

Non-lapsing Death Benefit Nomination Form Total Care Plan Super

Commlnsure



Issued by Colonial First State Investments Limited ABN 98 002 348 352 AFSL 232468 (CFSIL), the trustee of the Colonial First State FirstChoice Superannuation Trust ABN 26 458 298 557 (FirstChoice Trust). The Colonial Mutual Life Assurance Society Limited ABN 12 004 021 809 AFSL 235035 (CMLA) is responsible for the administration of Total Care Plan Super and provides insurance benefits to FirstChoice Trust as insurer of Total Care Plan Super.

Please refer to page 3 and 4 for guidance on how to complete this form. Alterations to this form must be initialled by you and both witnesses or it will be invalid. Please complete this form using BLACK INK and print well within the boxes in CAPITAL LETTERS. Start at the left of each answer space and leave a gap between words. Please cross appropriate answer boxes.

1 Personal Details

Policy number (if known) <input type="text"/>	Title Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="text"/>	Date of birth <input type="text"/> / <input type="text"/> / <input type="text"/>
Given name(s) <input type="text"/>	Surname <input type="text"/>	
Phone number <input type="text"/> () <input type="text"/>	Mobile phone number <input type="text"/> () <input type="text"/>	Email <input type="text"/>

2 – Nomination Details

Nominee 1

Full name <input type="text"/>	Date of birth <input type="text"/> / <input type="text"/> / <input type="text"/>	% of death benefit Lump sum <input type="checkbox"/> <input type="text"/> %
Address <input type="text"/>	<input type="checkbox"/> Spouse <input type="checkbox"/> Financial dependant	% of death benefit Pension <input type="checkbox"/> <input type="text"/> %
<input type="text"/> State <input type="text"/> Postcode	<input type="checkbox"/> Child <input type="checkbox"/> Interdependant	

Nominee 2

Full name <input type="text"/>	Date of birth <input type="text"/> / <input type="text"/> / <input type="text"/>	% of death benefit Lump sum <input type="checkbox"/> <input type="text"/> %
Address <input type="text"/>	<input type="checkbox"/> Spouse <input type="checkbox"/> Financial dependant	% of death benefit Pension <input type="checkbox"/> <input type="text"/> %
<input type="text"/> State <input type="text"/> Postcode	<input type="checkbox"/> Child <input type="checkbox"/> Interdependant	

Nominee 3

Full name <input type="text"/>	Date of birth <input type="text"/> / <input type="text"/> / <input type="text"/>	% of death benefit Lump sum <input type="checkbox"/> <input type="text"/> %
Address <input type="text"/>	<input type="checkbox"/> Spouse <input type="checkbox"/> Financial dependant	% of death benefit Pension <input type="checkbox"/> <input type="text"/> %
<input type="text"/> State <input type="text"/> Postcode	<input type="checkbox"/> Child <input type="checkbox"/> Interdependant	

Nominee 4

Full name <input type="text"/>	Date of birth <input type="text"/> / <input type="text"/> / <input type="text"/>	% of death benefit Lump sum <input type="checkbox"/> <input type="text"/> %
Address <input type="text"/>	<input type="checkbox"/> Spouse <input type="checkbox"/> Financial dependant	% of death benefit Pension <input type="checkbox"/> <input type="text"/> %
<input type="text"/> State <input type="text"/> Postcode	<input type="checkbox"/> Child <input type="checkbox"/> Interdependant	

Legal Personal Representative (Your Estate)

% of death benefit <input type="text"/> %

Total must equal 100%. This includes any additional nominations you attach to this form. Please refer to page 3 and 4 – Nominating Beneficiaries.

Total 100%

Declaration

I understand/declare that:

- if this nomination is consented to by the trustee of the FirstChoice Trust, any existing death benefit nomination will be revoked and replaced
- any beneficiary nominated by me, other than my legal personal representative, must be a dependant within the meaning of the Superannuation Industry (Supervision) Act 1993 (SIS Act). A dependant includes my spouse, child, a person who is financially dependent on me or with whom I have an interdependency relationship
- at the time of making this nomination, the beneficiary or beneficiaries nominated by me are dependants within the meaning of the SIS Act
- if my nomination is invalid in whole or in part, or cannot be followed for any reason or because a beneficiary/ beneficiaries is no longer a dependant at the date of my death, then that proportion of my benefit will be paid to my legal personal representative
- my beneficiary/beneficiaries and I will be bound by the provisions of the trust deed relating to non-lapsing death benefit nominations
- I may at any time revoke or replace a non-lapsing death benefit nomination in accordance with FirstChoice Trust's procedures and with the consent of the trustee
- this nomination applies to the application above or the policy number(s) identified on this form
- I have read the PDS and agree to be bound by the provisions of the trust deed governing the FirstChoice Trust (as amended).

I acknowledge that the FirstChoice Trust and/or its related entities will not be liable to me or other persons for any loss suffered (including consequential loss) where transactions are delayed, blocked, frozen or where the Group refuses to process a transaction or ceases to provide me with a product or service.

A nomination is not considered valid unless it has been completed correctly and the trustee receives it. Any alterations to your form must be initialled by yourself and both witnesses or it will be invalid. A nomination will not be effective until the trustee of the FirstChoice Trust has consented to it. You should regularly review your nomination to ensure that the nominated beneficiary/beneficiaries remain eligible to receive the portion of your death benefit specified in this nomination and that this nomination accurately reflects your wishes.

Signing this form

This form must be signed and dated in the presence of two witnesses. Each witness must be over 18 years old and must not be a person nominated on this form.

Applicant's/Member's signature

Date

 / /

Declaration by two witnesses required to validate a non-lapsing death benefit nomination

I hereby declare that this non-lapsing death benefit nomination was signed and dated by the applicant/member in my presence.

I confirm that I am at least 18 years old and I am not a person who has been nominated on this form.

First witness name (please print)

First witness signature

Date

 / /

Second witness name (please print)

Second witness signature

Date

 / /



What is a non-lapsing death benefit nomination?

A non-lapsing death benefit nomination is a request by you to the trustee of the FirstChoice Trust to pay your death benefit to the person or persons nominated on your non-lapsing death benefit nomination form. The trustee may consent to your nomination if your nomination satisfies the requirements described in the following paragraphs.

The trustee is required to follow your nomination if, prior to your death, you complete and it receives your valid non-lapsing death benefit nomination, and the trustee consents to that nomination.

The nomination remains valid until you revoke or make a new nomination. This can provide you with greater certainty on who will receive your death benefit when you die.

Who can I nominate?

A valid non-lapsing death benefit nomination can only nominate your legal personal representative and/or your dependants.

Your legal personal representative is the person appointed on your death as the executor or administrator of your estate.

Your dependants are:

- your current spouse
This includes the person at your death to whom you are married or with whom you are in a de facto relationship (whether of the same sex or a different sex) or in a relationship that is registered under a law of a State or Territory.
- your child
This includes any person who at your death is your natural, step, adopted, ex-nuptial or current spouse's child, including a child who was born through artificial conception procedures or under surrogacy arrangements with your current or then spouse.
- any person financially dependent on you
This includes any person who at your death is wholly or partially financially dependent on you. Generally, this is the case if the person receives financial assistance or maintenance from you on a regular basis that the person relies on or is dependent on you to maintain their standard of living at the time of your death.
- any person with whom you have an interdependency relationship

This includes any person where at your death:

- you have a close personal relationship with this person
- you live together with this person
- you or this person provides the other with financial support, and
- you or this person provides the other with domestic support and personal care.

An interdependency relationship is not required to meet the last three conditions, if the reason these requirements cannot be met is because you or the other person is suffering from a disability.

In establishing whether such an interdependency relationship exists, all of the circumstances of the relationship are taken in to account, including (where relevant):

- the duration of the relationship
- whether or not a sexual relationship exists
- the ownership, use and acquisition of property
- the degree of mutual commitment to a shared life
- the care and support of children
- the reputation and public aspects of the relationship (such as whether the relationship is publicly acknowledged)
- the degree of emotional support
- the extent to which the relationship is one of mere convenience, and
- any evidence suggesting that the parties intended the relationship to be permanent.

If you are considering relying on this category of dependency to nominate a person, you should consider talking to your legal adviser and completing a statutory declaration addressing these points as evidence of whether such a relationship exists.

How do I nominate more beneficiaries?

If you wish to nominate more beneficiaries, you can attach their nomination details to this form. The attachment must be headed 'Attachment to Non-lapsing Death Benefit Nomination Form'.

The attachment must include your full name and account number, the full names of the beneficiaries, their date of birth, their relationship to you and the percentage of the benefit to be paid to each person. The attachment must also be signed and dated by you. The same two witnesses who sign section 5 of this form must also sign and date the attachment and include in the attachment the declaration "I declare that I am over the age of 18 and this non-lapsing nomination was signed and dated by the member in my presence".

How do I make a valid non-lapsing death benefit nomination?

To make a valid non-lapsing death benefit nomination:

- you must be at least 18 years of age
- you must complete in writing this non-lapsing death benefit nomination form available in the most up-to-date PDS or on our website or by calling 13 1056
- you must only nominate your legal personal representative and/or a person(s) who is your dependant
- you must provide the full name, date of birth and the relationship which exists between you and each of the nominated beneficiaries
- you must ensure that the proportion payable to each person nominated is stated and you have allocated 100% of your death benefit
- your nomination must not be ambiguous in any other way
- you must sign the non-lapsing death benefit nomination form in the presence of two witnesses who are both at least age 18 and are not nominated by you as a beneficiary on the form.



For your validly completed non-lapsing death benefit nomination to be effective you must send your nomination and the trustee must receive and consent to your validly completed non-lapsing death benefit nomination prior to your death.

You may seek to revoke your nomination or make a new non-lapsing death benefit nomination at any time by completing a new non-lapsing death benefit nomination form in writing, available in the most up-to-date PDS or on our website or by calling 13 1056.

Is my nomination effective?

It is important to be aware before completing a non-lapsing death benefit nomination that if your non-lapsing death benefit nomination is valid and the trustee consents to that nomination, the trustee must follow the nomination and it cannot be overruled by the trustee.

However, if you nominate a person who is not your legal personal representative or a dependant when you die, then your nomination will not be valid to the extent that it relates to that person despite any consent granted by the trustee.

If you nominate your legal personal representative, your death benefit will be paid to your estate and distributed in accordance with your Will or the laws of intestacy. This means that the distribution may be challenged if someone disputes your Will or the distribution of your estate.

If you nominate one or more of your dependants, your death benefit will be paid directly to them.

If a person nominated on your non-lapsing death benefit nomination form is no longer a dependant at the date of your death, then the proportion of your death benefit which would have been payable to that person will be paid to your legal personal representative.

Tax may be withheld from your death benefit when paid to your dependants or distributed from your estate. There are differing tax treatments of death benefits depending on how old you are, how old your nominated beneficiaries are and who you nominate and whether it is paid as a pension or lump sum.

How is my death benefit paid?

At the time of your death, the trustee will contact the people you have nominated in your non-lapsing death benefit nomination to ensure that they are still a dependant or your legal personal representative.

The trustee is also generally required to establish the identity of this person before paying out your death benefit.

If you have nominated one or more of your dependants, they will be provided the choice of taking their proportion of the death benefit as a lump sum cash payment or a pension.

Please note, however, that from 1 July 2007 if you have nominated a child, the death benefit must be paid to them as a lump sum cash payment unless the child:

- is under age 18
- is under age 25 and is financially dependent on you, or
- has a certain type of disability.

If your child's personal circumstances change so that they no longer meet one of these exceptions, the trustee will pay the remaining account balance to them as a lump sum cash payment. In addition, if your child does receive your death benefit as a pension, they must commute it to a tax-free lump sum by age 25 unless they remain disabled.

Where a death benefit is paid to your legal personal representative, it must be paid as a lump sum.

What if I don't have a valid non-lapsing death benefit nomination?

Your death benefit will be paid to your legal personal representative if:

- at the time of your death, you have not completed or the trustee has not received and consented to a valid non-lapsing death benefit nomination
- you have revoked your last non-lapsing death benefit nomination and you have not made a new non-lapsing death benefit nomination
- the person or persons you have nominated cannot be identified or are not your dependant or legal personal representative at the time of your death, or
- the trustee determines that the whole of your non-lapsing death benefit nomination is otherwise invalid.

This is general information only and does not take into account your personal circumstances. Please talk to your financial adviser for more information on non-lapsing death benefit nominations and your personal estate planning needs.

Important information

It is important to review your nomination regularly to ensure it is still appropriate to your personal circumstances and reflects your wishes. If, after making a non-lapsing death benefit nomination, you marry, separate or divorce, enter a de facto relationship (including same-sex), have a child, or if someone you nominate has died, or someone becomes or is no longer financially dependent upon you or in an interdependency relationship with you, then you should review your non-lapsing death benefit nomination or consider making a new nomination.