

Apply for a Family Law Superannuation Payment

About this form

This form is used to apply for a superannuation payment following the breakdown of a marriage or de facto relationship. It is to be completed by the person who is receiving a super benefit from their former spouse, after a split order or agreement has been completed. Please review the information below before completing the form.

Steps involved in splitting superannuation

1. Obtain a valuation of the super account

To do this, you must provide us the below forms:

- a Form 6 Declaration. This confirms you are entitled to get information about the super account for this limited purpose, and
- a Superannuation information request form.

The Family Court of Australia has prepared a Superannuation Information Kit which provides these forms. Please go to www.fcfcoa.gov.au/fi/forms/superannuation-kit or you can obtain them from your legal adviser.

2. Decide how you will split super

Prepare a formal written agreement or obtain a consent or court order, stating how the super benefit will be split.

You can do this in a number of ways:

- **Formal agreement:** a lawyer can help you prepare a formal written agreement which must be accompanied by a signed certificate, stating that both you and your former partner have taken independent legal advice, or
- **Obtain consent or a court order:** If you and your former partner have reached an agreement, you can file an application for consent orders in the Family Court.

If you are unable to reach an agreement, you will need to file an application for a court order. Please seek advice from your legal adviser.

3. Notify Super Simplifier

If you have reached a formal agreement you should submit a draft copy of the agreement for Trustee approval. If you are seeking court orders about super, you must tell us in writing and provide a draft copy of the proposed order for Trustee approval. The Trustee can attend any court hearing and object to any orders if they consider them to be unfair. This is called 'procedural fairness'.

4. Apply to Super Simplifier

The Trustee will review the draft Court Order and advise of any issues that would prevent the Trustee from complying with it. The Trustee has 28 days from the date the draft Court Order is provided to advise if any amendments are needed. Once the order is made, either by consent or following a court hearing, or your formal agreement has been approved, to split super you need to:

- complete and return the attached form
- provide a certified copy of the final court order, consent order or superannuation agreement
- provide certified proof of your identity.

Accessing superannuation

Super benefits are subject to preservation rules which govern when super can be accessed or paid in cash. To access super benefits, you generally need to be permanently retired and have reached your preservation age. This means you may not be able to access super monies until you have reached your preservation age. Please refer to www.ato.gov.au for details on preservation age.

Transferring your entitlement to another super fund

Your super entitlement, once split, may remain with Super Simplifier. If you are already a member of Super Simplifier, this amount will be added to your account based on your current investment choice. If you are not currently with Super Simplifier, we can help you open a new account in your name. Alternatively, you can also choose to transfer some or all of your entitlement to another super fund. If you are only transferring some of your entitlement, and leaving the balance in a Super Simplifier account, you need to have a minimum balance of \$6,000 in your Super Simplifier account.

Apply for a Family Law Payment

This form is to be completed by the person who is receiving a superannuation benefit from their former spouse, after a split order or agreement has been completed.

Section 1: Details of former spouse to whom a payment is being made

Given name (s):		Date of birth:	
Surname:		Member number:	
Street address:			
Suburb:		State:	
Telephone:		Postcode:	
		Mobile:	
Tax file number:		Or	I've already provided my TFN
		Or	I choose not to provide my TFN

Your tax file number is confidential and you don't have to provide it, however you may pay more tax if you don't supply it. For more information, go to www.ato.com.au or www.oaic.gov.au.

Section 2: Details of member whose super is being split

Given name (s):		Date of birth:	
Surname:		Member number:	
Street address:			
Suburb:		State:	
		Postcode:	

Section 3: Provide proof of former spouse's identity

We must verify your identity when you withdraw a benefit or move money between super funds. Please complete one of the options below:

Option 1 (if transferring to another super fund) – I authorise Super Simplifier to give my TFN (from Section 1) to my other super fund.

This option is only available if you're transferring funds across to another super fund, not an SMSF. Your other super fund will use it to confirm your identity with the Australian Taxation Office.

Option 2 – I would like to use electronic verification

For this option you must submit, with this form, a scanned non-certified colour copy of your photographic identification and provide consent for us to electronically verify your identity. When you opt for electronic verification, the details of the documents you provide to us will be submitted to the Australian government's Document Verification Service (DVS). The DVS is a national online system that allows organisations to compare an individual's identifying information with a government record. Information about their privacy policy is available from their website: <http://www.dvs.gov.au>.

By using electronic verification you:

- consent to having your identity electronically verified; and
- are authorised to provide the identification documents to us; and
- understand that the details of the identification documents will be checked against the Australian government's document verification service.

Option 3 - I would like to post my certified identification document/s to Super Simplifier.

Please post the **original certified copy** of your identification documentation to:

Super Simplifier Member Administration
PO Box 3528, Tingalpa DC, Qld 4173

Section 4: Payment options

I want the funds to be paid directly to me as cash (indicate amount below and go to Section 5):

Whole amount available for a family lay split, or

Partial amount of \$ _____

And/or

I want to rollover to another super fund or another Super Simplifier account (indicate amount below and go to Section 6):

Whole amount available for a family lay split, or

Balance of the amount available after the cash payment nominated above.

Section 5: Cash payment

Eligibility for a cash payment

You must meet at least one of the conditions below in order to be paid a super benefit as cash. Please select any options that apply to you.

I have reached my preservation age and am permanently retired

I have ended an employment arrangement on or after age 60

I am aged 65 or over

I am permanently disabled

Bank account details

Please provide your banking details so your cash payment can be deposited directly into your account. Please note that the account must be held solely or jointly in your name.

If this is the first payment by Super Simplifier to this account, please also submit a bank statement or document that displays the name of the account holder, BSB and account number. This document must be on bank letterhead or a statement.

Name of financial institution:

Account Name:

BSB:

Account number:

Section 6: Rollover to another Super Simplifier account or to another super fund

Rollover to another Super Simplifier account

To transfer some or all of your super payment to another Super Simplifier account, please complete the below:

Rollover to my existing Super Simplifier account with member number: _____, or

Establish a new Super Simplifier account for me.

Rollover to another super fund

Please provide the following details of your other super fund:

Fund name:

Fund address:

ABN:

Member number:

Unique superannuation identifier (USI):

Rollover to a SMSF

To transfer some or all of your super payment to a self-managed super fund (SMSF), please provide details of your SMSF:

SMSF name:	
ABN:	
Electronic Service Address (ESA)	

Please attach a copy of your SMSF bank statement that clearly displays the SMSF account name, BSB and account number

Name financial institution:			
SMSF account Name:			
BSB:		Account number:	

Section 8: Declaration

- I declare that I am an Australian citizen, a New Zealand citizen or a permanent resident of Australia or I hold a Subclass 405 (Investor Retirement) or Subclass 410 (Retirement) visa. If you do not meet these residency requirements, please contact us on 1300 726 008.
- I declare that all the information I have provided on this form is true and correct.
- I understand that there may be a delay in processing my payment request if I do not provide correct and complete certified proof of my identity, copies of bank statements where required and any other documents required to process this request.

Signature:

Date:

Please email your completed form to supersimplifier@dash.com.au
(or alternatively, you may post to Super Simplifier Member Administration, PO Box 3528, Tingalpa DC, Qld 4173)
We are committed to respecting the privacy of the personal information you give us.
We have published our Privacy Statement on our website at www.dash.com.au