

Early release of superannuation

Benefit information and application form

Important information

Commonwealth government legislation

Superannuation accumulates during a member's working life and generally becomes payable at retirement.

In considering an early release application ESSSuper **must** be satisfied a member's circumstances meet one or more of the specified grounds as defined in Commonwealth government legislation.

These grounds are described in the **Superannuation Industry (Supervision) Regulations 1994** and are limited to severe **financial hardship** and **compassionate grounds**.

Taxation

ESSSuper is required to withhold taxation from benefits released early. Successful applicants will receive a payment advice letter and eligible termination payment summary for taxation purposes.

Reduction in retirement benefits

Early release will reduce member retirement benefits. Depending on the age of the member and membership type the reduction may be substantial.

For **defined benefit** members ESSSuper is required to charge debt interest on the amount released. The amount released and the cumulative debt interest figure (charged at AWOTE* +2.5%) will be shown on a statement attached to your Annual Benefit Statement. The debt account balance will be deducted from your benefit at retirement.

* Average Weekly Ordinary Time Earnings.

For members with **accumulation based benefits** (i.e. Accumulation Plan, Beneficiary Account and Working Income Stream) an early release payment will reduce or extinguish the superannuation entitlement unless additional contributions are made into the account (where permitted). The partial early release of a benefit will be shown on your Annual Benefit Statement.

Financial advice

ESSSuper recommends that members seek independent financial advice before making any decision about superannuation including early release.

ESSSuper has an arrangement with Link Advice Pty Ltd (AFSL 258145) to provide members with fee for service (commission free) personal financial product advice. Please call the Member Service Centre for more information.

Commonwealth superannuation rules and law

Superannuation Industry (Supervision)

Regulations 1994 (Regulations) Superannuation

Industry (Supervision) Act 1993 (Act)

Severe financial hardship

Commonwealth government legislation limit early release on severe financial hardship grounds to **one payment in any 12-month period to a maximum amount of \$10,000 gross**.

Applicants must demonstrate that they are:

- currently in receipt of Commonwealth government income support and that they have been paid that benefit for a continuous period of at least 26 weeks, and
- unable to meet reasonable and immediate family living expenses.

Compassionate (specified) grounds

Commonwealth government legislation allow early release under limited specified compassionate grounds.

The compassionate (specified) grounds are:

- (a) **Medical treatment or medical transport expenses** for you or a dependant. Required to treat a life threatening illness or injury; or to alleviate acute or chronic pain; or chronic mental disturbance and where the treatment is not readily available through the public health system.
- (b) **Mortgage assistance** to prevent foreclosure of a mortgage on your principal place of residence.
- (c) **Modifications to your principal place of residence or motor vehicle** to accommodate your special needs, or a dependant's, arising from severe disability.
- (d) **Palliative care** expenses for you in the case of impending death.
- (e) Expenses associated with a dependant's **palliative care, death, funeral or burial**.
- (f) **Expenses consistent with (a) to (e)** as determined by ESSSuper.

Payments in any 12-month period are not limited except for mortgage assistance where the maximum amount that can be released is defined as the total of:

- (a) the amount that is equal to 3 months repayments of the mortgage; and
- (b) the amount that is equal to 12 months interest on the current outstanding balance of the mortgage.

Applicants must also prove they do not have the capacity to self fund the compassionate grounds expense.

Claiming expenses for a dependant

Most compassionate grounds allow expenses to be claimed for you or a dependant. Under ESSSuper's governing rules, a 'dependant' is defined as someone who is:

- your spouse or defacto spouse,
- a child who is less than 18 years of age, or between 18 and 25 and a full-time student, or
- any person who, in the opinion of the Board was wholly or partially dependent or had a legal right to look to the member for financial support.

*From 1 December 2008, a dependent also includes a person who is in a registered relationship under the Relationships Act 2008.

Required documentary evidence

All early release applications for severe financial hardship and compassionate grounds **must** include a family budget.

This information must be provided to demonstrate that you do not have the capacity to meet the expense(s) claimed from your income and/or savings.

In support of your budget you **must** also provide:

- **full** current bank statements for all accounts in your name and partner's name. The statements must show all current family income, and
- evidence of your housing costs and all other major expenses shown in your budget e.g. credit card statements.

Severe financial hardship

You **must** lodge an **original** letter from a Commonwealth government agency stating you are currently in receipt of income support and that you have been paid that benefit for a continuous period of at least 26 weeks.

Centrelink will provide you with a **Q230** letter. This letter must be current at the time of your application and is only valid for 21 days.

Compassionate (specified) grounds

(a) Medical treatment or medical transport expenses for you or a dependant

You **must** lodge the following **original** documents:

- Current letters from two registered doctors (or dentists) one of whom must be a specialist confirming that the medical treatment or medical transport is necessary to:
 - treat a life threatening illness or injury, or
 - alleviate acute or chronic pain, or
 - alleviate an acute or chronic mental disturbance, and
 - the treatment is not readily available through the public health system.
- Evidence of medical expenses or transport costs **net** of insurance rebates.

(b) Mortgage assistance to prevent foreclosure of the mortgage on your principal place of residence

You **must** lodge an **original** letter from your mortgage provider stating:

- the full name (s) of the mortgage holders,
- the full residential address of the property for which the mortgage is held,
- that mortgage payments are overdue and the amount of mortgage arrears,
- that the mortgage provider will foreclose the mortgage or exercise its statutory power of sale over the property unless payment is made,
- the amount that is equal to 3 months repayments of the mortgage,
- the amount that is equal to 12 months interest on the current outstanding balance of the mortgage, and
- the BSB number of the mortgage provider and the mortgage account number.

Important information

- Amounts approved for release for mortgage arrears will be paid directly into your mortgage account and not your everyday banking account.
- Early release for mortgage arrears on holiday homes, houses belonging to dependants or investment properties cannot be approved.

(c) Modifications to your principal place of residence or motor vehicle to accommodate your special needs, or a dependant's, arising from severe disability

You **must** lodge the following **original** documents:

- Current letters from two registered doctors one of whom must be a specialist confirming that the modifications to your **principal place of residence or motor vehicle** are necessary to accommodate special needs arising from a severe disability.
- Fully detailed quotes or invoices for the required work.

(d) Palliative care expenses for you in the case of impending death

You **must** lodge the following **original** documents:

- A current letter from a registered doctor confirming that you have a terminal illness and that palliative care is required.
- Detailed quotes and/or invoices for the required care.

(e) Expenses associated with a dependant's palliative care, death, funeral or burial

You **must** lodge the following **original** documents:

Palliative care expenses

- A current letter from a registered doctor confirming that your dependant has a terminal illness and that palliative care is required.
- Detailed quotes and/or invoices for the required care.

Funeral or burial expenses

- Death certificate for your dependant or a current letter from a registered doctor confirming the death and naming the deceased.
- Receipts and invoices for all funeral or burial expenses claimed.

(f) Expenses consistent with (a) to (e) as determined by ESSSuper

ESSSuper may consider the early release of superannuation to meet expenses in other cases where the release is deemed to be consistent with grounds (a) to (e) above.

In lodging an application under this specified compassionate ground you must lodge sufficient information and original documents to clearly demonstrate that your request is consistent with one of the specified compassionate grounds (a) to (e) above. Before lodging your application please contact ESSSuper to discuss whether your personal circumstances would allow early release under this specified compassionate ground.

Compassionate grounds requests for a dependant

When claiming expenses for a dependant you will need to provide clear evidence of that relationship with your application e.g. certified copy of a marriage certificate or birth certificate or original letter from your family doctor.

Proudly serving our members

ESSSuper GPO Box 1974, Melbourne Vic 3001
 T 1300 650 161 | 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 go to our website at esssuper.com.au

This Guide has been prepared by the Emergency Services Superannuation Board (ABN 28 161 296 741). The information contained in this Guide is general advice only and it does not take into account your individual objectives, financial situation or needs. You should carefully read this Guide as well as considering obtaining independent taxation, legal, financial and other professional advice before making a decision.

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 license, 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 Trademarks 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.

Early release benefit application form



Who should use this form?

You should complete this form if you are seeking early release on severe financial hardship or specified compassionate grounds. You **should not** use this form if you are over 55 years and retired from the workforce or if you are suffering from a temporary or permanent disability or if you have a terminal illness. Call the Member Service Centre if you wish to claim a benefit under these circumstances.

Before you start


Please read the attached benefit information to ensure you meet the Commonwealth Government’s regulations for the early release of superannuation. These regulations mean that ESSSuper generally cannot exercise any discretion or make special allowance for early release. When lodging your application form please detach and retain the benefit information pages.

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

Section 1

About you

Member number	<input type="text"/>
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Other (please specify) <input type="text"/>
Surname	<input type="text"/>
Given names	<input type="text"/>
Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Postal address	<input type="text"/>
	Suburb <input type="text"/>
	State <input type="text"/> Postcode <input type="text"/>
	<input type="checkbox"/> Mark with an [X] if your postal and residential address are the same. If your residential address is different, please specify below.
Residential address	<input type="text"/>
	Suburb <input type="text"/>
	State <input type="text"/> Postcode <input type="text"/>
Telephone (business hours)	(<input type="text"/>) <input type="text"/> (after hours) (<input type="text"/>) <input type="text"/>
Telephone (mobile)	<input type="text"/>
Email address	<input type="text"/>

 By providing your email address you are authorising ESSSuper to send communications including statement notifications to that address. This authorisation will apply until it is revoked by you.

Section 2

Your request

I have read The attached information and understand the conditions under which Commonwealth Government legislation allows the early release of superannuation benefits.

I request Early release of \$ under the following ground:

Severe financial hardship

OR

Compassionate (specified) grounds:

(a) Medical treatment or medical transport

(b) Mortgage assistance for the principal place of residence

(c) Modifications to the principal place of residence or vehicle to accommodate the special needs of severe disability

(d) & (e) Funeral and palliative care

(f) Expenses consistent with (a) to (e)

In lodging this application I have provided all required documentary evidence.

Member's signature

Date

/ /

Section 3

Reduction of your benefits

I understand that ESSSuper recommends that members seek financial advice before making any decisions about superannuation including early release.

AND

As a **defined benefit member**, an early release payment will reduce my retirement benefit by the amount released and cumulative debt interest. These amounts will be shown on my Annual Benefit Statement. The debt account balance will be deducted from my benefit at retirement.

OR

As a member with **accumulation based benefits**, partial release of benefits will reduce my superannuation account balance and a full release of benefits will extinguish all future entitlements unless additional contributions are made into my account (where permitted).

Member's signature

Date

/ /

Section 5

Your family budget

Fortnightly family income

Attach **full** bank statements for you and your partner

Applicant's gross fortnightly income	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Partner's gross fortnightly income	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Family Centrelink payments	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other income	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total fortnightly income	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Fortnightly family expenses

You **must** attach documentary evidence for your housing, loans, credit card and any other major expense including amounts shown as "other"

Housing (mortgage / rent)	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Loans	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Credit cards	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
House keeping (all food & grocery costs)	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Transport (public or private)	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Power (gas & electricity)	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total fortnightly expenses	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Budget summary

Total fortnightly income (from above)	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total fortnightly expenses (from above)	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Surplus / deficit of income over expenses	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Overdue debts

Total current overdue debts	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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The above financial details are truly representative of my fortnightly family budget and current outstanding debts.

Member's signature

 **PLEASE SIGN HERE**

Date / /

Section 6

Your banking details

Name of financial institution	<input type="text"/>
Financial institution postal address	<input type="text"/>
Suburb	<input type="text"/>
State	<input type="text"/> Postcode <input type="text"/>
Account holder name (e.g. John Citizen)	<input type="text"/>
BSB number	<input type="text"/> - <input type="text"/> Account number <input type="text"/>

Early release payments must be paid into an account in your name (or jointly in your name) except for mortgage arrears payments.

Please take care in recording financial institution details, particularly the account number (a maximum of 9 digits). Neither your bank nor ESSSuper can accept responsibility for any delay or loss of interest caused by incorrect bank details on this form.

Section 7

Your certified identification

You must provide

For your first application you **must** provide a certified copy of your **current driver's licence OR current passport**.

If you do not have a current driver's licence or current passport please provide a certified copy of:

- Either a **birth certificate** or **extract**, or **Australian citizenship certificate** or **Centrelink pension card**; and
- A letter addressed to you from Centrelink regarding benefits; or any letter from a federal, state or local government agency showing your name and address details.

Section 8

Tax File Number (TFN) Notification Authority

Authorised purposes for which we may use your TFN include:

- taxing superannuation benefits at concessional rates;
- providing your TFN to the Australian Taxation Office when you receive a benefit or if you have unclaimed superannuation money after reaching the aged pension age; and
- providing your TFN to a superannuation fund (or Retirement Savings Account) receiving any monies you may transfer, unless you tell us in writing that you don't want your TFN passed on to your new fund.

There is no requirement for you to provide your TFN and failing to provide it is not an offence. However, if you do not provide us with your TFN, either now or later, you may have to pay more tax on your superannuation benefits or contributions than would otherwise have been necessary. In some instances the additional tax paid may be reclaimed through the Australian Taxation Office.

For tax-related information, please contact the Australian Taxation Office Superannuation Infoline on 13 10 20.

Please tick **one** of the following:

I do not wish to provide my Tax File Number and understand that I am under no obligation to do so.

I agree to provide my Tax File Number for the purposes outlined above.

Tax File Number

 - -

Section 9

Your application checklist

- I believe my application complies with the Commonwealth Government legislation dealing with the early release of benefits as described in the attached benefit information (page 1-5).
- I have signed and dated SECTION 3, dealing with the reduction of benefits.
- I have fully completed the family budget and signed and dated SECTION 5.
- I have attached **certified copies** of identification documents as stated in SECTION 7 (refer to page 5 of the benefit information section for a definition of a 'certified copy').
- I have attached the following current **original** and legible supporting documents:
 - Centrelink's Q230 letter (severe financial hardship only).
 - Full current statements for all bank accounts in my name and my partner's name (all grounds).
 - Documentary evidence for my housing, loan, credit card and any other major expense shown in my budget including amounts shown as "other" (all grounds).
 - Documentary evidence for all current outstanding debts as shown in SECTION 5 (all grounds).
 - Documentary evidence required to support my compassionate grounds request as stated in the benefit information provided with this form (compassionate grounds).
 - Documentary evidence to prove dependency (only required when claiming compassionate grounds expenses for a dependant).
 - TFN - SECTION 8.

Please forward this completed form to (the form should be detached from the benefit information before sending)

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

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