

What is **Nomination of Beneficiary**?



Completing a valid nomination means your superannuation benefit should be distributed to the people you choose, and not your estate, on your death.

Who can you nominate?

Under superannuation law, you can nominate the following:

- Your spouse or de-facto spouse, including same sex partners, or
- Children including step and adopted children, children of your spouse and other children within the meaning of the Family Law Act 1975, or
- Individuals who are financially dependent on you at the time of your death, or
- Your legal personal representative (either the executor under your will or a person(s) granted letters of

administration for your estate if you die without having left a valid will), or

- Someone in an interdependency relationship to you. This is a close personal relationship between two people who live together, where one or both of them provide for the financial and domestic support and personal care of the other.

This type of relationship may still exist if there is a close personal relationship but the other requirements are not satisfied because of some physical, intellectual or psychiatric disability.

Why can't you nominate other family or friends?

The law only allows you to nominate individuals who are financially dependent on you or have an interdependency relationship with you at the time of your death. However, you can choose to have

your superannuation benefit paid to your estate where you can nominate your friends and/or other family members in your will to receive these funds.

Types of Nominations

Non-lapsing binding

A non-lapsing nomination which is binding on the Trustee. This ensures that your superannuation benefits are paid as you have directed as long as the nomination is and remains valid.

Non-binding

A nomination subject to Trustee discretion. The Trustee will decide who receives your superannuation benefit and will consider your preferred beneficiaries.

No nomination

The Trustee will decide who receives your superannuation benefit. This means that your superannuation benefit could be paid to people other than those who you wish to receive that benefit. Please note that contrary Court orders may override your nomination.

Where can you check your beneficiary nomination?

Your beneficiary nomination details typically will be confirmed each year in your Annual Statement and you may also be able to view your statement on your superannuation plan's website.

What do you need to do?

If you'd like to make a nomination, please read your superannuation plan's

nomination of beneficiary form carefully then complete the form and send it back to your superannuation plan. Before you do, please ensure that you and the witnesses initial and date any mistakes otherwise the form will be invalid.

Nomination of beneficiary forms can typically be downloaded from your superannuation plan's website or you may have received a copy in your superannuation plan's welcome pack. You should regularly review your nomination to make sure it reflects your wishes and personal circumstances.

Taxation

The taxation rules relating to death benefits are complex and different taxation treatments may apply depending on who receives your superannuation benefit. Please seek advice from your tax adviser.

Disclaimer:

Before acting on any information you may have received during a strategic financial consultation, or read about on our websites, email communications, guides including our newsletters, you should consider the appropriateness of the advice, having regard to your own objectives, financial situation and needs.

If any products are discussed, you should obtain a Product Disclosure Statement relating to the products and consider its contents before making any decisions. It is recommended to seek advice from a qualified Professional relevant to your particular needs or interests. (For instance, Tax Advice from a Tax Agent, Financial Advice from a Licensed Financial Adviser and so on and so forth).



Chan & Naylor Pymble

P: 02 9391 5000

E: receptionp@chan-naylor.com.au

W: www.pymbleaccountants.chan-naylor.com.au

