

Important information about death benefit nominations

What is a non-lapsing death benefit nomination?

A non-lapsing death benefit nomination is a request by you to the trustee to pay a death benefit from your Accumulate Plus or Retirement Access account to the person or persons nominated on the following form. This can provide you with greater certainty on who will receive your death benefit when you die.

The trustee may consent to your nomination if your nomination satisfies the requirements described in the following sections.

If you make, amend or revoke a nomination, it overrides any binding or preferred (i.e. non-binding) death benefit nomination that you have previously made for your Accumulate Plus or Retirement Access account.

Who can you nominate?

To be a valid non-lapsing death benefit nomination, each person that you nominate must be a valid beneficiary, which means at the date of your death they must be:

- your **spouse**, who must be (i) a person who is legally married to you, (ii) a person (whether of the same or opposite sex) with whom you are in a relationship that is registered under a prescribed state/territory relationships register, or (iii) a person (whether of the same or opposite sex) who, although not legally married to you, lives with you on a genuine domestic basis in a relationship as a couple
- your **child**, which includes (i) your natural, adopted, ex-nuptial or step-child¹, (ii) the natural, adopted or ex-nuptial child of your 'spouse' (as defined above), or (iii) a child born to you or your 'spouse' through artificial conception or surrogacy
- a person with whom you have an **interdependency relationship**, which according to super law exists between two people where (i) they have a close personal relationship and they live together and one or each of them provides the other with financial support and one or each of them provides the other with domestic support and personal care, or (ii) they have a close personal relationship and one or both of them suffer from a physical, intellectual or psychiatric disability, as a result of which they do not live together, nor provide financial or domestic support to each other
- a person who, in the opinion of the trustee, is wholly or substantially **financially dependent** on you, or who has a legal right to look to you for financial support
- your **legal personal representative** (i.e. the executor or administrator of your estate).

In establishing whether an interdependency relationship exists, all of the circumstances of the relationship are taken into 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
- any evidence suggesting that the parties intended the relationship to be permanent.

If you are considering relying on an interdependency relationship to nominate a beneficiary, you should consider completing a statutory declaration addressing these points as evidence of whether such a relationship exists.

If you are considering relying on a financial dependency relationship, you may also wish to consider completing a statutory declaration outlining the basis for the relationship.

How to make a valid nomination

To make a valid non-lapsing death benefit nomination:

- You must be at least 18 years of age.
- You must complete (in writing) the attached 'Non-lapsing death benefit nomination' form.
- You can only nominate a person(s) who is your dependant and/or your legal personal representative (as defined in the previous section).
- You must provide the full name, date of birth and the relationship that exists between you and each nominated beneficiary.
- You must clearly state the proportion of your death benefit that is payable to each nominated beneficiary and ensure that you have allocated 100% of your death benefit.
- Your nomination must not be ambiguous in any other way.
- You must sign the attached form in the presence of two witnesses. Each witness must be at least 18 years old and must not be a person that you have nominated as a beneficiary on the form.

For your nomination to be effective, you must send your validly completed 'Non-lapsing death benefit nomination' form, and we must receive and consent to it, 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 (in writing) and sending to us a new 'Non-lapsing death benefit nomination' form.

A valid nomination applies to all of your accounts

If you have more than one Accumulate Plus and/or Retirement Access account in the fund, it is important to be aware that any non-lapsing death benefit nomination you make or revoke will apply to **all** of the accounts.

¹ A person will generally be considered to be your step-child only while that child's natural parent is your 'spouse' (as defined above). If the child's natural parent is not your spouse at the time of nominating a beneficiary or at the time a death benefit becomes payable (e.g. you are no longer married or in a de facto or registered relationship), then the child will generally not be considered a valid beneficiary.



If you have multiple accounts and a valid non-lapsing death nomination (or early type of beneficiary nomination) already applies to one or more of those accounts, by making a new valid nomination, you will also be revoking any existing nominations on other accounts. The new nomination will apply to all accounts. Similarly if you revoke a nomination, the nomination will be revoked on all accounts.

A nomination is only effective on consent

Before completing a non-lapsing death benefit nomination, it is important to be aware that if the trustee consents to your nomination and deems it as valid, the trustee must follow the nomination in the event of your death. A valid non-lapsing death benefit nomination remains binding on the trustee.

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

It is important to review your nomination regularly to ensure it is still appropriate to your personal circumstances and reflects your wishes. You should review your nomination or consider making a new nomination if:

- you marry, separate or divorce
- you begin or cease a de facto relationship, including a same-sex relationship
- you or your spouse has a child
- if someone you nominate has died
- if someone becomes or stops being financially dependent on you
- if someone enters into or stops being in an interdependency relationship with you.

Payment of a death benefit

A death benefit from an Accumulate Plus or Retirement Access account is paid as a lump sum.

At the time of your death, we 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. We are also generally required to establish their identity before paying out your death benefit.

If you have nominated one or more of your valid **dependants**, a death benefit will be paid directly to them.

If a person you nominated is no longer a dependant at the date of your death, the trustee has discretion to pay the proportion of your death benefit that would have been otherwise payable to that person to any one or more of your dependants (whether you have nominated that person(s) as a beneficiary or not) and/or your legal personal representative.

If you have nominated your **legal personal representative**, a death benefit will be paid to your estate and distributed according to any instructions in your Will. If you do not have a valid Will at the time of your death, this is referred to as 'dying intestate' and legal rules will determine how your assets are distributed (rules are complex and vary between states and territories in Australia). This means that the distribution may be challenged if someone disputes your Will or the distribution of your estate.

Tax may be withheld from a death benefit paid to your dependants or when distributed from your estate. Lump sum

death benefits are taxed differently depending on whether it is paid to a dependant or non-dependant, as defined by tax laws (which may be different to the definition that applies under super laws). When considering the tax implications of a death benefit, you should consider the definition that applies under tax laws.

More information about tax on death benefits is available in the 'Reference Guide: How super is taxed', available from oursuperfund.com.au/memberbooklets or by calling us on 1800 023 928.

If there is no valid non-lapsing death benefit nomination

The trustee has the discretion to pay your death benefit to any one or more of your dependants and/or your legal personal representative (whether you have nominated that person(s) as a beneficiary or not) if, at the time of your death, one of the following applies:

- you have not completed, or we have 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
- one or more of the people you have nominated on your non-lapsing death benefit nomination cannot be identified (in which case the proportion that would otherwise have been payable to that person is payable at the trustee's discretion)
- one or more of the people you have nominated on your non-lapsing death benefit nomination are not a valid dependant or legal personal representative (in which case the proportion that would otherwise have been payable to that person is payable at the trustee's discretion)
- the trustee determines that the whole of your non-lapsing death benefit nomination is otherwise invalid.

To nominate more than four beneficiaries

If you wish to nominate more than four beneficiaries, you can attach their nomination details to this form.

The attachment must be headed 'Attachment to Non-lapsing death benefit nomination form' and must include:

- your full name and account number
- the full name of each nominated beneficiary
- the date of birth of each beneficiary
- the relationship of each beneficiary to you
- the percentage of the death benefit to be paid to each beneficiary.

The Attachment must be signed and dated by you. The same two witnesses who sign section 4 of the attached 'Non-lapsing death benefit nomination' form must also sign and date the Attachment and include on the Attachment the following declaration: "I declare that I am at least 18 years old and this non-lapsing death benefit nomination was signed and dated by the member in my presence".

The content of this 'important information' and the attached form is general information only and does not take into account your personal circumstances. You may wish to seek professional advice for more information on non-lapsing death benefit nominations and your personal estate planning needs.



4. MEMBER DECLARATION

I understand and declare that:

- If the trustee consents to this nomination, any existing death benefit nomination, including a nomination on any other Accumulate Plus and/or Retirement Access accounts I hold in the fund, 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 beneficiaries nominated by me are dependants within the meaning of the SIS Act.
- If my nomination is invalid in whole or in part, cannot be followed for any reason or because a beneficiary is no longer a dependant at the date of my death, then that proportion of my benefit will be paid to any one or more of my dependants (whether I have nominated that person(s) as a beneficiary or not) and/or legal personal representative at the trustee's discretion.
- I may, at any time, revoke or replace a non-lapsing death benefit nomination in accordance with the fund's procedures and with the consent of the fund's trustee.
- This declaration must be signed and dated by me in the presence of two witnesses who are at least 18 years old and who are not nominated by me as a beneficiary of my death benefit.
- I have read and understood the current PDS (Member Guide) and Reference Guides for Accumulate Plus or Retirement Access (as applicable).
- I am at least 18 years old.
- I understand and consent to my information being collected, disclosed and used in accordance with the fund's privacy policy, which is available by contacting the fund or visiting [oursuperfund.com.au](https://www.oursuperfund.com.au) (under the 'Privacy' link on the homepage).

I acknowledge that the fund and/or its related entities will not be liable to me or other persons for any loss suffered (including consequential loss) in circumstances where transactions are delayed, blocked, frozen or where the fund refuses to process a transaction or ceases to provide me with a product or service, including in circumstances where the fund reasonably believes that I am a Proscribed Person. A 'proscribed person' means any person or entity who the fund reasonably believes to be (i) in breach of the laws of any jurisdiction prohibiting money laundering or terrorism financing, or (ii) on a list of persons with whom dealings are proscribed by Australian laws or the laws of another recognised jurisdiction. A 'proscribed person' includes any person or entity who the fund reasonably believes to be acting on behalf of, or for the benefit of, a person or entity referred to in (i) and/or (ii).

Your 'Non-lapsing death benefit nomination' form must be completed correctly. All alterations, corrections or typos on your form MUST be initialled and dated by you AND both witnesses or the form will be invalid. A nomination will not be effective until we have consented to it. You should regularly review your nomination to ensure that the nominated beneficiaries remain eligible and that this nomination accurately reflects your wishes. If you wish to revoke or replace an existing death benefit nomination you must complete and lodge with us a new 'Non-lapsing death benefit nomination' form. Your existing death benefit nomination will be revoked and replaced on consent being granted by the trustee to the new non-lapsing death benefit nomination.

Signatures

Member's signature

Print name

Date

WITNESS DECLARATION (a witness cannot be a nominated beneficiary on this form)

I declare that I am at least 18 years old and that this non-lapsing death benefit nomination was signed and dated by the member in my presence.

Signature of witness 1*	Signature of witness 2*
<input type="text" value="x"/>	<input type="text" value="x"/>
Print name <input type="text"/>	Print name <input type="text"/>
Date* <input type="text" value="dd / mm / yyyy"/>	Date* <input type="text" value="dd / mm / yyyy"/>

***The date each witness signs this form must be the same as the date the member signs, otherwise this nomination will be invalid.**

BEFORE RETURNING THIS FORM, please make sure ALL of the following have been completed or provided

- Details of my nominated beneficiaries have been provided in **section 2** (or revoked in section 3 if applicable).
- If I have nominated more than 4 beneficiaries, I have provided all information on an Attachment as outlined on page 2 of the 'Important information' accompanying this form.
- This form has been signed by 2 witnesses in **section 4** (and also on any Attachment that applies because I have nominated more than 4 beneficiaries) and neither of these witnesses is nominated by me as a beneficiary of my death benefit on this form.
- The date each witness signed this form (and any Attachment) is the same date I signed the form in **section 4**, dated accordingly.
- All alterations, corrections or typos on the form have been initialled and dated by me and by both witnesses (or it will be invalid).

Please send the completed form (original form only) to:
GPO Box 4303, Melbourne VIC 3001

Member interests in Commonwealth Bank Group Super (the fund) (ABN 24 248 426 878) are issued by Commonwealth Bank Officers Superannuation Corporation Pty Limited (the trustee) (ABN 76 074 519 798, AFSL 246418)..

