

Family law payment instructions



About this form

This form can be used to arrange a super payment from the account of your former spouse under a family law arrangement.

Request for family law information

To obtain information about the value of the superannuation account/s, you need to complete:

- A Form 6 declaration
- A Superannuation information request form.

These forms can be found in the Superannuation Kit on the Family Court of Australia website, fcfcoa.gov.au

Agreement to split super

When you and your former spouse have determined how your super will be split, you need to prepare a formal written agreement or obtain a consent order or a court order.

• Formal agreement

A lawyer can help to prepare a formal written agreement which must include a signed certificate stating that both parties have taken independent legal advice.

• Obtain consent or a court order

If you and your former spouse have reached an agreement, you can apply for consent orders in the Family Court.

If you are unable to reach agreement, you will need to file an application for a court order.

For further information, see the Family Law Court of Australia website at fcfcoa.gov.au

Notify Equip Super

Once you've reached a formal agreement, a draft copy of the agreement should be submitted to Equip Super for review.

If you're applying for court orders about super, you must notify Equip Super in writing and provide a draft of the proposed order for our approval.

Equip Super has 28 days from the date we receive your draft Court Order to review and advise if any changes are required.

After an order is made

Following an order being made or a formal agreement being approved, to split super you need to:

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

Preservation rules

Super benefits are subject to preservation rules set by government law. This means that you may not be able to access some or all of the money in your Equip Super account until you reach your preservation age listed in the table below:

Date of birth	Preservation age
Before 1 July 1960	55
1 July 1960 to 30 June 1961	56
1 July 1961 to 30 June 1962	57
1 July 1962 to 30 June 1963	58
1 July 1963 to 30 June 1964	59
1 July 1964 or after	60

Other important information

Benefits are usually processed within five days of Equip Super receiving a fully completed and signed application along with the correct proof of identity documents. The payment may take longer if we need to collect further information from you.

The unit prices applied to the benefit payment will be the latest prices available on the day your benefit is processed. You cannot nominate a processing date for your payment.

If you do not provide correct bank account details, we will pay your benefit by cheque, if possible.

For further information about tax, preservation rules or your benefit payment options, please see our website or the PDS applicable to your membership.

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Equip Super, GPO Box 4303, Melbourne VIC 3001



Family law payment instructions



1 – Personal details

Please complete in pen using CAPITAL letters

Details of former spouse to whom a payment is being made

Title Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Other ☐	Sex Male ☐ Female ☐	Date of birth (ddmmyyyy)
First name 	Last name 	
Residential address (must be provided) 		
Suburb 		
State 	Postcode 	Country (if not Australia)
Postal address (if different from Residential address) 		
Suburb 		
State 	Postcode 	Country (if not Australia)
Business hours phone 	After hours phone 	Mobile
Email 		

Your TFN is confidential and you don't have to give it to Equip Super, however you may pay more tax than you have to if you don't supply it. For more information about providing your TFN, please see the *PDS*.

☐ My TFN is: - - **OR** ☐ I've already provided my TFN to Equip Super
OR ☐ I choose not to provide my TFN

Details of member whose account is being split

Member number 	
Title Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Other ☐	Date of birth (ddmmyyyy)
First name 	Last name

Confirm your order or agreement documents have been provided.

☐ I have attached a certified copy of a final court order, consent order or binding financial agreement **OR**
☐ I have already provided a certified copy of a final court order, consent order or binding financial agreement to Equip Super.

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2 – Legal Representative (Please complete where a legal representative is acting on your behalf)

Title		Sex		Date of birth (ddmmyyyy)	
Mr ☐	Mrs ☐	Ms ☐	Miss ☐	Other ☐	☐
First name		Last name			
Postal address					
Suburb					
State	Postcode	Country (if not Australia)			
Email					

3 – Payment options

☐ I want the funds to be paid directly to me *(indicate amount below and go to step 3)*

☐ Whole amount available for a family law split

☐ Partial amount of \$, , .00 *(net of tax)*

and/or

☐ I want to roll over to another fund *(indicate amount below and go to step 4)*

☐ Whole amount available for a family law split

☐ Balance of the amount available after the cash payment nominated above is processed.

4 – Cash withdrawal

(a) Residency declaration

If the statement below does not apply to you, please contact us as you may not be using the correct form.

☐ I am an Australian citizen/permanent resident or a New Zealand citizen

(b) Eligibility for a cash withdrawal

Your benefit may consist of preserved and/or non-preserved components. To enable us to determine these components and to confirm your eligibility for a cash withdrawal, please select any options that apply to you:

- ☐ I am aged 65 or older
- ☐ I am aged 60 to 64 and have ceased employment since turning 60
- ☐ I have reached my preservation age, have ceased employment and do not intend to be employed again
- ☐ I wish to withdraw from my *unrestricted non-preserved benefits*
- ☐ I have permanently retired early due to disablement, invalidity or terminal illness. Equip Super may require supporting evidence.

(c) Cash withdrawal payment method

- ☐ Send a cheque to the postal address I have noted on this form; or
- ☐ Transfer this payment electronically to my bank account as follows:

Name of bank, building society or credit union	BSB
Your account name (must be a personal account held solely or jointly in your name)	Account Number

☐ I have attached a copy of a bank statement that shows the account name, BSB and account number.

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5 – Roll over to another Equip Super account or to another fund

If you are transferring an amount to another Equip Super account, simply write *Equip Super* in the Fund name field and the relevant *member number* in the member number field. Please note you can't transfer funds to a Retirement Income or Transition to Retirement Income account that has already commenced. If you are rolling over to another fund, please ensure you provide all details below to avoid any processing delays.

Fund name

Postal address of new fund

Suburb

State

Postcode

Fund Australian Business Number (ABN)*

Unique Superannuation Identifier (USI)

Member number (if known)

*** If your fund does not have an ABN, you should attach their complying fund letter to avoid any delays in processing your request.**

Is the fund a self-managed super fund (SMSF)?

☐

No – go to step 5

☐

Yes – provide SMSF bank details below:

Name of bank, building society or credit union

BSB

SMSF account name

Account number

☐ I have attached a copy of an SMSF bank statement that is less than 6 months old and shows the SMSF account name, BSB and account number.

SMSF electronic service address

6 – Proving your identity

To protect your super, you need to prove your identity when you withdraw a benefit or move money between super funds. For information about the documents you can provide and who can certify them, go to equipsuper.com.au

(a) For transfers within Equip Super or to another super fund, you can authorise Equip Super to use your TFN

☐

I authorise Equip Super to use my TFN to verify my identity with the ATO.

I understand that if my TFN is unable to be verified, Equip Super will require me to provide certified copies of proof of identity documents before my benefit payment request can be processed.

(b) For all other payments including cash withdrawals or if you don't want to use your TFN for identification purposes, you must provide certified proof of identity documents

☐

I have attached certified proof of identity documents in accordance with the information on the last page of this form.

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Privacy

The personal information you provide on this form will be used in accordance with Togethr Trustee's Privacy Statement, which you can view online at equipsuper.com.au/privacy or you can obtain a copy by contacting us on **1800 682 626**.

Togethr Trustee's Privacy Collection Statement details how we deal with your personal information and who you can talk to if you wish to access and seek correction of the information we hold about you. It includes details on how we collect, disclose and manage your personal information, including other entities and offshore locations that may receive or provide your information.

If you have any other queries in relation to privacy issues, you can contact us or write to our Privacy Officer, GPO Box 4303, Melbourne VIC 3001.

7 – Sign the form

By signing this form I:

- authorise my benefit to be paid by Equip Super as instructed on this form
- understand when my full benefit is paid, Equip Super shall be released from all claims, liabilities and obligations
- understand there may be a delay in processing my payment request if I do not provide correct and complete proof of identity documents or if I authorised Equip Super to use my TFN to verify my identity with the ATO and Equip Super was unable to do so.

Signature

Date (ddmmyyyy)

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Please return your completed form to Equip Super, GPO Box 4303, Melbourne VIC 3001

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Equip Super, GPO Box 4303, Melbourne VIC 3001

Issued by Togethr Trustees Pty Ltd ABN 64 006 964 049 AFSL 246383
as trustee for Equipsuper ABN 33 813 823 017 USI 33 813 823 017 000

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Proof of identity information

Please find below a list of documents that you can use to prove your identity. Any documents you provide **must** be certified as true copies by a person authorised to certify documents. Read on for further information or see our full proof of identity information online at equipsuper.com.au. Equip Super reserves the right to request further identification documents.

☐ A certified copy of **ONE** of the following documents **ONLY**:

- Current driver's licence issued under State/Territory law
- Passport
- Current card issued under a State or Territory for the purpose of proving a person's age
- Current national identity card issued by a foreign government for the purpose of identification

OR

☐ A certified copy of **ONE** of the following documents:

- Birth certificate or extract
- Citizenship certificate issued by the Commonwealth
- Pension card issued by Centrelink that entitles the person to financial benefits

AND

☐ A certified copy of **ONE** of the following documents:

- Letter from Centrelink, in the last 12 months, regarding a Government assistance payment
- Notice issued by a Commonwealth, State or Territory Government or local council within the past twelve months that contains your name and residential address. For example, an ATO Notice of Assessment or a Rates Notice from your local council

Change of name

If you have changed your name, you must provide a certified copy of the relevant name change document, for example, a marriage certificate, deed poll, decree nisi/divorce order or change of name certificate issued by the Births, Deaths and Marriages Registration office.

Make sure your documents are correctly certified

All copied pages of ORIGINAL supporting documents or proof of identity documents need to be certified as true copies by an individual approved to do so.



Certified true copy
J. Sample
Mr John Sample
Justice of the Peace
Registration No. 123456789
Date: 01/01/2020

The authorised person must:

- Sight the original and the copy and make sure both documents are identical, then
- Make sure all pages have been certified as true copies by writing or stamping 'certified true copy', then
- Sign, print their name, qualification (eg Justice of the Peace, Australia Post employee etc) and registration number (if applicable), then
- Date their certification (must be within 12 months of receipt)

Common people used to certify proof of identity documents:

- Pharmacist
- Justice of the Peace
- Notary Public
- Medical practitioner or nurse
- Police officer
- Accountant (CA/CPA)
- Legal practitioner
- Financial planner (Officer with or Authorised Representative of an Australian Financial Services Licensee) (with two years' experience)
- Full time teacher (school or tertiary)
- Bank/credit union/building society officer (with two years' experience)
- Permanent employee of a Commonwealth, State/Territory or local government (with two years' service)

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