

Form 6 (Declaration) and Application for Information

Who should use this form?

You should complete this form if you are seeking information regarding a superannuation interest for Family Law matters. You must be a member, or a spouse (from 1 March 2009 this includes de facto spouse and same sex relationships) of a member who has an interest in a fund administered by ESSSuper (including the ESSS Defined Benefit Fund, Accumulation Plan (also known as ESSPLAN Accumulation Fund), Beneficiary Account, Retirement or Working Income Streams, New Scheme, Revised Scheme, SERB Scheme, Melbourne Water Corporation Employees' Superannuation Scheme, Port of Melbourne Authority Superannuation Scheme, Melbourne Transit Authority Superannuation Scheme and Transport Scheme).

You should not complete this form if you are a legal representative or financial advisor acting on behalf of a member or spouse. Section 90XZB(8) of the *Family Law Act 1975* determines who an eligible person is. Please contact us for further information.

Before you start

Prior to submitting your *Form 6 Declaration (Part A)* and *Application for Information (Part B)* please ensure you have read the *Family Law Information Sheet (FL131)*. The *Family Law Information Sheet* has been designed to help you understand the Family Law provisions and it contains information that will help you complete this form, as well as providing important information about the legislation and regulations that guide ESSSuper in Family Law matters. The *Family Law Information Sheet* is available from our website at esssuper.com.au/familylaw. You will need to complete all sections of Part A and Part B (excluding those marked optional) for this form to be valid.

If you are unsure of the options available to you or would like any further information on Family Law please call our Member Service Centre and ask to speak with a Family Law Administrator prior to submitting your application. Please also visit our website at esssuper.com.au/familylaw

Please complete this form in pen using CAPITAL letters and mark with an [X] where applicable.

Part A	Form 6 (Declaration)											
Section 1	Your declaration											
I, (full name)	[Grid for name]											
of (postal address)	[Grid for address]											
Suburb	[Grid for suburb]											
State	[Grid]	Postcode	[Grid for postcode]									
Date of birth	[Grid]	/	[Grid]	/	[Grid for date]							
	make the following declaration in support of my application to the trustee of ESSSuper (the Fund) for information about: (mark with an [X] where applicable)											
	<input type="checkbox"/> My superannuation interest											
	OR											
	<input type="checkbox"/> The superannuation interest of:											
Title	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Other (please specify)	[Grid for title]						
Surname	[Grid for surname]											
Given names	[Grid for given names]											
Date of birth	[Grid]	/	[Grid]	/	[Grid for date]							
	who is a member of the Fund.											

Section 3

Supporting documents and certified identification

Please ensure you attach the following documents to your Application form:

If ESSSuper does not hold a copy of your signature on file we require you to provide a certified copy* of your current Driver's Licence or valid passport.

Note: If you do not have a current driver's licence or current passport please provide a certified copy* of any other photo identification that contains your signature.

AND

If you are employing the services of a financial adviser or solicitor and you require that person to act on your behalf during the application process, then we require written authority from you. An *Authority to Release Information to Third Parties form (S200)* is available from our website or by contacting us.

AND

The relevant fee for ESSSuper to process your request.

Note: Please refer to the *Family Law Information Sheet* (Section 4 "Fee Schedule") to ensure that you have enclosed the appropriate fee.

If you are the non-member spouse we also require:

If you are married:

A certified copy* of your marriage certificate.

If you are not married (i.e. in a de facto relationship, including same sex couples):

A certified copy of Certification of Registration on the Relationships Register (pursuant to the *Relationships Act 2008*).

OR

A Declaration by the Family Court pursuant to Section 90RD (1) of the *Family Law Act 1975* as to the existence of your de facto relationship.

OR

A Statutory Declaration as to the existence of your relationship, including information regarding the geographical location and length of the relationship.

Note: If you are in doubt as to whether ESSSuper has your signature on file, please provide the certified copy of your photo identification and signature to ensure there is no delay in processing your request.

* Please refer to the *Family Law Information Sheet (FL131)* (Section 11 "How to Certify ID") for details on what you need to do to get copies of your ID legally certified and for details about who can certify documents. The *Family Law Information Sheet* is available from our website at esssuper.com.au/familylaw

Section 4

Declaration and signature

This Application cannot be processed if it is incomplete or the required supporting documentation has not been supplied, is not certified or is incorrect.

I declare that:

- The information contained in this form is accurate.
- By signing below, I understand and consent to ESSSuper collecting and using this information for the purposes of processing my request. I understand and consent to this information being used solely for the purpose of administering the relevant superannuation fund and to obtain information about a superannuation interest under the *Family Law Act 1975* and related legislation and regulations. Any personal information collected by ESSSuper relating to my personal affairs will be treated in accordance with the provisions of the *Information Privacy Act 2000* and the Information Privacy Principles.
- My consent is valid for the purposes disclosed in this form only.

Signature

Date / /

Please forward this completed form to

ESSSuper GPO Box 1974, Melbourne Vic 3001
 T 1300 650 161 | W esssuper.com.au

At ESSSuper, we treat the privacy and confidentiality of our members' personal information seriously. We are committed to complying with the guidelines of the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001 (Vic)*. To obtain a copy of ESSSuper's *Privacy Policy* and *Privacy Collection Statement*, please visit our website at esssuper.com.au

How to certify documents

You do not need to seek an authorised witness to certify a photocopy of your identification if you bring your original identification for an ESSSuper staff member to sight, and a copy is made for our use only. However copies of any other documents, any photocopies sent in to us, or any copies that will be used to transfer funds from another superannuation fund to ESSSuper, must be certified as set out below:

Step 1	Step 2	Step 3
Take the original and a copy of your selected documents to an approved certifier (see list below) who will verify that the original documents have been sighted.	Ensure that the certifier sights the original and then signs the copy confirming it is a true copy of the original. The certifier must also provide their name, the date of certification and the category/occupation that allows them to certify documents.	Post your completed application form and the certified copy of your documents to ESSSuper. NOTE: We can not accept a photocopy, scanned copy via email or a fax of the certification. Please ensure the original certification is sent.

Who can certify documents?

Conditions and definitions

Accountant

- A member of the Institute of Chartered Accountants in Australia and New Zealand, the Australian Society of Certified Practising Accountants or the Institute of Public Accountants, Member of the Association of Taxation and Management Accountants; or a Fellow of the National Tax Accountants' Association.

Banking or Financial Institutions

- A bank or building society or Credit Union officer with 2 or more continuous years of service; or a finance company officer with 2 or more continuous years of service; or a Financial Adviser or Financial Planner. An officer with, or a credit representative of, a holder of an Australia credit licence, having 2 or more years of continuous service with one or more licensees.

Consular or Diplomatic Officer

- An Australian Consular Officer or an Australian Diplomatic Officer (within the meaning of Consular Fees Act 1955).

Justice of the Peace or Notary Public

- A Justice of the Peace or Notary Public.

Law Enforcement

- A Police officer; a Sheriff or Sheriff's officer; a member of the Australian Defence Force who is an officer; or a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 2 or more years of continuous service or a warrant officer within the meaning of that Act.

Legal Professional

- Legal practitioner; a judge of a court; a magistrate; a chief executive officer of a Commonwealth court; a registrar or a deputy registrar of a court; a master of the court; a Bailiff; a Clerk of the court; a Trades marks attorney; a Patent attorney; a Commissioner for Affidavits; or a Commissioner of Declarations. A person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described).

Medical and Pharmacy

- Medical Practitioner; Dentist; Pharmacist; Chiropractor; Nurse; Optometrist; Physiotherapist; Psychologist; Midwife or Occupational Therapist.

Outside of Australia, Employee of the Trade Commission or of the Commonwealth

- An employee of the Australian Trade Commission or of the Commonwealth who is in a country or place outside Australia and is authorised under paragraph 3 (c) or 3 (d) of the Consular Fees Act 1955 and exercising his or her function in that place.

Politician or Government Employee

- A permanent employee of the Commonwealth or a Commonwealth authority; or a State or Territory or a State or Territory authority or a local government authority with 2 or more years of continuous service. A member of the Parliament of the Commonwealth; or the Parliament of a State; or a Territory legislature; or a local government authority of a State or Territory. A Senior Executive Service employee of the Commonwealth or a Commonwealth authority; or a State or Territory or a State or Territory authority.
- Migration Agent registered under Division 3 of Part 3 of the Migration Act 1958.
- State Emergency Service employee of the Commonwealth.
- Australian Public Sector employee engaged on an ongoing basis with 2 or more years of continuous service who is not specified in another item of this part.

Teacher

- A Teacher Employed on a full time basis at a school or tertiary education institution.

Other

- A Veterinary Surgeon; Marriage celebrant or Minister of religion registered under Subdivision A or C of Division 1 of Part IV of the Marriage Act 1961.
- A member of Engineers Australia, other than at the grade of student, or a registered Professional Engineer of Professionals Australia or registered as an engineer under a law of the Commonwealth, a State or Territory or registered on the National Engineering Register by Engineers Australia; a person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made; a member of the Australasian Institute of Mining and Metallurgy.
- An agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public.
- A permanent employee of the Australian Postal Corporation with 2 or more years of continuous service who is employed in an office supplying postal services to the public.
- Architect.
- A member of the Governance Institute of Australia Ltd.
- A person in a foreign country who is authorised by law in that jurisdiction to administer oaths or affirmations or to authenticate documents.