

# How to access your super under compassionate grounds

Australian Government legislation only lets you access your super early in very limited circumstances. In some very specific circumstances, you might be able to access your super early under certain compassionate grounds.

## ▼ The conditions you'll need to meet.

In order to access your super on compassionate grounds, you'll need to meet the conditions specified by the Australian Tax Office (ATO), the Government body responsible for assessing applications for the release of superannuation on compassionate grounds.

The primary condition is that you do not have the financial capacity to meet the expenses arising from the reason on which your application is based. For example, you may be faced with extra medical expenses for either yourself or a dependant, and be unable to pay these expenses. Your application must include a statutory declaration stating that you are unable to meet the expenses.

The circumstances under which your super will be released on compassionate grounds are outlined below:

## ▼ Medical/dental treatment or transport

On these grounds, accessing your super early would help pay for medical or dental treatment, or for transport to medical or dental treatment, for you or your dependant. The treatment you or your dependant receives needs to:

- treat a life-threatening illness or injury
- alleviate acute or chronic physical pain
- alleviate an acute or chronic mental condition.

In this situation, the treatment mustn't be readily available through the public health system, and the cost of treatment mustn't be completely covered by your or your dependant's private health insurance and/or workers' compensation.

## ▼ Mortgage assistance

On this ground, accessing your super early would let you pay a loan to prevent:

- foreclosure of a mortgage on your principal place of residence.

- your mortgagee from starting the process of selling your principal place of residence.

Keep in mind this ground generally doesn't include rent or making a payment on a mortgage that:

- you expect to have difficulty paying for in the future (but isn't yet in arrears)
- is in arrears, but not to the extent that the lender has decided to sell
- is for a second or investment property

## ▼ Modifications to your home and/or motor vehicle

On this ground, releasing your super would help pay for modifications to accommodate any special needs for you, or a dependant, that are needed because of a severe disability.

## ▼ Palliative care expenses for a terminal medical condition

If you or a dependant need palliative care because of a terminal illness, releasing your super early on this ground will help pay for palliative care expenses.

## ▼ Death of a dependant

On this ground, you can access your super early to pay for funeral expenses following the death of a dependant. It's important that you know the person who has passed away needs to have been a dependant of yours. So this means any expenses associated with the death of a family member such as a parent, grandparent or sibling can only be approved if they were dependent on you financially, domestically or personally.

## ▼ Maximum Amounts Apply.

There are maximum release amounts that apply to each circumstance. Further information about these maximum amounts can be found on the ATO website:

[www.mobisuper.com.au/ATO-compassionate](http://www.mobisuper.com.au/ATO-compassionate)

## ▼ The tax payable on the amount released.

The amount of tax payable depends on your age, whether you have provided your tax file number, and the components of your benefit. Your benefit payment will generally comprise a tax-free and a taxable component. The components of the amount paid will be in proportion to the amount of tax-free and taxable portions of your total benefit.

## ▼ How to apply

### Step 1 – Apply to ATO

If you think that one or more of the specified compassionate grounds applies to you, please complete the relevant ATO Early Release of Superannuation Benefits on Specified Compassionate Grounds application form which you can download from [www.mobisuper.com.au/ATO-compassionate](http://www.mobisuper.com.au/ATO-compassionate)

ATO will assess your application as soon as possible after they have received all the required information from you. Once your application has been assessed, ATO will write to you with its decision and reasons for that decision. If ATO approves the early release of your super you must then apply to the Fund for payment.

### Step 2 – Apply to the Fund

If ATO approves the early release of your benefit, please send the following documents to us:

- ATO letter of approval of the early release of your benefit (original or certified copy); and
- a completed Compassionate Grounds Form. This form is available by calling us on **1300 222 622** or from [mobisuper.com.au/documents-and-forms](http://mobisuper.com.au/documents-and-forms); and
- Proof of identity documents as outlined on the Providing ID Factsheet

Provided all the documents are in order and payment is approved, the payment will be made in accordance with the instructions as directed by ATO.

### ▼ Important Note

- If the amount you are withdrawing leaves your account with a nil balance, we will close your account. As a result your insurance will cease immediately.

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