



Nominating who will be the beneficiary of your superannuation when you die can be confusing,

so it is important to have the appropriate documentation that supports this nomination. Super funds can vary, so it is recommended that you regularly review your funds beneficiary's policy, which is tightly governed by federal law. It is never too early to take control over how your super benefits will be distributed when you die.

SUPERANNUATION

In the event of your death, prior too or after your retirement, your unclaimed super fund must pay out your account-based pension to one or more people in your life who are eligible.

Your eligible beneficiaries might include your spouse (including de facto, same-gender partners, and poly relationships), your children, anyone financially dependent on you, or your legal representative.

YOUR SPOUSE



YOUR CHILDREN



**ELIGIBLE
BENEFICIARIES**



**ANYONE
FINANCIALLY
DEPENDENT
ON YOU**



**YOUR LEGAL
PERSONAL
REPRESENTATIVE**

YOU NEED TO TELL YOUR SUPER FUND WHO YOU WANT TO HAVE YOUR MONEY



It is important to know your account-based pension cannot be included in your Will unless you have specified certain instructions with your super fund first. The best way to control how a super fund distributes your money is to have a valid nomination (see below).

If you do not have a valid binding nomination, your super fund may choose how to distribute your super. If this occurs your super fund may invite people in your life to make a claim for some of your super. This is known as "claim staking," and your fund is bound to do this by law.



GENERALLY, THERE ARE FOUR WAYS TO NOMINATE YOUR SUPER BENEFICIARY

A LAPSING BINDING NOMINATION

valid for three years if no amendment or revocation is made. Your super fund will attempt to contact you before the nomination expires to ask you to confirm your nomination.



A NON-LAPSING BINDING NOMINATION

will not expire unless an amendment or revocation is made. You should review your nomination regularly to make sure it's still right for you. Your super fund accepts no liability for any failure on your part to do so.



A NON-BINDING NOMINATION

your super fund gets the final say over who receives your super. They will usually take your expired nomination of beneficiaries into account but are not bound to follow it.



A REVERSIONARY NOMINATION

applies to people who are receiving their super as a pension and wish the pension to be paid to another person (spouse or children only) after their death. A revisionary nomination will only apply if you are receiving your super as a pension prior to your death.



Super funds tend to only assess the validity of your nominations upon your death. This is a tightly regulated process, and these forms must be completed accurately and be notarised otherwise, they may be deemed invalid. It is critical that you follow the exact process as set out by your super fund to avoid the risk of your binding nomination being rejected upon your death.

Most super funds offer complimentary general, factual, or financial advice to their members, which is commonly referred to as “intra-fund advice”, this is a good place to get an initial understanding of your super, and the decisions you can make about it.



EARLY RELEASE OF SUPERANNUATION

There are some conditions which a super fund is allowed to release all your super to you before you die and can be checked here:



ato.gov.au/individuals/super/withdrawing-and-using-your-super/early-access-to-your-super/

For example, you may qualify for early release of your super funds if you have a Terminal Medical condition.

INSURANCE INSIDE SUPERANNUATION

You may have some insurance for lost income if you become unwell included in your super fund with unique insurance policy terms and conditions. These insurances may include income protection, total and permanent disability, terminal illness and/or death. You need to contact your super fund to confirm what insurances you may have.

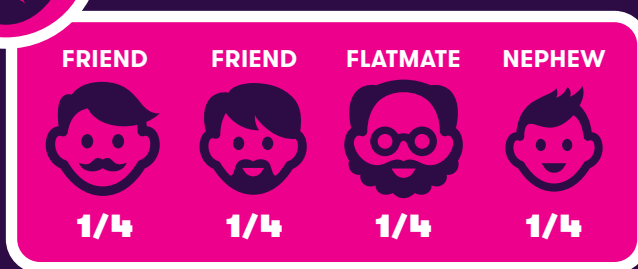
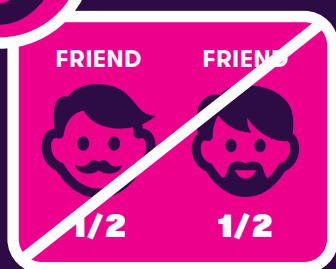




Andi is a 61-year-old who has been diagnosed with a terminal illness. Andi does not have a relationship with their family of origin and has instead left their estate to be evenly split between their two best friends, as indicated in their Will. Andi did not nominate a beneficiary with their Super fund (also known as a Trustee). When Andi passed away their Super fund was required to exercise discretion about where to distribute the money and commenced the “Claim-Staking” process, which

saw Andi’s estranged Nephew and Andi’s long-term flatmate make a claim for Andi’s Super. The Trustee considered Andi’s Will and may decide to split the funds four ways – one quarter to each Friend as specified in the Will, one quarter to Andi’s nephew and one quarter to their long-term flatmate. Because there was no binding nomination, the Trustee was required to consider all applications despite Andi’s Will clearly specifying their wishes.

Completing a binding nomination with your super fund is important for LGBTQ+ people to consider.



**CHECK
OUT**



**SUPERANNUATION CALCULATOR:
FIND OUT YOUR BALANCE AT RETIREMENT**

moneysmart.gov.au/how-super-works/superannuation-calculator



UNDERSTANDING SUPER

understandingsuper.com.au/en



YOUR SUPERANNUATION BASICS

ato.gov.au/General/Other-languages/In-detail/Information-in-other-languages/Your-superannuation-basics/



Note: This super information is general in nature and does not constitute “financial advice” and should the reader wish financial advice, they would need to seek that out.

