



FEDERAL CIRCUIT  
AND FAMILY COURT  
OF AUSTRALIA

# Superannuation Information Kit



## This kit contains:

- Form 6 Declaration to accompany the Superannuation Information Request Form and the appropriate Superannuation Information Form
- A Superannuation Information Request Form
- A Superannuation Information Form for use by trustees of all superannuation funds and providers of retirement savings accounts and eligible annuities other than self managed superannuation funds
- A Superannuation Information Form for use by trustees of self managed superannuation funds

The Superannuation Information Request Form and the Superannuation Information Forms are the forms approved by the Chief Justice/Chief Judge to obtain information from the Trustee of an eligible superannuation plan.

**An eligible superannuation plan** means any of the following:

- A superannuation fund within the meaning of the Superannuation Industry (Supervision) Act (SIS Act)
- An approved deposit fund
- A retirement savings account (RSA)
- An account within the meaning of the Small Superannuation Accounts Act 1995
- An eligible annuity (a deferred or immediate annuity purchased wholly with superannuation monies)

**The Trustee** includes an RSA or eligible annuity provider and any person who manages the particular plan.

The persons who are able to use these forms are:

- the member of the superannuation plan;
- the spouse of the member;
- a person who intends to enter into a superannuation agreement with the member.

These persons are known as the **eligible persons**.

The **member** includes the account holder of the RSA or the holder of an eligible annuity.

**The Form 6 Declaration** must accompany a Superannuation Information Request Form to satisfy the trustee that information is being sought by eligible persons for an approved purpose.

**The Superannuation Information Forms** are for use by the Trustee of the superannuation plan. However, the Trustee may provide the requested information in a different format.

## NOTICE TO THE PERSON USING THIS KIT (THE ELIGIBLE PERSON)

- You must complete a Form 6 Declaration for each eligible superannuation plan from which you request information. If you are asking for information about more than one interest in the same plan, you only need to provide one Form 6 Declaration.

- If you make a false statement in a declaration you may be subject to a penalty of up to twelve (12) months imprisonment.

- You must complete a Superannuation Information Request Form where indicated for every superannuation interest about which you wish to obtain information. Indicate the type of information that you require by ticking the relevant box.
- The Trustee may charge a reasonable fee for providing information. You should inquire of the Trustee what fee is payable.
- You must insert in the Superannuation Information Request Form the date at which you require the information and/or the valuation. If you require a valuation or information as at a different date you will need to complete a new request for that date.
- You must send to the Trustee:
  - the Form 6 Declaration;
  - the Superannuation Information Request Form with the appropriate Superannuation Information Form; and
  - the requisite fee.
- The Trustee will complete the relevant parts of the Superannuation Information Form or provide the same information in their own format and return it to you.
- If you are making an application for an order for property settlement and you have a superannuation interest, you must attach the document received back from the Trustee to the Financial Statement that you file with the application.
- If a document containing the relevant superannuation information has not already been filed or exchanged, that document must be served on each other party at least two [2] days before the case assessment conference or first procedural hearing.
- If you are making an application for a consent order in relation to a superannuation interest, you must attach the document received back from the Trustee to that application.

## NOTICE TO THE TRUSTEE

- If you receive a Superannuation Information Request Form accompanied by a properly completed Form 6 Declaration and the appropriate fee, you must provide the information sought (Section 90XZB(3) Family Law Act).
- You are prohibited from providing to the eligible person the address of the member (including a postal address) (Section 90XZB(5)).
- If the application is received from a person other than the member you must not inform the member that the application has been received (Section 90XZB(6)).
- If the fund is not a self managed superannuation fund, complete the first part of the Superannuation Information Form and, as appropriate, Part A, B, C or D.
- If the fund is a self managed superannuation fund, complete the separate Superannuation Information Form for use by Trustees of such a fund (see last attachment).
- Where the member has more than one interest in the superannuation plan you must provide the information sought about each interest. It may be necessary to complete a Superannuation Information Form for each interest.
- You should attach extra pages if you need more space to provide the information sought in the form.
- Where indicated, the information is to be provided as at the Appropriate Date, which is:
  - the date on which you received the information request *or*,
  - if an earlier date is indicated on the Superannuation Information Request Form, that earlier date.
- You may provide the information sought on a form other than the Superannuation Information Form (eg, a computer printout) as long as you comply with the requirements of Division 7.2 of the Family Law (Superannuation) Regulations 2001. In any event the document must be addressed to the eligible person.
- The document to be returned to the eligible person may be forwarded to a legal practitioner representing the eligible person provided that the legal practitioner is authorised to receive that document.

Any statement provided by the trustee may be used in evidence and the trustee may be required to swear an affidavit in support and be available for cross-examination.

# Form 6

## Declaration to accompany application to trustee for information about a superannuation interest

(Regulation 62), Family Law Act 1975 subsection 90XZB(2)

### Declaration by Applicant for Information about a Superannuation Interest

I, \_\_\_\_\_ [name],  
of \_\_\_\_\_ [postal address],  
born on \_\_\_\_\_ [date of birth],

make the following declaration in support of my application to the trustee of  
\_\_\_\_\_ [name of eligible superannuation plan from which information is sought] **(the plan)** for information  
about:

- \*(a) my superannuation interest.
- \*(b) a superannuation interest of  
\_\_\_\_\_ [FULL NAME OF MEMBER],  
born on \_\_\_\_\_ [DATE OF BIRTH OF MEMBER],  
who is a member of the plan.

**1** I am:

- \*(a) a member of the plan.
- \*(b) the spouse of \_\_\_\_\_ [NAME], who is a member of the plan.
- \*(c) intending to enter into a superannuation agreement under Part VIIIB of the *Family Law Act 1975*  
with \_\_\_\_\_ [NAME], who is a member of the plan.

**2** I require the information to:

- \*(a) assist me to properly negotiate a superannuation agreement.
- \*(b) assist me in connection with the operation of Part VIIIB of the *Family Law Act 1975*.

Signed

Date

	/ /
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[SIGNATURE OF PERSON MAKING DECLARATION]

\* Strike out whichever is not applicable.

# Superannuation Information Request Form

If you wish to request information about a superannuation interest you should complete this form and a Form 6 Declaration, and send both forms together with the appropriate Superannuation Information Form and the requisite fee to the Trustee.

To the Trustee of:

[NAME OF ELIGIBLE SUPERANNUATION PLAN]

  

[ADDRESS]

Name of Member

[NAME OF MEMBER]

Date of Birth of Member

DAY MONTH YEAR

Account Number/s (IF KNOWN)

Member Number/s (IF KNOWN)

I, \_\_\_\_\_ [NAME],

of \_\_\_\_\_ [POSTAL ADDRESS],

request that you provide me\*/my lawyer\* [INSERT NAME AND ADDRESS OF LAWYER]

with the following information about the superannuation interest of the above member:

If the interest is not a percentage-only interest or an interest is a self managed superannuation fund, all information including a valuation

All information excluding a valuation

The information is sought as at the        /        /  
DAY MONTH YEAR

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

SIGNATURE OF PERSON MAKING THE APPLICATION (ELIGIBLE PERSON)

\*DELETE WHICHEVER DOES NOT APPLY

## NOTE:

- In relation to the value of an accumulation interest in the growth phase see Regulations 63(4)(aa). The Trustee is not required to provide information on the value of the interest as at a specific date unless a record of that information is within the Trustee's possession, power or control (Regulation 63(6)(c)).
- If the value of a partially vested accumulation interest in the growth phase is requested the Trustee has a discretion to provide the same or not (Regulation 63(4A)(aa)).
- If the value of a defined benefit interest in the growth phase is requested the Trustee has a discretion to provide the same or not (Regulation 64(4)(p)).
- If the value of a superannuation interest in the payment phase is requested the Trustee has a discretion to provide the same or not (Regulations 63(3)(g) and 64(3)(g)).

# Superannuation Information Form

(for use by trustees of all superannuation funds and providers of retirement savings accounts and eligible annuities that are not Self Managed Superannuation Funds)

## To the Eligible Person

Name of Eligible Person and address:		
Name Of Eligible Superannuation Plan:		
Name of Trustee(s):		
Name of member:		
Contact address (address for service) of Trustee(s):		
		STATE
		POSTCODE
TEL		
EMAIL		

<b>Name of Member</b>
<b>Date of Birth of Member</b> /     / DAY    MONTH    YEAR
<b>Account Number/s (IF APPLICABLE)</b>
<b>Member Number/s (IF APPLICABLE)</b>

**1** The superannuation interest is unsplitable (ie, one with a withdrawal value of less than \$5,000 or one where benefits less than \$2,000 per year are being paid as a lifetime or fixed term annuity or as a non-commutable lifetime or fixed term pension).

**No** GO TO ITEM 2

**Yes** GO TO ITEM 3

**2** The superannuation interest is subject to a payment split.

**No** GO TO ITEM 3

**Yes** There are further payments to be made.

**No** GO TO ITEM 3

**Yes** The following details apply:

- The operative time for the split (usually the date of the order or 4 days after the agreement was served on the trustee).
- In the case of a base amount/s now being paid, the amount of any future payments. [NOTE: THIS INTEREST WILL HAVE MOVED FROM THE GROWTH PHASE (BASE AMOUNT) INTO THE PAYMENT PHASE (PAYMENT OF THE BASE AMOUNT)].
- In the case of a base amount which is to be paid (ie, one that is still in the growth phase),
  - the base amount is:
  - the adjusted base amount is:
- In the case of a percentage split, the specified percentage is:

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\$ \_\_\_\_ .00

\$ \_\_\_\_ .00  
BASE AMOUNT

\$ \_\_\_\_ .00  
ADJUSTED BASE AMOUNT

\_\_\_\_ %

**3** The superannuation interest is subject to a payment flag.

**No** GO TO ITEM 4

**Yes** The date of effect of or the operative time for the payment flag (usually the date of the order or 4 days after the agreement was served on the trustee) is:

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**4** The governing rules permit binding death nominations to be made.

**No** GO TO ITEM 5

**Yes** A binding death nomination has been made in favour of a person other than the eligible person requesting the information

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNDER THE REGULATIONS, BUT IT WILL BE HELPFUL TO THE ELIGIBLE PERSON IF IT IS PROVIDED.

**5** The date of commencement of the member's service period is:

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**6** The date the member first became a member of the plan is:

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

- 7 The interest is in the:
- growth phase
  - payment phase

8 The following information is provided as at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (this information should only be provided if the interest is in the growth phase).

For **regulated funds, RSAs and deferred annuities**, the preservation information is: \$ \_\_\_\_ .00

- The member's restricted non-preserved benefit (as if the member had resigned): \$ \_\_\_\_ .00

- The member's unrestricted non-preserved benefit: \$ \_\_\_\_ .00

For **Approved Deposit Funds only**, the amount of the member's unrestricted non-preserved benefit is:

9 The following information is provided as at \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**NOTE:** THE DATE OF THE INFORMATION RELATING TO TAXATION MAY BE DIFFERENT TO THE DATE OF INFORMATION PROVIDED FOR VALUATION.

The taxation information is: \$ \_\_\_\_ .00

- The tax free component: \$ \_\_\_\_ .00

- The taxable component: \$ \_\_\_\_ .00

10 A notice has been given, under section 1017B of the *Corporations Act 2001*, for reconstruction or termination of the plan.

**No**

**Yes** The details are:

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**11** Fees are charged for the following:

- A payment split:
- A payment flag:
- Flag lifting under an agreement:
- Termination of a flag by order:
- Any other action required to be undertaken by the trustee:

\$	<u>        </u>	.00
\$	<u>        </u>	.00
\$	<u>        </u>	.00
\$	<u>        </u>	.00
\$	<u>        </u>	.00

(The Trustee reserves the right to change these fees at any time)

**Description of member's superannuation interest with reference to the relevant superannuation information forms.**

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**ATTACHED HERETO IS PART A, B, C OR D AS APPROPRIATE**

Dated the \_\_\_\_ day of \_\_\_\_ 20 \_\_\_\_.

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FOR AND ON BEHALF OF THE TRUSTEE

--

NAME

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POSITION

# Part A Superannuation Information Form

## Accumulation interest in the growth phase

1 The superannuation interest is a deferred annuity.

**No** GO TO ITEM 2

**Yes** and the account balance at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is

\$ \_\_\_\_ .00

**NOTE 1:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL (EG, IF THE TRUSTEE DOES NOT HAVE ANY HISTORICAL RECORDS).

**NOTE 2:** IF THE SUPERANNUATION INTEREST IS A DEFERRED ANNUITY NO FURTHER INFORMATION IS REQUIRED TO BE PROVIDED IN THIS PART.

2 The valuation of the benefits before any taxes and charges that would be payable if the member voluntarily ceased to be a member of the plan at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is provided:

**No** GO TO ITEM 3

**Yes** The value is

\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

The estimated value of the benefits before any taxes or charges that would be payable if the member voluntarily ceased membership at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ reflects the account balance:

\$ \_\_\_\_ .00

3 The member has been provided with member information statements before and after \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \*

**No** GO TO ITEM 4

**Yes** The following information is provided:

▪ The value of the interest in the statement immediately before the above date (the first statement) and the date of that statement:

\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

▪ The value of the interest in the statement immediately following the above date (the second statement) and the date of that statement:

\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

▪ The amount, and date if known, of any rollovers or transfers or partial payments between the first and second statements (including the dates of those statements):

\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\* THE TRUSTEE MUST INSERT THE APPROPRIATE DATE FROM THE INFORMATION REQUEST FORM

4 The member has been provided with a member information statement after \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* but not before.

No GO TO ITEM 5

Yes The following information is provided:

▪ The value of the interest in the statement immediately after the above date (the first statement): \$ \_\_\_\_ .00

▪ The value of the interest when it was acquired: \$ \_\_\_\_ .00

▪ The amount, and date if known, of any rollovers or transfers or partial payments between acquisition and the first statement (including the dates of acquisition and of the first statement): \$ \_\_\_\_ .00 / /

NOTE: THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL. \$ \_\_\_\_ .00 / /

5 The member has been provided with a member information statement before \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* but not after.

No GO TO ITEM 6

Yes The following information is provided:

▪ The value of the interest in the statement immediately before the above date (the first statement): \$ \_\_\_\_ .00

▪ The value of the interest as at the date of completing this part (including the date of the first statement): \$ \_\_\_\_ .00

▪ The amount, and date if known, of any rollovers or transfers or partial payments between the first statement and the date of completing this part (including the date of the first statement): \$ \_\_\_\_ .00 / /

NOTE: THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL. \$ \_\_\_\_ .00 / /

6 No member information statement has been provided to the member, and the following information is provided:

▪ The value of the interest on the date it was acquired: \$ \_\_\_\_ .00

▪ The value of the interest as at the date of completing this part: \$ \_\_\_\_ .00

▪ The amount, and date if known, of any rollovers or transfers or partial payments between the date the interest was acquired and the date of completing this part (including the date the interest was acquired): \$ \_\_\_\_ .00 / /

NOTE: THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL. \$ \_\_\_\_ .00 / /

\* THE TRUSTEE MUST INSERT THE APPROPRIATE DATE FROM THE INFORMATION REQUEST FORM

# PART B Superannuation Information Form

## Partially vested accumulation interest in the growth phase

1

The gross value of the interest determined in accordance with a method or factors approved by the Minister or in accordance with the method prescribed in Schedule 3 of the *Family Law (Superannuation) Regulations 2001* at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is:

\$ \_\_\_\_ .00

OR NOT PROVIDED

2

The member has been provided with member information statements before and after \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \*

**No** GO TO ITEM 3

**Yes** The following information is provided:

▪ The value of the actual vested benefit in the statement immediately before the above date (the first statement), the total member credit (if stated in the first statement) and the date of the first statement:

\$ \_\_\_\_ .00  
\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

▪ The value of the actual vested benefit in the statement immediately following the above date (the second statement), the total member credit (if stated in the second statement) and the date of that statement:

\$ \_\_\_\_ .00  
\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

▪ The amount, and date if known, of any rollovers or transfers or partial payments between the first and second statement including the dates of those statements:

\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\$ \_\_\_\_ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

**\* THE TRUSTEE MUST INSERT THE APPROPRIATE DATE FROM THE INFORMATION REQUEST FORM**

3

The member has been provided with a member information statement after  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* but not before.

No GO TO ITEM 4

Yes The following information is provided:

- The value of the actual vested benefit in the statement immediately after the above date (the first statement) and the date of the first statement:
- The total member credit (if stated in the first statement):
- The value of the interest when it was acquired:
- The total member credit when the interest was acquired and the date of acquisition:
- The amount, and date if known, of any rollovers or transfers or partial payments between acquisition and the first statement (including the date of the first statement):

\$ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\$ .00

\$ .00

\$ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\$ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\$ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

4

The member has been provided with a member information statement before  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* but not after.

No GO TO ITEM 5

Yes The following information is provided:

- The value of the interest in the statement immediately before the above date (the first statement), and the date of the first statement:
- The total member credit (if stated in the first statement):
- The value of the interest as at the date of completing this part is:
- The total member credit is:
- The amount, and date if known, of any rollovers or transfers or partial payments between the date of the first statement and the date of completing this part (including the date of the first statement) is:

\$ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\$ .00

\$ .00

\$ .00

\$ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\$ .00  
\_\_\_\_ / \_\_\_\_ / \_\_\_\_

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

**\* THE TRUSTEE MUST INSERT THE APPROPRIATE DATE FROM THE INFORMATION REQUEST FORM.**

5

No member information statement has been provided to the member, and the following information is provided:

- The value of the actual vested benefit:
- The total member credit on the date the interest was acquired:
- The value of the actual vested benefit:
- The total member credit as at the date of completing this part:
- The amount, and date if known, of any rollovers or transfers or partial payments between the date the interest was acquired and the date of completing this part (including the date the interest was acquired):

\$ .00

\$ .00

\$ .00

\$ .00

\$ .00

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 \$ .00

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 \$ .00

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

6

The following information is provided:

- The vesting term that applies to the interest:
- The date when the vesting term commenced:
- The total member credit, if not stated in the member information statement:

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 Years

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 \$ .00

7

The value of the benefits (before any taxes and charges) that would be payable if the member voluntarily ceased to be a member of the plan \_\_\_\_/\_\_\_\_/\_\_\_\_\*

\$ .00

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL (EG IF THE TRUSTEE DOES NOT HAVE ANY HISTORICAL RECORDS).

8

The fund has applied to the Attorney-General for approval of a method or factors for determining the gross value of the interest.

- No
- Yes GO TO ITEM 9

9

The Attorney-General has approved a method or factors for determining the gross value of the interest.

- No
- Yes The details including relevant clause and item number in the Family Law (Superannuation) (Methods and Factors for Valuing particular Superannuation Interests) Approval 2003 are provided as follows:

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**\* THE TRUSTEE MUST INSERT THE APPROPRIATE DATE FROM THE INFORMATION REQUEST FORM**

**10** The Attorney-General has determined that additional information about the interest is required to be provided.

**No**

**Yes** The details of that additional information that is required to be provided (including the relevant clause, any item number and the title of the Determination that the Attorney-General has made) is as follows: \*

**11** The Attorney-General has determined that information about the interest is not required to be provided.

**No**

**Yes** The details of the information that is not required to be provided (including the relevant clause, any item number and the title of the Determination that the Attorney-General has made) is as follows: \*

**\* THE TRUSTEE MUST INCLUDE THE DESCRIPTION OF THE INFORMATION STATED IN THE RELEVANT DETERMINATION MADE UNDER SUBREGULATION 63(6A) OF THE *FAMILY LAW (SUPERANNUATION) REGULATIONS 2001* AND, IN THE CASE OF ADDITIONAL INFORMATION REQUIRED TO BE PROVIDED, THAT ADDITIONAL INFORMATION FOR THE INTEREST – for example,**

The date of birth of the person who has the interest: 01/01/1976  
A: \$10,000.00  
V: \$50,000.00

**OR**

The information mentioned in paragraphs 63(4A) (aa) to (g) and (i) of the *Family Law (Superannuation) Regulations 2001*

# PART C Superannuation Information Form

## Defined benefit interest in the growth phase

1

The gross value of the interest determined in accordance with any approved scheme specific method or factors or in accordance with the method prescribed in Schedule 2 of the Family Law (Superannuation) Regulations 2001 at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is:

\$ \_\_\_\_ .00

OR NOT PROVIDED

2

The following details about the interest are provided:

- The member's retirement age: \_\_\_\_\_
- The accrued benefit multiple for pension if required and/or lump sum: \_\_\_\_\_
- The salary figure, assuming retirement at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \*:
- If the benefit is a combination of lump sum and pension, and a maximum pension is specified in the rules,
  - the maximum proportion of lump sum that can be converted to a pension is: \_\_\_\_\_
- If the benefit is a combination of lump sum and pension, and a maximum lump sum is specified in the rules,
  - the maximum proportion of the pension that can be commuted to a lump sum is: \_\_\_\_\_
- If the superannuation fund has a pension component:

\_\_\_\_ YEARS

\$ \_\_\_\_ .00

\_\_\_\_ % OF LUMP SUM

\_\_\_\_ % OF PENSION

~ The method of indexation (if any) is: \_\_\_\_\_  
 The details are: \_\_\_\_\_

~ The guarantee period (if any) of pension is: \_\_\_\_\_  
 The details are: \_\_\_\_\_

~ The conversion factor (lump sum to pension) that will apply at the member's retirement age: \_\_\_\_\_

~ The commutation factor (pension to lump sum) that will apply at the member's retirement age: \_\_\_\_\_

~ The reversionary proportions (if any): \_\_\_\_\_

- The amount of any surcharge debt stated in the most recent member information statement is: \_\_\_\_\_

\$ \_\_\_\_ .00

**NOTE:** THIS DOES NOT APPLY TO CONSTITUTIONALLY PROTECTED FUNDS.

**\* THE TRUSTEE MUST INSERT THE APPROPRIATE DATE FROM THE INFORMATION REQUEST FORM**



3

The fund has applied to the Attorney-General for approval of a method or factors for determining the gross value of the interest.

No

Yes GO TO ITEM 4

4

The Attorney-General has approved a method or factors for determining the gross value of the interest.

No

Yes The details including relevant clause and item number in the Family Law (Superannuation)(Methods and Factors for Valuing Particular Superannuation Interests) Approval 2003 are provided as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5

The Attorney-General has determined that additional information about the interest is required to be provided

No

Yes The details of that additional information that is required to be provided (including the relevant clause, item number and the title of the Determination that the Attorney-General has made) is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6

The Attorney-General has determined that information about the interest is not required to be provided

No

Yes The details of that additional information that is required to be provided (including the relevant clause, item number and the title of the Determination that the Attorney-General has made) is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\* THE TRUSTEE MUST INCLUDE THE DESCRIPTION OF THE INFORMATION STATED IN THE RELEVANT DETERMINATION MADE UNDER SUBREGULATION 64(7) OR (7A) OF THE FAMILY LAW (SUPERANNUATION) REGULATIONS 2001 AND , IN THE CASE OF ADDITIONAL INFORMATION REQUIRED TO BE PROVIDED, THAT ADDITIONAL INFORMATION FOR THE INTEREST – for example,**

The date of birth of the person who has the interest: 01/01/1976  
ABC: \$50,000.00  
ASC: nil  
PCI: \$5,000.00  
AP: 0.40  
SG: nil

OR

The information mentioned in paragraphs 64(4) (a), (b) and (d) to (i) of the *Family Law (Superannuation) Regulations 2001*

**PART D**

**Superannuation Information Form  
Superannuation interest in the Payment phase**

1

The gross value of the interest determined in accordance with any approved scheme specific method or factors or in accordance with the particular method under Regulation 41, 42 or 43 of the *Family Law (Superannuation) Regulations 2001* which applies to the interest at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is:

\$ \_\_\_\_ .00

OR NOT PROVIDED

2

The member is receiving ongoing pension payments from an allocated pension or annuity

No

Yes The withdrawal benefit at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is:

\$ \_\_\_\_ .00

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL (EG, IF THE TRUSTEE DOES NOT HAVE ANY HISTORICAL RECORDS).

3

The member is receiving ongoing pension payments from a market linked pension or annuity

No

Yes The account balance at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is:

\$ \_\_\_\_ .00

4

The member is receiving ongoing pension or annuity payments from an interest that is not an allocated pension or annuity or market linked pension or annuity

No

Yes The following information is provided:

▪ The annual amount of the pension is:

\$ \_\_\_\_ .00

**NOTE:** THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

▪ The pension is a life time pension:

No

Yes

▪ The pension is a fixed term pension:

No

Yes ~ The length of the term for the fixed term pension  
~ the date of its commencement

▪ The pension is indexed:

No

Yes ~ The indexation method is

▪ There are reversionary interests:

No

Yes ~The proportion of that interest is:

▪ A lump sum is or will be payable in the future:

No

Yes The following information is provided:

- The amount of any lump sum (if known) payable is:
- OR** The amount of any future lump sum is not known but
- ~ The amount if the lump sum were paid at the date of completing this part is:
- ~ The method used to index the lump sum to determine the amount of the future lump sum is:

\_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_

\_\_\_\_\_%

\$ \_\_\_\_ .00

\$ \_\_\_\_ .00

\$ \_\_\_\_ .00

\* THE TRUSTEE MUST INSERT THE APPROPRIATE DATE FROM THE INFORMATION REQUEST FORM

5

The fund has applied to the Attorney-General for approval of a method or factors for determining the gross value of the interest.

No

Yes GO TO ITEM 6

6

The Attorney-General has approved a method or factors for determining the gross value of the interest.

No

Yes The details including relevant clause and item number in the Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Approval 2003 are provided as follows:

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7

The Attorney-General has determined that additional information about the interest is required to be provided.

No

Yes The details of that additional information that is required to be provided (including the relevant clause, any item number and the title of the Determination that the Attorney-General has made) is as follows:

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8

The Attorney-General has determined that information about the interest is not required to be provided.

No

Yes The details of the information that is not required to be provided (including the relevant clause, any item number and the title of the Determination that the Attorney-General has made) is as follows:

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\* THE TRUSTEE MUST INCLUDE THE DESCRIPTION OF THE INFORMATION STATED IN THE RELEVANT DETERMINATION MADE UNDER SUBREGULATION 63(6B) OR 64(7B) OF THE *FAMILY LAW (SUPERANNUATION) REGULATIONS 2001* AND , IN THE CASE OF ADDITIONAL INFORMATION REQUIRED TO BE PROVIDED, THAT ADDITIONAL INFORMATION FOR THE INTEREST – for example,

The date of birth of the person who has the interest: 01/01/1976  
P: \$10,000.00

OR

The information mentioned in paragraphs 64(3)(b) of the *Family Law (Superannuation) Regulations 2001*



- In the case of a base amount/s now being paid, the amount of any future payments is:

\$ \_\_\_\_\_ .00

[NOTE: THIS INTEREST WILL HAVE MOVED FROM THE GROWTH PHASE (BASE AMOUNT) INTO THE PAYMENT PHASE (PAYMENT OF THE BASE AMOUNT)].

- In the case of a base amount which is to be paid (ie, one that is still in the growth phase), the value of

~ the base amount is:

\$ \_\_\_\_\_ .00  
BASE AMOUNT

~ the adjusted base amount is:

\$ \_\_\_\_\_ .00  
ADJUSTED BASE AMOUNT

- In the case of a percentage split, the specified percentage is:

\_\_\_\_\_ %

4 The superannuation interest is subject to a payment flag.

No

Yes The date of effect of or the operative time for the payment flag (usually the date of the order or 4 days after the agreement was served on the Trustee) is:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

5 The governing rules permit binding death nominations to be made.

No GO TO ITEM 6

Yes A binding death nomination has been made in favour of a person other than the eligible person requesting this information.

No

Yes

NOTE: THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNDER THE REGULATIONS, BUT IT WILL BE HELPFUL TO THE ELIGIBLE PERSON IF IT IS PROVIDED.

6 The date of commencement of the member's service period is:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

7 The date the member first became a member of the plan is:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

8 A notice has been given, under section 1017B of the *Corporations Act 2001*, for reconstruction or termination of the plan.

No

Yes The details are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9 A copy of the trust deed:

has been attached as requested

has not been attached as it was not requested

10

Fees are charged for the following:

- A payment split:
- A payment flag:
- Flag lifting under an agreement:
- Termination of a flag by order:
- Any other action required to be undertaken by the trustee:

\$            .00  
 \$            .00  
 \$            .00  
 \$            .00  
 \$            .00

11

The member is receiving ongoing pension payments from an allocated pension.

- No
- Yes The withdrawal benefit at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is:

\$            .00

NOTE: THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL (EG, IF THE TRUSTEE DOES NOT HAVE ANY HISTORICAL RECORDS).

12

The member is receiving ongoing pension payments from a market linked pension

- No
- Yes The account balance at \_\_\_\_ / \_\_\_\_ / \_\_\_\_ \* is:

\$            .00

NOTE: THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

13

The member is receiving ongoing pension payments from an interest that is not an allocated pension or a market linked pension

- No
- Yes The following information is provided:

- The annual amount of the pension is:

\$            .00

NOTE: THE TRUSTEE IS NOT REQUIRED TO PROVIDE THIS INFORMATION UNLESS A RECORD OF IT IS WITHIN THE TRUSTEE'S POSSESSION, POWER OR CONTROL.

- The pension is a life time pension.

- No
- Yes

- The pension is a fixed term pension.

- No
- Yes ~ The length of the term for the fixed term pension: \_\_\_\_\_

~ The date of its commencement is: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_

- The pension is indexed:

- No
- Yes ~ The indexation method is: \_\_\_\_\_

\* THE TRUSTEE MUST INSERT THE APPROPRIATE DATE FROM THE INFORMATION REQUEST FORM.