

# Binding Death Benefit Nomination

Please call us on **1300 362 415** if you require any assistance.

Please complete this form using **CAPITAL LETTERS**

Complete this form if you want to make, change or cancel a binding death benefit nomination for your MTAA Super account. Please read the important information on page 4 before completing the form.

**Note:** If you have insurance cover with MTAA Super you may wish to make an election to maintain your cover if your account becomes Inactive for 16 months (refer to [mtaasuper.com.au/member-forms](http://mtaasuper.com.au/member-forms)).

## Section A

### Member details

MTAA Super member number (if known)

Given name/s

Family name

Date of birth

Mr Mrs Ms Miss Other

Street address

Suburb

State

Postcode

Telephone (business hours)

Mobile

Email

This nomination applies to my (select ONE):

Super account  Pension account  Super and pension account

I want to:

Make a new binding nomination  Change an existing binding nomination  
 Cancel an existing binding nomination

## Section B

### Beneficiary details

For this nomination to be valid, the person (or persons) you nominate must be your spouse, child, a financial dependant, or an interdependent at the time of your death. Alternatively, if you want your benefit to be paid to your estate, you can nominate your Legal Personal Representative. If you nominate more than one beneficiary the total for all beneficiaries must equal 100%.

Complete this section if you are nominating a spouse, child, financial dependant or a person in an interdependent relationship with you.

Section B

Beneficiary details  
(continued)

Name 1  % of benefit  .   
 Spouse  Child  Financial dependant  Interdependant  
Contact number

Name 2  % of benefit  .   
 Spouse  Child  Financial dependant  Interdependant  
Contact number

Name 3  % of benefit  .   
 Spouse  Child  Financial dependant  Interdependant  
Contact number

Name 4  % of benefit  .   
 Spouse  Child  Financial dependant  Interdependant  
Contact number

**OR**

I wish to nominate my Legal Personal Representative %  .

TOTAL % (must equal 100%)  .

[Section C](#)

## Member declaration

I understand the following:

- My beneficiary (or beneficiaries) must be my spouse, my child, a financial dependant, an interdependant or my legal personal representative at the time of my death.
- My beneficiary (or beneficiaries) and I will be bound by the provisions of MTAA Super's Trust Deed relating to binding death benefit nominations.
- This binding nomination is only valid for three years from the date it was first signed and dated (provided it is subsequently accepted by MTAA Super) or any confirmation or amendment of it.
- I may at any time cancel or change a binding nomination notice in accordance with MTAA Super's procedures.
- If, at the time of death, a notice is invalid or has not been accepted by the Trustee, the death benefit will be determined by the Trustee at its discretion.
- This declaration must be signed by me in the presence of two witnesses who are not nominated as beneficiaries on this form and are over 18.
- I have read the notes on the reverse of this form setting out the terms upon which this nomination is made, and I understand that these terms are consistent with MTAA Super's Trust Deed and that I may request a copy of the Deed.
- I acknowledge having read and understood the privacy information in the *Member Product Disclosure Statement* and the *Privacy Policy* available at **mtaasuper.com.au/privacy** or otherwise provided, and consent to personal information being collected and used in accordance with these terms.

**Member signature**

Date

Send your completed form to:

**MTAA Super  
Locked Bag 5134  
Parramatta NSW 2124**

Electronic copies not accepted.

[Section D](#)

## Witness declaration

I declare that:

- I am over the age of 18 years
- I am not a beneficiary nominated on this form, and
- the member signed this binding nomination in my presence.

**Signature of witness 1**

Date

**Print name**

Date of birth

**Signature of witness 2**

Date

**Print name**

Date of birth

**Note: witnesses must sign this form on the same date as the member.**

## Important information

### What is a binding nomination?

When you make a Binding Death Benefit Nomination, you are telling the Trustee of MTAA Super exactly where you would like your super to go if you die. It is called a 'binding' nomination because the Trustee must, by law, pay your benefit to the beneficiary (or beneficiaries) you have nominated (provided your nomination is valid). If you do not make a binding nomination, the Trustee decides how to pay your death benefit.

### Who can be nominated?

The person or persons you nominate must be one or more of:

- your spouse (including de-facto spouse);
- your children (any age);
- a person in an interdependency relationship with you (i.e. persons who live together, where one or both provides for the financial, domestic and personal support of the other);
- any person who is financially dependent on you at the time of your death
- your legal personal representative, which means the executor or administrator of your estate.

Note: at the time of your death, a nominated beneficiary must be alive and fall within one or more of the categories listed above.

### Tax implications

Your nomination may have taxation implications. Tax applies to death benefits paid to non-dependants (as defined in the tax laws). A non-dependant for tax purposes includes a child aged 18 or more (unless financially dependent or in an interdependency relationship with you). For more information about tax applicable to death benefits see the *Super Guide*.

### What is a valid binding nomination?

To be valid, a binding nomination must:

- be made in writing using the form on the previous page
- clearly show the name of the person and their relationship to you, showing that they are allowed to be nominated in a binding nomination (as outlined above)
- include the percentage of the benefit to be paid to each nominated beneficiary, with the total adding to 100%
- be signed and dated by you in the presence of two witnesses, both of whom are over the age of 18 years and are not beneficiaries named in the form
- be received and accepted by MTAA Super.

### How long is a binding nomination valid?

A binding nomination is valid for three years from the day it is signed and dated (provided it is accepted by MTAA Super), so long as you have not cancelled it or changed it. If you have changed it the changes will be valid for three years from the day they are signed.

If your nomination is valid at the time of your death and the proportion of the benefit to be paid to nominated beneficiaries is certain and readily ascertainable from the nomination, we must pay the benefit in accordance with your nomination.

It is important that you update your nomination if your circumstances change. For example, if you had a child after your last nomination was made and the nomination has not expired or been changed to include that child, the child would not receive any part of the benefit.

### Can my nomination become invalid?

Your nomination becomes invalid if:

- any nominated beneficiary has predeceased you
- a nominated beneficiary ceases to meet the criteria of a person able to be a nominated beneficiary
- three years have passed since the nomination was made
- the distribution of your benefit is subject to a court order

### How do I make a new binding nomination?

To make a new binding nomination:

- fill out your details in Section A and tick the box marked 'Make'
- fill out the details of the person or persons you want to have as your nominated beneficiary or beneficiaries in Section B
- sign and date Section C (witnessed by two people)
- have your witnesses sign and date Section D
- send the form to MTAA Super

### How do I change an existing binding nomination?

To change an existing binding nomination:

- fill out your details in Section A and tick the box marked 'Change'
- fill out the details of the person or persons you want to have as your nominated beneficiary or beneficiaries in Section B
- sign and date Section C (witnessed by two people)
- have your witnesses sign and date Section D
- send the form to MTAA Super

Once accepted, this will replace your previous nomination. Your new nomination will last for three years from the day it is signed and dated (provided it is subsequently sent to MTAA Super), or until you change or cancel it.

### How do I cancel an existing binding nomination?

To cancel a new binding nomination:

- fill out your details in Section A and tick the box marked 'Cancel'
- write 'Cancel previous nomination' in the space provided for the names of any beneficiaries in Section B
- sign and date Section C (witnessed by two people)
- have your witnesses sign and date Section D
- send the form to MTAA Super

**Note:** if you cancel a binding nomination, your death benefit will be distributed at the Trustee's discretion. Generally, this is to your dependant(s) or your legal personal representative.

### What happens if my nomination becomes invalid?

If at the time you die your nomination is invalid or you have cancelled it, the Trustee will pay the benefit as if you had never made a binding nomination. The Trustee then decides who is to receive your benefit after considering all potential beneficiaries in accordance with the Trust Deed and superannuation legislation.

### Keeping you informed

We will write to you to confirm your new, changed or cancelled binding nomination. The details of any binding nomination will also appear on your annual statement. Before your nomination expires we will write to you let you know it needs updating. The *Binding Death Benefit Nomination* form is available at [mtaasuper.com.au/member-forms](https://mtaasuper.com.au/member-forms)

### Privacy

With the *Binding Death Benefit Nomination form*, MTAA Super collects only information that is essential for the administration of your nomination. MTAA Super will not use the information about you, your nominated beneficiaries, or your witnesses for any other purpose or pass it to any other organisation without your express permission unless required by law. You should consider consulting your legal adviser before making, changing, or cancelling a binding death benefit nomination.

Email [contact@mtaasuper.com.au](mailto:contact@mtaasuper.com.au)

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