

There are certain conditions you must meet before you can access your super. For most people, this will be when they have reached their preservation age.

However, there are some circumstances where you may be allowed to access your super early, including severe financial hardship or on compassionate grounds.

Accessing your super due to financial hardship

There are two scenarios where you may be eligible to access your super early on the grounds of financial hardship.

This will depend on whether you have met your preservation age, plus 39 weeks.

What is your preservation age?

Access to super is generally restricted to members who have reached preservation age. A person's preservation age varies depending on their date of birth.

| Date of Birth | Preservation Age |
|-----------------------------|------------------|
| 1 July 1963 to 30 June 1964 | 59 |
| 1 July 1964 and after | 60 |

If you were born prior to 1 July 1963, then you have already reached preservation age.

- If you have not met your preservation age, plus 39 weeks, go to **Scenario 1** below.
- If you have met your preservation age plus 39 weeks, go to **Scenario 2** on the next page.

Important

Contact First Super if you are thinking of making a claim, and our team can advise if you are likely to be eligible, and guide you through the application process.

Scenario 1 – under preservation age and 39 weeks

You may be eligible for early access to super due to financial hardship if you meet all of the following conditions:

- You are unable to meet your reasonable and immediate family living expenses
- You've received eligible Commonwealth income support payments for a continuous period of 26 weeks. A Commonwealth Government income support payment is an income support supplement, service pension, social security benefit or social security pension.
- You are still receiving Commonwealth income support payments at the time you apply
- You haven't received a financial hardship payment from First Super or any other superannuation fund within the last 12 months.

If you satisfy the requirements, the maximum we can pay you is \$10,000 (gross) in any 12-month period. We must pay a minimum amount of \$1,000 unless you have less than this amount in your super account.

Expenses that may qualify as reasonable and immediate family living expenses:

- ✓ household expenses
- ✓ rent and rental bond
- ✓ child support and child care
- ✓ debts
- ✓ car repair bills
- ✓ health costs
- ✓ veterinary bills and school fees
- ✓ outstanding mortgage payments up to three months overdue
- ✓ minimum monthly payments on loans and credit cards and any overdue amounts

Expenses that do not qualify:

- ✗ business expenses and fines such as traffic or parking fines
- ✗ legal fees
- ✗ mortgage payments more than three months overdue
- ✗ full balances owed on loans or credit cards

Scenario 2 – you have reached preservation age

You may be eligible for early access to super due to financial hardship if you meet all of the following conditions:

- You've reached your preservation age plus 39 weeks
- You've been receiving Commonwealth income support payments for a combined period of 39 weeks since reaching your preservation age
- You're unemployed, or gainfully employed for fewer than 10 hours a week at the time you apply
- You haven't received a financial hardship payment from First Super or any other superannuation fund within the last 12 months.

If you meet these conditions, we can pay you any amount up to your full account balance.

Important: what you need to know before applying

- If you are experiencing severe financial hardship because of not being able to work due to an injury or health condition, and you have certain types of insurance products either within or outside your super, check if you can make a claim. Relevant insurance policies include Income Protection, Total and Permanent Disability or Trauma/Critical Illness insurance. For more information about insurance within super read our Insurance Guide at firstsuper.com.au.
- Financial hardship payments are taxed as a lump sum. If you have provided us with your tax file number (TFN), then the following tax rules will apply:
 - If you are under your preservation age, the taxable component of your payment will be taxed at 20% plus the Medicare levy or at your marginal tax rate, whichever is lower.
 - If you are between your preservation age and age 59, the first \$235,000¹ will be tax free and the balance will be taxed at 15% plus the Medicare levy, or at your marginal tax rate, whichever is lower.
 - If you are 60 years of age or more, you will not pay any tax on your payment.
 - If we don't have your TFN, and you do not provide it to us when you apply for a payment, the tax rate will be 45% plus the Medicare levy.

- If you want to keep your First Super account open, you must have enough money in it to cover administration and investment fees.
- If you have insurance cover in your First Super account, you need to leave enough money in your super account to pay insurance fees. If you do not have enough in your account, your insurance will end.
- If no contributions are received into your super account for 16 months, by law First Super must cancel your insurance cover automatically. For more details see our Insurance and inactive member accounts page at firstsuper.com.au.
- Temporary residents are not eligible to apply for financial hardship.

How to apply

Accessing your super early is a big decision, so before you claim contact our Member Services Team to help you make an informed decision and understand the impact it may have on your super account at retirement. Contact us on **1300 360 988** or email mail@firstsuper.com.au.

¹ If you have received any other lump sum super payments, the tax-free component for a financial hardship payment will be reduced.

Accessing your super on compassionate grounds

To access your super on compassionate grounds, you'll need to meet the conditions specified by the Australian Taxation Office (ATO). The ATO is the Government body responsible for assessing applications for the release of superannuation in these cases.

The main condition is that you do not have enough money ("financial capacity") to pay the costs resulting from the reason on which your application is based. For example, you may be faced with extra medical bills for either yourself or a dependant, and be unable to pay them.

Your application **must** include a statutory declaration stating that you are unable to meet the expenses. The circumstances under which your super will be released on compassionate grounds are outlined below.

Please note, we will only make approved payments to an account in your name with an Australian financial institution. No cheques will be issued.

What is a dependant?

A dependant is generally a child, spouse, financial dependant, or person with whom you have an interdependency relationship.

1. For medical and/or dental treatment or transport

To be able to use your super to help pay for medical or dental treatment, or transport to and from these treatments for you or your dependant, the condition must be:

- a life-threatening illness or injury; or
- an acute or chronic physical pain; or
- an acute or chronic mental condition.

The treatment must not be readily available through the public health system, and the cost of treatment must not be completely covered by your (or your dependant's) private health insurance and/or workers compensation.

2. For assistance with mortgage repayments

You may be granted access to your super to prevent your home from being sold by the lender holding the home's mortgage. Typically, you will not be granted access to pay rent or to make a payment on a mortgage that:

- you expect to have difficulty paying in the future but is not yet in arrears
- is in arrears, but not to the extent that the lender has decided to sell
- belongs to a dependant, other family member or friend
- is for a second or investment property.

3. For care for a terminal medical condition

You may be granted access to your super to provide palliative care for yourself or your dependant if you/they have a terminal medical condition.

4. For modifications to your home and/or motor vehicle

You may be granted access to your super to pay for modifications needed to accommodate the special needs of a person with a severe disability (you or one of your dependants).

5. For expenses relating to the death of a dependant

You may be granted access to your super to help with funeral, burial, cremation and other costs related to the death of a dependant. However, the deceased person must have been your dependant, not just a family member. For example, expenses associated with the death of a parent, grandparent or sibling will be approved **only** if that family member relied on you financially, domestically or personally.

Maximum amounts apply

Maximum release amounts apply to each circumstance. You can find more details on the 'Early access to your super' section of the ATO website: www.ato.gov.au.

Tax payable on the amount released

The amount of tax payable depends on your age, whether you have provided your tax file number, and the components of your benefit. Your benefit payment will generally consist of a tax-free and a taxable component. The components of the amount paid will be in proportion to the amount of tax-free and taxable portions of your total benefit.

How to apply

Step 1 – Apply to ATO via your myGov account

If you think that one or more of the specified compassionate grounds applies to you, please log into your myGov account at www.my.gov.au and select the 'Australian Taxation Office' link. If you haven't linked the ATO to your myGov services, you must do this before you can continue the process.

Once you have been redirected to the ATO homepage, complete the relevant ATO *Compassionate Release of Superannuation* online application.

The ATO will assess your application as soon as possible after they have received all the required information from you.

Once your application has been assessed, the ATO will write to you via your myGov inbox with its decision and reasons for that decision.

If the ATO approves the early release of your super, you must then apply to First Super for payments (see Step 2).

If you have any questions about Step 1, please contact the ATO directly.

Website: www.ato.gov.au

Phone: 13 28 61 (+61 3 6216 1111 outside Australia)
Monday to Friday 8:00am to 5:00pm (AEST).

Post: Australian Taxation Office (ATO)
Compassionate release of superannuation
PO Box 3006 Penrith NSW 2740

What happens if I don't have a myGov account?

The only way to apply to the ATO for early access to your super on compassionate grounds is online through a myGov account.

If you don't have a myGov account, you will need to create one before you can make an application. Visit www.my.gov.au to register and complete the process.

Otherwise, if you don't have access to a computer / the internet, or you need help to set up a myGov account, please visit your local Centrelink office.

Step 2 – send documents to First Super

If the ATO approves the early release of your benefit, please send the following documents to First Super:

- ATO letter of approval of the early release of your benefit (original or certified copy); and
- a letter advising the banking or payee details; and
- certified copies of proof of identity documents (see further information below).

As long as all the documents are in order and payment is approved, we will pay it in accordance with the instructions on the application form or as directed by the ATO.

Important information about certifying your documents

You may need to provide your identity before we can provide a service to you. You can choose one of two ways to do this:

1. Allow us to search the Document Verification Service (DVS) website, operated by the Federal Government. The DVS is a secure online system that allows organisations like First Super to compare a person's recorded identity details with the details shown on government documents.

OR

2. Send us certified copies of identification documents that confirm your identity. All copied pages of ORIGINAL documents need to be certified as true copies by any individual approved to do so (see below).

The person who is authorised to certify documents must see the original and the copy, check both documents are identical, and then make sure all pages have been certified as true copies by including the following details on the copy:

- writing or stamping 'This is a true copy of the original';
- their qualification (e.g police officer, nurse, etc);
- their name and address; and
- their signature and the date the copy was signed.

The following individuals can certify copies of the originals as true and correct copies:

- a police officer
- a medical practitioner or nurse
- a pharmacist
- a veterinary surgeon
- a dentist
- an optometrist
- a psychologist
- a judge of a court
- a magistrate
- a Chief Executive Officer of a Commonwealth Court
- a bailiff
- a sheriff or sheriff's officer
- a Justice of the Peace
- a notary public officer
- a registrar or deputy registrar of a court
- a person enrolled on the roll of a State or Territory Supreme Court or the High Court of Australia, as a legal practitioner
- an Australian consular officer or an Australian diplomatic officer
- a physiotherapist
- a teacher employed on a full-time basis at a school or tertiary education institution
- a finance company officer with two or more years of continuous service (with one or more finance companies)
- an officer with, or authorised representative of, a holder of an Australian Financial Services Licence (AFSL), and having two or more years of continuous service with one or more licensees.

If you are unable to find anyone on this list to help you, contact our Member Services Team for a full list of occupations who may assist you.

For more information you can also read our *Completing Proof of Identity* fact sheet at firstsuper.com.au.

Want to know more? We're here to help.

Call our Member Services Team weekdays 8am – 6pm (Melbourne time) for general advice or speak to your local Member Services Coordinator.



1300 360 988



mail@firstsuper.com.au



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