5. Date of birth

day month year

6. Date of death

day month year

(Please attach a copy of the death certificate or forward when available.)

7. Was the deceased in receipt of a MSBS pension?

Yes—Please complete the form Spouse and Children of a Pensioner (MS2SP)

No ▶ Please continue

PART B

Your details

This segment provides necessary details about yourself to enable benefits to be paid in your name.

8. Title

Surname

Given names

9. Date of birth

day month year

PART C

(continued)

17. Was the separation due to illness or posting?

- Yes—If separated due to illness, please provide a letter from the treating physician attesting to the illness suffered by the deceased or spouse, confirming that this was the reason for hospitalisation or nursing home care. If separated due to posting please provide confirmation from Defence.
- No—Please ensure you complete Part D

PART D

Relationship details

This information should be completed if you were:

- not legally married to the deceased
 - in a marital or couple relationship with the deceased for less than three years
 - not in a relationship with the deceased that was registered under a law of a State or Territory as a prescribed kind of relationship
- or
- not living together.

18. At the date of death, had you been in this relationship for a continuous period of three years or more?

- Yes
- No - Please complete question 19

19. Were you living with the deceased on a permanent and bona fide domestic basis at the date of death?

- Yes—Date you commenced living with the deceased
- | | | |
|-----|-------|------|
| | | |
| day | month | year |

Please attach statutory declarations completed by two persons outside your immediate family (preferably by professional or business people) who can affirm that the relationship existed on a permanent and bona fide domestic basis. The statutory declarations from these people will need to cover:

- their name, address and occupation;
- their relationship to both you and the deceased and how long they knew each of you respectively, individually and as a couple;
- whether they considered you and the deceased to be in a marital or couple relationship at the date of death; and
- any other information that they believe to be true and relevant.

▶ Go to Question 22

- No ▶ Go to Question 20

20. Was the separation due to illness or posting

- Yes—If separated due to illness, please provide a letter from the treating physician attesting to the illness suffered by the deceased or spouse, confirming that this was the reason for hospitalisation or nursing home care. If separated due to posting please provide confirmation from Defence. ▶ Go to Question 22
- No ▶ Go to Question 21

21. Were you wholly or substantially dependent upon the deceased at the date of death?

- Yes—**Please include details of total fortnightly income and expenditure at the time of the death and attach any documents which support your claim.**
- No

PART D

(continued)

22. Please attach a copy of one or more of the following documents to assist ComSuper in establishing your eligibility for spouse's benefits.
Please note that the document/s you provide must be in joint names with the deceased

- Evidence of bank, credit union or building society accounts held with the deceased
- Evidence of joint home ownership or rental receipts
- Insurance policies
- Medicare card
- Utility bills
- Electoral enrolment at the same address
- Evidence of couple payments made by Centrelink
- or any other documents that you consider relevant to this application.

Please note that the above is not an exhaustive list, please contact ComSuper should you require further assistance.

PART E

Details of children

You need to advise if there are any children who could be regarded as eligible children. Remember to include copies of full birth certificates for each child with this application.

23. Were there any children born or adopted during the relationship?

Yes

No ▶ Go to Part G

24. Please provide details of any children less than age 16 and/or full-time students less than age 25 who may be regarded as eligible children and include copies of full birth certificates. Indicate if the child(ren) is living with you.

Surname of child _____

Given names _____

Date of birth

_____|_____|_____|_____|
day month year

Relationship to the deceased

(e.g child, adopted child, or a child

within the meaning of the Family Law Act 1975) _____

Living with you?

Yes

No (Please provide details on separate sheet)

Surname of child _____

Given names _____

Date of birth

_____|_____|_____|_____|
day month year

Relationship to the deceased

(e.g child, adopted child, or a child

within the meaning of the Family Law Act 1975) _____

Living with you?

Yes

No (Please provide details on separate sheet)

PART E
(continued)

Surname of child _____

Given names _____

Date of birth _____
day month year

Relationship to the deceased
 (e.g child, adopted child, or a child
 within the meaning of the Family Law Act 1975) _____

Living with you? Yes
 No (Please provide details on separate sheet)

If you have more than three children over age 16 please attach the same details as above for each additional child and remember to include copies of full birth certificates for each child.

PART F
Full-time student details

If you have more than one child over the age of 16, please photocopy this page and fill in the student details for each additional child. Please ensure all copies for all children are returned with this form.

25. Please provide details of any full-time student over the age of 16 and less than age 25. The principal/registrar of the school/college/university will have to verify the student's attendance.

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 _____ and address is recorded as _____

is undertaking full-time study.

Principal/Registrar signature _____
day month year

PART G

Benefit options

If you and/or your children are found eligible, this segment lets you tell ComSuper how you want the benefit paid. The Member Benefit must be taken as a lump sum. The Employer Benefit can be taken as a lump sum, or as a pension, or as part lump sum part pension. If you take both the Member and Employer Benefits as a lump sum then no additional amount is payable in respect of children.

26. Choose your option for how you would like the benefit:

Member Benefit

- Take the whole benefit as a lump sum (this component of the benefit can only be paid as a lump sum);

AND

Employer Benefit

- Convert the whole Employer Benefit to a pension,

or

- Take the whole Employer Benefit as a lump sum,

or

- Convert _____% of the Employer Benefit to a pension (must be 50% or more) and take the rest as a lump sum,

or

- Take \$_____ gross of the Employer Benefit as a lump sum (must be 50% or less) and convert the rest to a pension

Please ensure you complete a Tax File Number Declaration Form and attach it to this application. It's available at your local Taxation Office.

PART H

Method of payment

This segment lets you tell ComSuper where to pay your benefit.

The account must be an Australian account held in your name only or jointly between yourself and one other person (excluding the deceased). Joint accounts held with your late spouse are sometimes frozen by the bank and may not be able to be used. Please check with the bank before providing details of a joint account with the deceased.

27. If you are taking any of the Member Benefit or Employer Benefit as lump sum cash, give details of the account you want it 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 I

Superannuation Contribution Surcharge

28. If the deceased had a Superannuation Contributions Surcharge debt, it will be taken from the Employer Benefit after conversion to pension, or, if the Employer Benefit is taken as a total lump sum, the debt will be taken from the before tax Employer Benefit. These are the default provisions. However you can elect to have your debt deducted in a particular manner.

How do you elect to have a Superannuation Contributions Surcharge debt deducted (one only)?

- Default provisions to apply,

or

- From the Employer Benefit before it is converted to pension,

or

- From the Member Benefit before it is paid as a lump sum.

PART J **Identification** **requirements**

29. 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.

These documents may be the same as provided to confirm your eligibility as a spouse of the deceased, and need to be certified.

Birth Certificates 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.

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.

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 K *Tax File Number*

30. 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 remains confidential

PART L

Member declaration

31. I declare that:

- I have been advised to read the Product Disclosure Statement for the Military Superannuation and Benefits Scheme before completing this application form;
- I understand the options available for my benefit entitlement;
- The information I have supplied is complete and correct.

I also declare in relation to my Tax File Number (TFN) that:

- I have read and understood the information set out in PART K—I understand that supplying my Tax File Number is optional and that if I have not provided my Tax File Number, tax will be deducted at the highest marginal rate;
- The Tax File Number I have provided is the same number advised to me by the Australian Taxation Office.
- I understand that if I have not provided all the required information, this application may be returned to me for completion and my eligibility determination and payment may be delayed.

Your signature _____

Date

_____|_____|_____|_____|_____|_____|
 day month year

31A. I do not want my contact details passed to Orima Research for the purpose of participating in research on the service provided by ComSuper.

PART M

Document checklist

32. If applicable, when you lodge this form, please provide the following documents:

- Death certificate
- Death certificate will be forwarded later
- Marriage/Registered relationship Certificate
- Copy of latest Will (if one exists)
- Statutory Declarations
- Child(ren)'s Full Birth Certificate(s)
- Medicare Levy Variation Declaration (if you are claiming a Medicare Levy exemption against a pension entitlement). The form is available from your local Taxation Office.
- Tax File Number Declaration Form. If you have requested a pension at Part G, please include this form. It's available at your local Taxation Office.
- Other (please specify below)

PART N

Lodgement

33. Send your completed application and attachments to:

MilitarySuper
 PO Box 22
 BELCONNEN ACT 2616