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Australian Government
Department of Human Services

Early Release of Superannuation Benefits 003-09000000

Currently published version valid from 20/03/2017 1:48 pm

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines the grounds under which early release of superannuation is permissible. It is intended to assist Service Officers speaking with customers who enquire about an early release of their superannuation benefits.

Government intent - Early Release of Superannuation Benefits (ERSB)

In Australia, a person generally cannot access their superannuation benefits before reaching their preservation age. A person's preservation age is the earliest age at which they can access their superannuation benefits. Preservation age depends on when a person was born, for example, the preservation age for a person born after 1 July 1964 is 60. The [Resources](#) page contains the preservation age table.

On this Page:

Compassionate grounds

The role of the department in relation to the early release of superannuation on compassionate grounds is to approve the early release of superannuation where the specific requirements under 6.19A of the Superannuation Industry (supervision) regulations 1994 (SIS Regs) or regulation 4.22A of the Retirement Savings Accounts Regulation 1997 (RSA Regs) have been met. The References page contains links to this legislation. Superannuation funds must have approval from the Department of Human Services before they can release any benefits to a person.

The compassionate grounds include the need to pay for:

- medical treatment/transport for the person or a dependant
- to prevent a person's home from being sold by a mortgagee (lender)
- modifications to a person's home or vehicle to accommodate the person's needs or the needs of their dependant, in the case of severe disability
- palliative care for a terminal illness, for the person or a dependant

- expenses associated with a dependant's death, funeral or burial

Note: to be eligible for early release of superannuation the person **must** lack the financial capacity to meet an expense outlined above without a release of superannuation benefits.

Financial hardship grounds

The department's **only** role is to respond to customers' requests for a letter confirming they have received a qualifying payment for the required period. The department has no other involvement in determining whether or not the customer is in financial hardship, or in deciding if superannuation benefits are to be released. This letter is valid for a period of 21 days only.

The superannuation industry can also confirm a customer's income support status by using the departments confirmation services (CCeS). The customer does not require a letter from us if their superannuation fund uses CCeS.

Other grounds for early release of super

Aside from the compassionate grounds, there are other circumstances where superannuation benefits may be released early. These grounds are not administered by the department and customers should contact their superannuation fund for further information.

These circumstances include:

- terminal illness
- permanent incapacity
- superannuation benefit balance of \$200 or less
- permanent departure from Australia

Tax on early release of super

There is a tax on any lump sum payment from an early release of superannuation for people under their preservation age. The Resources page contains the preservation table. This tax is taken into consideration when assessing a customer's ability to meet an expense. For information on current tax rates on a lump sum release go to the Australian Taxation Office (ATO) website and how tax applies to your super page. The [Resources](#) page contains a link to the Australian Taxation Office (ATO) website.

When the department approves a release of superannuation funds the tax amount is calculated during the assessment process.

Complying superannuation funds

An early release of superannuation benefits can only be approved from a complying superannuation fund which is regulated by the Australian Prudential Regulation Authority (APRA) or the Australian Taxation Office (ATO).

The Early Release of Superannuation Benefits programme can approve an early release of superannuation from the following superannuation funds:

- Registrable Superannuation Entity (RSE)
- Retirement Savings Account (RSA)
- Self-Managed Superannuation Fund (SMSF)

Whether a superannuation fund is one of these types of funds can be confirmed using the following:

- Register of Registrable Superannuation Entities (RSEs)
- List of RSA providers (available on the APRA website)
- Super Fund Lookup

Self-Managed Superannuation Funds

If the customer has a Self-Managed Superannuation Fund (SMSF), they still need authority from the department before accessing their superannuation. They should contact the Australian Taxation Office (ATO) before accessing benefits from their SMSF.

Exempt Public Sector Superannuation Scheme

The department cannot approve the release of benefits from an Exempt Public Sector Superannuation Scheme (EPSSS). These types of superannuation funds are regulated under state or territory law. For more information, the customer should contact their fund.

Financial advice

Accessing superannuation benefits early may impact on a person's financial situation (for example, their liability to pay income tax or entitlement to family assistance payments). It is important that customers seek independent financial advice before making an application for early release of superannuation. Customers should contact the Australian Taxation Office (ATO) personal tax enquiry line if they have questions about their income tax liability. State consumer organisations may assist with general financial counselling.

If a customer requires further information on financial management support services, see [Information and referrals to Financial Wellbeing and Capability Activities](#).

Effect on Centrelink and Child Support payments

If a customer is receiving a Centrelink or Child Support payment or have a Child Support liability, any funds that are released from a superannuation fund early may impact on their payment or circumstances. Customers must advise us if any funds are released.

The [Resources](#) page contains links to the contact details for the Early Release of Superannuation Benefits programme, forms and Early Release of Superannuation on the Human Services Website.

Temporary Residents

Temporary residents can access their superannuation benefits in limited circumstances.

Temporary residents (excluding holders of a retirement visa subclass 405 or 410) cannot access their superannuation benefits due to:

- Compassionate grounds.
- Severe financial hardship
- Reaching their preservation age (generally 65)
- Retirement (including transition to retirement)
- If their fund balance is less than \$200

Temporary residents can access their superannuation benefits due to:

- Death
- Terminal illness

- Permanent incapacity
- Temporary incapacity
- Permanent departure from Australia

For more information customers should contact the Australian Taxation Office (ATO).

The [Resources](#) page contains contact details for the Early Release of Superannuation Benefits programme that assesses claims for early release of superannuation funds. It also contains links to the Register of Registrable Superannuation Entities (RSEs), the List of Retirement Savings Account (RSA) providers and the Exempt Public Sector Superannuation Scheme (EPSSS) list on the APRA website, the Super Fund Lookup website and the preservation age table.

Contents

[Apply for early release of superannuation benefits under compassionate grounds](#)

[Apply for early release of superannuation benefits under financial hardship grounds](#)

[Early Release of Superannuation Benefits \(ERSB\) Quality Checking Procedure](#)

References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Act 1993, Division 6.3, Cashing of benefits](#)

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

Resources

This page contains contact details for the Early Release of Superannuation Benefits programme that assesses claims for early release of superannuation funds. It also contains links to the Register of Registrable Superannuation Entities (RSEs), the List of Retirement Savings Account (RSA) providers and the Exempt Public

Sector Superannuation Scheme (EPSSS) list on the APRA website, the Super Fund Lookup website and the preservation age table. Links on this page may be unavailable to external audiences.

Intranet links

[Early Release of Superannuation](#)

External websites

[Register of RSE Licensees and RSEs](#)

[List of Institutions offering Retirement Savings Accounts](#)

[Exempt Public Sector Superannuation Scheme \(EPSSS\)](#)

[Australian Prudential Regulation Authority \(APRA\)](#)

[Super Fund Lookup](#)

[Australian Taxation Office \(ATO\)](#)

Preservation age

Preservation age for access to superannuation benefits

This table advises the earliest age at which a customer can access their superannuation benefits.

Date of Birth	Preservation Age
Before 1 July 1960	55
1 July 1960 - 30 June 1961	56
1 July 1961 - 30 June 1962	57
1 July 1962 - 30 June 1963	58
1 July 1963 - 30 June 1964	59
From 1 July 1964	60

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Australian Government
Department of Human Services

Apply for early release of superannuation benefits under compassionate grounds 003-09010000

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Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines the early release of superannuation benefits under compassionate grounds.

Early release of superannuation - compassionate grounds

The Department of Human Services, Early Release of Superannuation Benefits programme administers the very limited circumstances where benefits may be released on compassionate grounds. These are:

- medical treatment/transport for the person or their dependant
- to prevent a person's home from being sold by the mortgagee (lender)
- modifications to a person's home or vehicle to accommodate the persons needs or the needs of their dependant, in the case of severe disability
- palliative care for a terminal illness, for the person or a dependant
- expenses associated with a dependant's death, funeral or burial

In these cases, a release may only be approved where the person lacks the financial capacity to meet the relevant expense connected with the ground for release.

Customer responsibility

The customer must contact their superannuation fund to confirm if the trustee of the fund will permit the early release of their superannuation before lodging an application with the department. They should also confirm the relevant Australian Business Number (ABN) for their superannuation fund and a current fund balance. They must then complete the relevant online application with the Department of Human Services.

Applications must be made through the Centrelink online account section of the customer's myGov account. Customers should also lodge supporting documents through the document lodgement service on their myGov account at the time of their application. Paper applications should only be provided to customers who:

- reside overseas,
- live in remote locations with limited to no internet access or
- do not have access to secure online services

Customers who do not submit supporting documentation at time of lodgement of application have 14 days to do so. Applications without the minimum supporting documentation will be declined 14 days after lodgement.

The [Process](#) page contains more information.

The [Resources](#) page contains links to the contact details for the Early Release of Superannuation Benefits (ERSB) programme, forms and early release of superannuation on the Human Services Website.

Contents

[Early release of superannuation benefits under medical treatment and medical transport grounds](#)

[Early release of superannuation benefits under the mortgage assistance ground](#)

[Early release of superannuation benefits under the modification of home/vehicle ground](#)

[Early release of superannuation benefits under the palliative care ground for customers](#)

[Early release of superannuation benefits under the palliative care, death, funeral or burial grounds for dependents](#)

[Assessing and recording an early release of superannuation benefits application under compassionate grounds](#)

[Request for priority assessment of early release of superannuation benefits under compassionate grounds](#)

[Telephone protocols for early release of superannuation benefits under compassionate grounds](#)

[Reviews of decision for early release of superannuation benefits under compassionate grounds](#)

[Determining dependency for early release of superannuation benefits under compassionate grounds](#)

[Early release of superannuation benefits under the consistent with ground](#)

Related links

[Early Release of Superannuation Benefits \(ERSB\) Quality Checking Procedure](#)

[Apply for early release of superannuation benefits under financial hardship grounds](#)

[Assessing withdrawals from superannuation](#)

[Information and referrals to Financial Wellbeing and Capability Activities](#)

[Immediate payments](#)

[Social Work Services](#)

Process

This page contains information on applications for an early release of superannuation under compassionate grounds.

Applications for early release of superannuation

Information for applying for early release of superannuation

This table contains information for customers on applying for early release of superannuation.

Item	Description
1	<p>Application Details + Read more ...</p> <p>Customers can obtain information relating to the eligibility criteria and the application process for an early release of superannuation from the Human Services website.</p> <p>Applications for early release of superannuation under compassionate grounds are now submitted online through the customers myGov account.</p> <p>If a customer wishes to discuss their eligibility and the Service Officer is not Early Release of Superannuation Benefits (ERSB) compassionate grounds trained, transfer the call using the following options available within Interaction Workspace (iWS) Softphone:</p> <ul style="list-style-type: none"> • application enquiries –Early Release of Super - Claim Enquiry • general enquiries –Early Release of Super - Gen Info <p>Note: application forms are available to print via 'Department of Human Services forms' which is located under the Medicare tab (MO013 - MO019). Application forms are only issued to customers who reside overseas or live in remote locations with limited to no internet access or customers who do not have access to secure online facilities. The Resources page contains a link to the forms.</p>
2	<p>Requirements for online applications + Read more ...</p> <p>Before an online application for an early release of superannuation can commence, the customer must first be registered for Centrelink online account linked via their myGov account.</p> <p>Note: the application for early release of superannuation is only visible to customers who have previously confirmed their identity. Customers who have an existing online account but have not confirmed their identity will need to attend a Service Centre to confirm identity, see Identity Confirmation.</p>
3	<p>Non Centrelink customers + Read more ...</p> <p>Customers wishing to apply for early release of superannuation who do not have a Centrelink online account will be required to set one up and authenticate the account by confirming their identity, see Identity Confirmation.</p>
4	<p>Where to find the online application + Read more ...</p>

	<p>Customers can find the online application by following the steps below:</p> <ul style="list-style-type: none"> • sign in to myGov • access Centrelink services • select the Menu option • select the Personal Details option from the menu list • select Apply for Early Release of Superannuation Benefits • once on the application page, select the life event relevant to the circumstances <p>Customers can save their responses and continue with their application within a 14 day timeframe. The application will be automatically deleted after 14 days and the customer will be required to start again.</p>
5	<p>Providing paper claims and supporting evidence + Read more ...</p> <p>Customer who are unable to lodge an online claim will need to be issued with a paper claim.</p> <p>Customers are required to provide evidence to support their application. Customers have 14 days from the date of submitting their application to lodge supporting evidence. Applications cannot be assessed without supporting evidence so customers should be encouraged to submit supporting documentation at the time of application. Applications where supporting evidence has not been supplied within 14 days will be rejected and they will need to reapply.</p> <p>Online through the Document Lodgement Service (DLS)</p> <p>Customers can submit evidence to support their application using the DLS by following the links after they have submitted their application. This is the preferred method.</p> <p>By Mail</p> <p>Paper claims and supporting evidence can also be submitted via Australia Post. For postal address details, see Early Release of Superannuation Benefits (ERSB) programme. Customers who choose this channel to submit paper claims and supporting evidence may have a longer wait time as there can be delays receiving this information.</p> <p>Note: documents should be clearly marked with the customers details including full name and CRN, this ensures correct assignment to the customers file.</p> <p>Department of Human Services service centre</p> <p>Customers can take their paper claim and/or supporting evidence to their local service centre.</p> <p>Service Officers need to scan the following documents directly onto the customer record:</p> <ul style="list-style-type: none"> • UNSERB - unstructured early release of superannuation benefits supporting documents • MO013 - Early Release of Superannuation on Specified Compassionate Grounds Palliative Care or Funeral Expenses • MO014 - Early Release of Superannuation on Specified Compassionate Grounds Medical, Dental or Transport • MO015 - Early Release of Superannuation on Specified Compassionate Grounds Home or Vehicle Modifications • MO016 - Early Release of Superannuation on Specified Compassionate Grounds Mortgage Assistance • MO017 - Early Release of Superannuation on Specified Compassionate Grounds Report by Medical or Dental Practitioner and/or Specialist

	<ul style="list-style-type: none"> • MO019 - Early Release of Superannuation on Specified Compassionate Grounds Request for review of a decision <p>For more information, see Scanning a document.</p>
6	<p>Joint applications + Read more ...</p> <p>Customers can submit joint applications if they and another person need to pay for the same expenses. If they are making a joint application, each person will need to complete and submit their own application.</p> <p>To submit a joint application, they need to decide who the primary applicant will be.</p> <p>The primary applicant must complete and submit their application first. They will receive a Verification Code after they have submitted their application.</p> <p>The secondary applicant must use the Verification Code and the primary applicant's Customer Reference Number as the 2 applications must be joined into one.</p> <p>We also require the joint applicants to provide:</p> <ul style="list-style-type: none"> • supporting documents relevant to them, for example, dependency and confirmation of identity • supporting documents relevant to the expenses being applied for, and • any additional information requested in the application
7	<p>Progression of applications + Read more ...</p> <p>Customers may receive an automatic decline to their online application if they do not meet the initial eligibility criteria when completing their application.</p> <p>An application that is declined at this stage does not require further processing by the early release of superannuation benefits processing team.</p> <p>Applications which have been submitted online will be subject to standard processing times, assessment within 28 days, unless a priority assessment tag has been placed on the application. See Request for priority assessment of early release of superannuation benefits under compassionate grounds.</p> <p>Customers can contact ERSB to check on the progress of their application. For contact information, see Early Release of Superannuation Benefits (ERSB) programme.</p>
8	<p>Letters + Read more ...</p> <p>Customer's letters are held on the Customer Details screen and are accessed by selecting the CRN/BP at the top of workspace. At the bottom of the page, the letter will be held in the Communication History tab. These letters include:</p> <ul style="list-style-type: none"> • ERSB Acceptance • ERSB Rejection • ERSB Independent Review <p>These letters can be viewed and printed by selecting the History ID.</p>

	Note: if a Q999 has been issued, this will be held in the Print Screen which can be accessed by searching the History Summary (HS) screen.
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References

This page contains links to policy and legislation.

Policy

[Guide to Social Security Law, 4.8 2.20, Early Release of Superannuation](#)

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994](#)

- section 6.19A, Release of benefits on compassionate grounds
- section 1.04AAAA, Interdependency relationships (Act s 10A)
- sub regulation 6.19A (2), Lack the financial capacity to meet the expense without a release of benefits
- sub regulation 6.19A (2), Decisions made by an assessor
- sub section 6.19A (3) to (6), Evidence to support the application

[Retirement Savings Accounts Regulations 1997](#)

- sub regulation 4.22A (2), Lack the financial capacity to meet the expense without a release of benefits
- sub regulation 4.22A (2), Decisions made by an assessor
- sub section 4.22A (3) to (6), Evidence to support the application

[Superannuation Industry \(Supervision\) Act 1993](#)

- section 10, Definitions of dependant, spouse and child
- section 10A, Interdependency relationship

Resources

This page contains links to the contact details for the Early Release of Superannuation Benefits (ERSB) programme, forms and early release of superannuation on the Human Services Website. Links on this page may be unavailable to external audiences.

Contacts

[Early Release of Superannuation Benefits \(ERSB\) programme](#)

Forms

[Department of Human Services forms](#)

Human Services Website

[Human Services Website, Early release of superannuation](#)

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Australian Government
Department of Human Services

Early release of superannuation benefits under the palliative care ground for customers 003-09010060

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Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information in regards to the assessment of the early release of superannuation benefits under the palliative care ground for customers.

Palliative care ground eligibility

The purpose of this ground is to allow a release for a customer who requires palliative care (in the case of impending death) where they have a medical condition or injury that will result in death, usually within 24 months.

Although the department can make a release for this expense the customer should be encouraged to go directly to their superannuation fund. A superannuation fund can release superannuation benefits early if a person has a terminal medical condition. This type of early release is tax free regardless of a person's preservation age.

Other factors taken into account include:

- [Financial Capacity](#)
- [Borrowed Funds and Paid Expenses](#)
- Amount of Release - for Palliative Care, a single lump sum, not exceeding an amount that is reasonably required. Generally, quotes and/or unpaid invoices is sufficient evidence to determine the release amount

When the Early Release of Superannuation Benefits (ERSB) programme makes a determination that a release is required, the trustee of the customer's superannuation fund is authorised to make a release of benefits, subject to the governing rules of the fund.

When determining the amount that can be released under the compassionate grounds, Superannuation Industry (Supervision) (SIS) Regs, Schedule 1, Item 107 or Retirement Savings Account (RSA) Regs, Schedule 2, Item 109 need to be taken into account.

The [Resources](#) page contains links to early release of superannuation information on the Human Services Website.

Related links

[Determining dependency for early release of superannuation benefits under compassionate grounds](#)

Process

This page contains a table with information on the early release of superannuation benefits under palliative care grounds.

Early release of superannuation

Early release of superannuation considerations regarding palliative care

This table provides detailed information on the palliative care grounds for early release of superannuation benefits.

Item	Description
1	<p>Evidence for palliative care + Read more ...</p> <p>Customers should be contacted and referred to their superannuation trustee prior to assessing their application. The superannuation fund can make a release for this without approval from the department. Customers applying directly to their superannuation trustee will not be subject to tax regardless of their preservation age.</p> <p>If applying under the compassionate grounds, the customer should provide a medical certificate written by a registered medical practitioner or specialist which evidences that the customer is terminally ill and requires palliative care.</p>
2	<p>Palliative care expenses + Read more ...</p> <p>Palliative care expenses may include the reasonable costs of:</p> <ul style="list-style-type: none"> • accommodation in a hospice • service providers (such as medical specialists, nurses, support workers, counsellors and health professionals) giving the palliative care • carers giving palliative care at home or medication or medical treatment directly related to palliative management <p>Service Officers should be flexible in these circumstances as there may be uncertainty due to the level and duration of the palliative care support that is required for the customer.</p> <p>An expense may be consistent with this ground if payment of the expense will assist in managing the symptoms of the customer's terminal medical condition.</p>

3	<p>Quotes and unpaid invoices + Read more ...</p> <p>Quotes and/or unpaid invoices are required to determine that an early release of superannuation is needed to pay for palliative care and the amount that is reasonably required to be released.</p> <p>Generally, quotes will be less than 6 months old and unpaid invoices less than 30 days old. This is a guide as individual service providers may set their own timeframes. Use the timeframe provided by the service provider.</p> <p>For example, if the timeframe for an unpaid invoice is 60 days we can accept this. Quotes that are valid longer than 6 months can also be accepted.</p> <p>Schedule 1, Item 107 of the Superannuation Industry (Supervision) (SIS) Regs and Schedule 2, Item 109 of the Retirement Savings Account (RSA) Regs states that the release should be what is reasonably required. For the most part, we will accept the quote/s that the customer has provided to support their application, however, where the assessor identifies a cheaper option may be available the customer should be contacted to discuss.</p> <p>Only unpaid expenses will generally be considered for early release of superannuation benefits. This is because when an expense has been paid, the necessity to pay the expense no longer exists therefore the eligibility requirements of the ground have not been met. It is also a strong indication that the customer had the financial capacity to meet that expense.</p> <p>When a loan (including personal loans, car loans, loans from family and friends and credit cards) has been used to pay an expense, it is considered to be a paid expense and no longer meets a condition for release on compassionate grounds.</p> <p>Consideration may be given for exceptional situations. If a Service Officer identifies a situation they believe may meet this criteria, they must first seek advice from a Service Support Officer (by following normal escalation procedures) before advising the customer to apply or making any decision on the application.</p>
4	<p>Shortfall + Read more ...</p> <p>If a shortfall exists between the amount required to cover the expense applied for and the amount available within the customer's net superannuation fund balance, a release may still be considered as the amount available will assist in paying for palliative care.</p> <p>There is no requirement to seek additional information from the customer regarding the shortfall amount.</p>

References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

Resources

This page contains links to early release of superannuation information on the Human Service Website.

Human Services Website

[Compassionate Grounds](#)

[Palliative care](#)



Australian Government

Department of Human Services

Early release of superannuation benefits under the consistent with ground 003-09010180

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Background

This document outlines information about the assessment of the early release of super benefits under the consistent with ground.

Consistent with grounds

The purpose of the consistent with ground is to allow the consideration of a release of a person's superannuation benefits for expenses consistent with medical treatment or medical transport, mortgage assistance, modifications to home or vehicle, palliative care for customer and palliative care or funeral expenses associated with a person's dependant. This ground is flexible with determinations being made based on the evidence, relevant legislation and policies. [s47E\(d\)](#)

For example the core elements for the medical treatment and medical transport ground is to treat a life threatening illness or injury, alleviate an acute or chronic pain or alleviate an acute or chronic mental illness. Therefore a release could be considered for treatment that is not medical in nature providing two medical practitioners have certified that the release will result in the treatment or alleviation of one of the 3 categories specified in legislation.

Similarly the core element for the mortgage assistance ground is to prevent the foreclosure of a customer's principal place of residence. Therefore a release could be considered to prevent any third party from foreclosing on a customer's principal place of residence providing the third party holds a legally binding statutory or express power of sale.

Service officers should use the ground specific operational blue print pages to guide them in what kind of evidence is required. See related links for ground specific Operational Blueprint pages.

If assistance is required in making a determination under this ground the Service Officer should follow local escalation procedures for seeking advice.

Other factors taken into account include:

- [Financial Capacity](#)
- [Borrowed Funds and Paid Expenses](#)

Note: the consistent with provision cannot be applied to the dependency test defined in Superannuation Industry (Supervision) (SIS) Act s 10 and Retirement Savings Account (RSA) Act s 20. A person cannot be 'consistent with' a dependant.

When the Early Release of Superannuation Benefits (ERSB) programme makes a determination that a release is required, the trustee of the customer's superannuation fund is authorised to make a release of benefits, subject to the governing rules of the fund.

When determining the amount that can be released under consistent with grounds, SIS Regs, Schedule 1, Item 107 or RSA Regs, Schedule 2, Item 109 need to be taken into account.

The [Resources](#) page contains further information and scenarios to assist Service Officers making a decision.

Related links

[Determining Dependency for early release of superannuation benefits under compassionate grounds](#)

[Apply for early release of superannuation benefits under compassionate grounds](#)

[Early release of superannuation benefits under medical treatment and transport grounds](#)

[Early release of superannuation benefits under mortgage assistance grounds](#)

[Early release of superannuation benefits under the modification of home/vehicle ground](#)

[Early release of superannuation benefits under palliative care grounds for customers](#)

[Early release of superannuation benefits under the palliative care, death, funeral or burial grounds for dependants](#)

References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

Resources

	<p>s47E(d)</p>
2	<p>Consistent with mortgage + Read more ...</p> <p>Core elements that need to be met as follows:</p> <ul style="list-style-type: none">• Prevent the foreclosure of the customer's principal residence• Statutory or express power of sale must exist <p>An expense may be consistent with the mortgage ground if a debt poses a direct threat of foreclosure or sale of a person's principal place of residence (PPR) and payment of the debt will remove the threat. Providing the creditor has a statutory or express power of sale.</p> <p>s47E(d)</p> <p>Note: for the mortgage ground, the release amount cannot exceed the equal sum of 3 months' repayments and 12 months' interest on the outstanding balance of the loan in each 12 month period. This is referred to as 3 + 12.</p> <p>s47E(d)</p>

	s47E(d)
3	Consistent with modifications + Read more ... Core elements that need to be met as follows:

	<ul style="list-style-type: none"> To accommodate the special needs to a customer arising from severe disability <p>An expense may be consistent with the modifications to the principal place of residence or vehicle if payment of the expense will genuinely accommodate the special needs of a customer or their dependant arising from severe disability.</p> <p>s47E(d)</p>
4	<p>Consistent with palliative care + Read more ...</p> <p>Core elements that need to be met as follows:</p> <ul style="list-style-type: none"> To assist in managing the symptoms of a person's impending death <p>An expense may be consistent with the palliative care ground if payment of the expense will assist in managing the symptoms of a person's terminal medical condition.</p> <p>s47E(d)</p>
5	<p>Consistent with palliative care, death, funeral or burial for a dependant + Read more ...</p> <p>Core elements that need to be met are to assist in managing:</p> <ul style="list-style-type: none"> the symptoms of a dependant's impending death, or associated expenses for a dependant's funeral <p>An expense may be consistent with the palliative care ground when a person's dependant has a terminal medical condition and the person needs to care for the dependant. Any expense that would enable a person to care for a dependant with a terminal medical condition can be considered.</p> <p>An expense may be consistent with the funeral for a dependant ground if payment of the expense will allow a person to attend a dependant's funeral. Usually only expenses directly associated with travel expenses to attend a dependant's funeral can be considered.</p> <p>s47E(d)</p>

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Human Services Website

[Early release of superannuation](#)

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Australian Government
Department of Human Services

Early release of superannuation benefits under medical treatment and medical transport grounds 003-09010030

Currently published version valid from 24/10/2017 10:06 am

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information in regards to the assessment of the early release of superannuation benefits under medical treatment and medical transport grounds.

Medical treatment and medical transport grounds

The purpose of the medical treatment ground is to allow a person early release of superannuation benefits to pay for necessary medical treatment expenses that would otherwise be unaffordable to the person. A person can apply for medical treatment expenses for themselves or a [dependant](#).

A person may also apply for an early release of their superannuation to pay for medical transport expenses associated with certified medical treatment. A person can apply for medical transport expenses without the requirement to pay for medical treatment.

Before a release is made under this ground, 2 registered medical practitioners (at least 1 of whom is a specialist) must certify that the medical treatment is necessary to:

- treat a [life threatening](#) illness or injury, or
- alleviate an acute or [chronic](#) pain, or
- alleviate an [acute](#) or chronic mental illness

In addition to this, medical practitioners must certify that the required treatment is not readily available through the public health system.

Other factors taken into account include:

- [Financial capacity](#)
- [Borrowed funds and paid expenses](#)

- Amount of release - for medical treatment and medical transport, a single lump sum, not exceeding an amount that is reasonably required. Quotes and/or unpaid invoices is sufficient evidence to determine the release amount

When the Early Release of Superannuation Benefits (ERSB) programme makes a determination that a release is required, the trustee of the customer's superannuation fund is authorised to make a release of benefits, subject to the governing rules of the fund.

When determining the amount that can be released under the compassionate grounds, Superannuation Industry (Supervision) (SIS) Regs, Schedule 1, Item 107 or Retirement Savings Account (RSA) Regs, Schedule 2, Item 109 need to be taken into account. These schedules outline the cashing restriction under compassionate grounds.

A release will be considered for up to 12 months of treatment or transport costs only. This is because it is likely that the cost of treatment may change over a period of time or the customer's treatment requirements may change.

The customer must have sufficient net funds in their superannuation balance to cover the costs required. Early release of superannuation is taxed at a rate of 22% and the customer's superannuation fund may impose other fees and charges. In cases where the customer does not have sufficient funds to cover the necessary expenses further supporting documentation for the customer may be required.

The [Process](#) page contains further information for this ground.

The [Resources](#) page contains scenarios for applying the medical treatment and transport policy for early release of superannuation benefits under medical treatment and transport grounds, the Human Services Website and a link to the Early Release of Superannuation on Compassionate Grounds Report by Registered Medical Practitioner form (MO017).

Related links

[Determining dependency for early release of superannuation benefits under compassionate grounds](#)

[Assessing and recording an early release of superannuation benefits application under compassionate grounds](#)

Process

This page contains information on the early release of superannuation benefits under medical treatment and transport grounds.

Medical treatment and medical transport

Medical and transport ground for early release of superannuation benefits

This table provides information for Service Officers regarding an application for early release of superannuation benefits for medical and transport reasons.

Item	Description
1	s47E(d)
2	<p>Medical condition certification + Read more ...</p> <p>A release may be considered where the customer or their dependent requires necessary medical treatment and/or medical transport. Two registered medical practitioners, at least 1 being a specialist, must certify for each claim that the medical treatment is necessary, to:</p> <ul style="list-style-type: none"> • treat a life threatening illness or injury, or • alleviate an acute or chronic pain, or • alleviate an acute or chronic mental illness <p>Note: severe disability is not a categorisation for the purposes of medical treatment and medical transport, and therefore, a release cannot be considered under the medical treatment or medical transport ground for this categorisation. For more information on application for a severe disability, see Early release of superannuation benefits under the modification of home-vehicle ground.</p> <p>Registered medical specialists should only comment on conditions which are specific to their field of expertise.</p> <ul style="list-style-type: none"> • A specialist needs to be a specialist in the field of the medical condition being diagnosed • A medical specialist must be able to comment on the appropriateness of the treatment and the medical condition being treated • A medical practitioner who holds a specialist qualification in general practice (FRACGP) may be considered a relevant specialist <p>If a Service Officer determines that a specialist is not relevant for the claim, however, the specialist insists they are, send a request for policy advice via normal escalation procedures.</p> <p>Note: MO017 - Early Release of Superannuation on Compassionate Grounds Report by registered medical practitioner asks the following questions to help identify the relevant specialist. The report asks the medical practitioner to confirm:</p> <ul style="list-style-type: none"> • whether they are completing the form as the medical practitioner or medical specialist, and • if they are the specialist in the field the condition the patient needs treatment for <p>Generally, to be accepted as the relevant specialist, they have to answer 'yes' to both questions.</p> <p>The Resources page contains a case study to help Service Officers in determining when a specialist general practitioner may be considered the relevant specialist.</p>

	s47E(d)
3	<p>Medical practitioner's qualifications + Read more ...</p> <p>Medical practitioners pass exams set by the Australian Medical Council. Specialist registration applies to medical practitioners who hold a further qualification and training from the college of their specialisation.</p> <p>While other occupations, such as physiotherapists or occupational therapists can be described as allied health professionals, they are not medical practitioners for the purposes of the Superannuation Industry (Supervision) (SIS) Regulations.</p> <p>A Service Officer should confirm a medical practitioner's registration by going to the Australian Health Practitioner Regulation Agency (AHPRA) website and searching the medical practitioners name or registration number. Service Officers will find specialist qualification information in the registration type: specialist field at the bottom of the search page.</p> <p>The Resources page contains a link to the register of practitioners on the AHPRA website.</p> <p>A registrar is a registered medical practitioner but not a registered specialist, as they have completed a medical degree but are training in their area of specialisation. Dentists and dental surgeons have similar registration requirements.</p> <p>Service Officers should also check the registration details field for any condition of the medical practitioner's registration, for example, they are only able to practice in a certain medical centre or they cannot prescribe a certain type of medication. If there are concerns a medical practitioner is not able to provide information due to conditions, escalate for further advice.</p> <p>The Resources page contains a link to a list of medical specialties and specialty fields on the AHPRA website.</p>
4	s47E(d)

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5	<p>Treatment not readily available through the public health system + Read more ...</p> <p>Legislation stipulates that if the medical treatment is not readily available through the public health system, both practitioners must confirm that:</p> <ul style="list-style-type: none"> • the treatment is not readily available through the public health system or • that it is necessary for the patient to have treatment before it is available <p>If both medical practitioners do not confirm that it is necessary for the customer to have the treatment prior to it being available in the public health system, then the application will be rejected.</p>
6	<p>Applications for medical transport + Read more ...</p> <p>A customer may need to apply for medical transport to access necessary medical treatment. A customer can apply solely for medical transport costs without the need to pay for medical treatment.</p> <p>It is not a requirement to be satisfied that a customer can pay for medical treatment before being approved for medical transport.</p> <p>The medical practitioner or medical specialist does not need to confirm that the customer requires transport. However, it is a requirement that both the medical practitioner and medical specialist confirm that medical treatment is necessary to treat a life threatening illness or injury, alleviate an acute or chronic pain or alleviate an acute or chronic mental illness.</p> <p>The medical specialist completing the medical report must be a specialist in the field of the diagnosed medical condition. The specialist providing the treatment is not always the relevant specialist and therefore may not be accepted.</p> <p>Note: when the application is solely for medical transport the medical practitioner or medical specialist do not have to confirm treatment is not readily available through the public health system.</p> <p>Car loans are not considered as the customer has transport available to them to access necessary medical treatment. If a customer is experiencing difficulties in paying a car loan this is considered financial hardship and does not meet a condition for release on compassionate grounds.</p>

7	<p>Types of medical transport + Read more ...</p> <p>Where a customer is applying for medical transport, all means of suitable transport must be considered. Suitable transport may include:</p> <ul style="list-style-type: none">• hire car or taxi or ambulance• domestic flights or international flights or air ambulance• public transport• petrol costs only (the ERSB SAP claim uses calculations based on ATO cents per kilometre method)• vehicle repairs• purchase vehicle where primary use is greater than 60% <p>s47E(d)</p>
8	<p>s47E(d)</p>

	s47E(d)
9	s47E(d)

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References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, Section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

Resources

This page contains scenarios for applying the medical treatment and transport policy for early release of superannuation benefits under medical treatment and transport grounds, the Human Services Website and a link to the Early Release of Superannuation on Compassionate Grounds Report by Registered Medical Practitioner form (MO017).

On this Page:[Scenarios](#)[Human Services Website](#)[External websites](#)[Forms](#)**Scenarios****Scenarios for applying the medical treatment and transport policy**

This table contains scenarios for applying the medical treatment and transport policy for early release of superannuation.

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Note: the regulations state that treatment is required to 'treat a life threatening illness or injury' not to prevent a life threatening illness or injury.

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Human Services website

[Early release of superannuation](#)

[Compassionate grounds](#)

[Medical treatment or transport](#)

External websites

[List of Medical Specialties and Specialty Fields](#)

[Register of practitioners](#)

Forms

[Early Release of Superannuation on Compassionate Grounds Report by Registered Medical Practitioner form \(MO017\)](#)

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Australian Government
Department of Human Services

Early release of superannuation benefits under the mortgage assistance ground 003-09010040

Currently published version valid from 11/05/2017 3:19 pm

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information about the assessment of the early release of superannuation benefits under the mortgage assistance grounds.

Mortgage assistance ground eligibility

The purpose of the mortgage ground is to allow a person to make a payment on a loan to prevent foreclosure on their principal place of residence. A person cannot apply for a release of their superannuation to prevent the foreclosure of a dependant's principal place of residence.

The person's mortgagee must provide a written statement certifying that:

- payment of an amount is overdue and
- if the person fails to pay the amount, the mortgage will:
 - foreclose the mortgage on the person's principal place of residence, or
 - exercise its express, or statutory power of sale over the person's principal place of residence

The person must be legally responsible for the mortgage.

Other factors taken into account include:

- [Financial Capacity](#)
- [Borrowed Funds and Paid Expenses](#)
- Amount of Release - for the mortgage ground, the release amount is what is reasonably required and cannot exceed the equal sum of 3 months' repayments and 12 months' interest on the outstanding balance of the loan in each 12 month period. A written statement from the mortgagee confirming the overdue amount is required to determine the release amount

When the Early Release of Superannuation Benefits (ERSB) programme makes a determination that a release is required, the trustee of the customer's superannuation fund is authorised to make a release of benefits, subject to the governing rules of the fund.

When determining the amount that can be released under the compassionate grounds, Superannuation Industry (Supervision) (SIS) Regs, Schedule 1, Item 107 or Retirement Savings Account (RSA) Regs, Schedule 2, Item 109 need to be taken into account.

The amount considered for a release for mortgage assistance will be the arrears amount provided by the lender. A release for additional repayments will not be automatically considered.

The [Resources](#) page contains links to the Human Services Website and examples of applications of early release of superannuation benefits under the mortgage grounds

Related links

[Assessing and recording an early release of superannuation benefits application under compassionate grounds](#)

Process

This page contains information about approvals of the early release of superannuation benefits under the mortgage assistance grounds by the Department of Human Services.

Mortgage ground

Mortgage assistance ground for early release of superannuation benefits

This table provides information relating to the early release of superannuation benefits under the mortgage assistance ground.

Item	Description
1	<p>Principal place of residence + Read more ...</p> <p>A principal place of residence is where a person permanently lives or usually resides.</p> <p>Separated parties may still be legally responsible for the mortgage until a property settlement is finalised. Until ownership of the principal place of residence is settled between the parties, or the Family Court makes a specific order, the property may still be considered the customer's principal place of residence, even if they do not live there.</p> <p>Note: if the principal place of residence is on the market for sale, it is still regarded as the customer's principal place of residence until the property has been legally transferred to another person.</p>

	<p>A customer may be legally responsible for a mortgage but is not currently living in the secured property. This can be identified where the address on the supporting documentation differs from the address in the Customer First record or on the paper claim. Where it has been identified that the customer does not live at the property, the customer must provide evidence why they are not currently residing in the property.</p> <p>Evidence can be provided during a conversation with the customer or by requesting a statutory declaration explaining their reason for not living in the property. The questions will be based on the customer's individual circumstances, and any relevant supporting documentation such as employment contracts. If the property is an investment property and not cross-secured to the customer's principal place of residence. An approval for a release could not be approved.</p>
2	<p>Legally responsible for mortgage + Read more ...</p> <p>A release can only be approved to customers who meet all legislative requirements and are legally responsible for repayments of the mortgage over their principal place of residence.</p> <p>A customer is classified as being legally responsible for the mortgage if they are listed on the mortgage.</p> <p>A partner can only apply if they are also listed on the mortgage.</p> <p>If the application is a joint application, all customers applying must be listed on the mortgage. If this is not the case, the application must be rejected and the customer or customers listed on the mortgage documents must submit a new application.</p> <p>Where the title of the property belongs to a trust or company, but the name of the customer is listed on the loan documents as a party responsible to repay the loan an approval for a release could be approved.</p>
3	<p>Bankruptcy + Read more ...</p> <p>A customer being bankrupt does not prevent their application being approved for the early release of superannuation.</p> <p>If a bankrupt is granted early access to their super, the payments received on or after the date of bankruptcy will be protected from creditors and/or the bankruptcy trustee.</p> <p>s47E(d)</p>
4	<p>A release will not cease foreclosure action + Read more ...</p> <p>Where a release will not prevent foreclosure, the condition in regulation 6.19A(1)(b) is not satisfied and a release cannot be approved.</p> <p>Where the application has listed more than 1 threat of sale over the property, the release must prevent all threats of foreclosure.</p> <p>Where legal fees or other costs associated with impending foreclosure form part of the mortgage default, this amount needs to be added to the total arrears amount.</p> <p>The amount considered for a release for mortgage assistance will be the arrears amount provided by the lender. A release for additional repayments will not be automatically considered.</p>

	<p>Note: when the written statement from the mortgagee specifies amounts above the arrears must be paid, for example additional repayments or interest in advance, a release can be considered where it is confirmed in the written notice these amounts are required to cease foreclosure action. The release amount cannot exceed the cashing restriction.</p>
5	<p>Cashing Restrictions + Read more ...</p> <p>Under the mortgage assistance grounds there is a maximum amount of superannuation which can be released in any 12 month period. This limit is set out in Schedule 1, Part 1, Item 107 of the Superannuation Industry (Supervision) (SIS) Regs.</p> <p>The maximum amount that can be released in each 12 month period cannot exceed the amount equal to 3 months' repayments plus 12 months' interest on the outstanding balance of the loan.</p> <p>Generally, the cashing restriction is calculated per loan, however when there are multiple loans on a single mortgage the cashing restriction is based on the total of 3 months repayments and 12 months interest for all loans. The cashing restriction is applied to each superannuation fund individually.</p> <p>The Resources page contains scenarios.</p>
6	<p>Evidence for mortgage assistance + Read more ...</p> <p>A written statement is required from the mortgagee stating that payment of an amount is overdue and if the person fails to pay the amount the mortgagee will foreclose the mortgage on the person's principal place of residence or exercise its express, or statutory, power of sale over the person's principal place of residence.</p> <p>In addition to the written confirmation of a current threat of sale from the mortgagee, the department requires a written statement including the following:</p> <ul style="list-style-type: none"> • arrears overdue • amount equal to 3 months' repayments • total of 12 months' interest on the outstanding balance of the loan at the time the statement is created • address of the secured property and the name of the person/s listed as legally responsible for the loan <p>The overdue arrears amount should not be older than 30 days at time of application being submitted. If arrears amount is older than 30 days at time of processing, the Service Officer may contact the bank for the most updated arrears.</p> <p>The 3 months' repayments and 12 months of interest figures can be considered current for up to 6 months. A default notice can be considered current for up to 12 months as long as there is evidence such as current arrears to verify that it is a current threat of sale.</p>
7	<p>Shortfall + Read more ...</p> <p>Where a person's net superannuation fund balance or the amount available to them within the cashing restriction is less than the arrears amount, a conversation with the customer or a request for more information should be made to determine if the shortfall can be covered.</p> <p>Regular shortfall policy cannot be applied to mortgage applications, we must have written confirmation that the amount released will cease foreclosure action.</p>

	<p>The customer must provide additional superannuation funds that can meet the shortfall or written confirmation from the mortgagee, confirming either that they will accept the amount available to the customer or that the customer has reduced the arrears to an amount which is less than or equal to their available funds.</p> <p>A customer should be declined and then advised to submit a new partnered application if they want to apply with someone else that is legally responsible for the loan to meet a shortfall.</p>
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References

This page contains a link to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

Resources

This page contains links to the Human Services Website and scenarios of applications of early release of superannuation benefits under the mortgage grounds.

Human Services Website

[Early release of superannuation](#)

[Compassionate Grounds](#)

[Mortgage assistance](#)

Scenarios for applying the cashing restrictions for early release of superannuation

Cashing restrictions - mortgage assistance grounds

This table describes scenarios when to apply the cashing restriction for early release of superannuation under the mortgage assistance ground.

Item	Scenario
1	<p>Single Application with 1 superannuation fund + Read more ...</p> <p>Note: a cashing restriction is the maximum amount that can be released from a person's superannuation fund in a 12 month period</p> <p>s47E(d)</p>
2	<p>Single applications with multiple superannuation funds + Read more ...</p> <p>Note: a cashing restriction is the maximum amount that can be released from a person's superannuation fund in a 12 month period</p> <p>s47E(d)</p>

	<p>s47E(d)</p>
3	<p>Joint applications + Read more ...</p> <p>Note: a cashing restriction is the maximum amount that can be released from a person's superannuation fund in a 12 month period</p> <p>s47E(d)</p>
4	<p>Multiple Loans + Read more ...</p> <p>Note: a cashing restriction is the maximum amount that can be released from a person's superannuation fund in a 12 month period</p> <p>When a customer has 2 mortgages secured against their principal place of residence and the mortgages are from 2 different lenders, the cashing restriction is calculated on each mortgage.</p> <p>s47E(d)</p>

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Amounts are released from each superannuation fund in the order that the applicant records them in their application. If an applicant has had a previous release for that lender from a superannuation fund the cashing restriction amount is reduced by the previous release amount for that superannuation fund.

If arrears are greater than the cashing restriction amount, the Service Officer must check for additional superannuation funds and/or joint applicants. If no additional superannuation funds or joint applicants exist, an approval for a release **could not** be approved.

If the arrears are less than the cashing restriction amount, an approval for a release could be approved.

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Australian Government
Department of Human Services

Early release of superannuation benefits under the modification of home/vehicle ground 003-09010050

Currently published version valid from 20/03/2017 1:49 pm

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information about the assessment of the early release of superannuation benefits under the modification to home or vehicle ground.

Modification to home/vehicle ground

This ground allows a release where a person's principal place of residence or vehicle needs to be modified to accommodate the special needs of the person or their dependant arising from a severe disability.

The proposed modifications must be of a type to accommodate the person or their dependant to cope with their severe disability. For example, the modifications will assist them to carry out the activities of daily living.

Other factors taken into account include:

- [Financial Capacity](#)
- [Borrowed Funds and Paid Expenses](#)
- Amount of Release - for modifications, a single lump sum, not exceeding an amount that is reasonably required. Generally, quotes and/or unpaid invoices is sufficient evidence to determine the release amount

When the Early Release of Superannuation Benefits (ERSB) programme makes a determination that a release is required, the trustee of the customer's superannuation fund is authorised to make a release of benefits, subject to the governing rules of the fund.

When determining the amount that can be released under the compassionate grounds, Superannuation Industry (Supervision) (SIS) Regs, Schedule 1, Item 107 or Retirement Savings Account (RSA) Regs, Schedule 2, Item 109 need to be taken into account.

The [Resources](#) page contains a link to the report by medical practitioner form and links to the early release of superannuation information on the Human Services Website.

Related links

[Determining dependency for early release of superannuation benefits under compassionate grounds](#)

Process

This page contains information on the early release of superannuation benefits for home or vehicle modification.

Early release of superannuation

Modification to home/vehicle ground for early release of superannuation benefits

This table outlines the various reasons for early release of superannuation benefits under the modification to home or vehicle ground.

Item	Description
1	<p>Principal place of residence + Read more ...</p> <p>A person's place of residence is where the customer permanently or usually resides. For this ground the principal place of residence may include a caravan, a portable home or a rental property that the customer lives in.</p> <p>In the case of a rental property, a release can still be considered if the landlord has given consent.</p> <p>If the address on the supporting documentation differs from the address in the record or on the paper claim the customer must provide evidence why they are not currently residing in the property. Evidence can be provided in conversation with the customer or by requesting a statutory declaration explaining their reason for not living in the property.</p> <p>The questions will be based on the customer's individual circumstances, and any relevant supporting documentation such as employment contracts.</p>
2	<p>Modifications for a dependant + Read more ...</p> <p>Modifications to the home or vehicle of a customer's dependant can only be considered if the home or vehicle to be modified is also that of the customer.</p> <p>Both the applicant and the dependant must live at the same address. This applies to partner or child of the customer as well as any interdependency relationships.</p> <p>See Determining dependency for early release of superannuation benefits under compassionate grounds.</p>

3	<p>Approved modifications to a home + Read more ...</p> <p>Modifications to a home that can be approved for the early release of superannuation include, but are not limited to:</p> <ul style="list-style-type: none"> • installation of ramps inside/outside the home • adjustment to height of kitchen benches • modification to bathroom fittings <p>Costs associated with fees for a draftsman to draw up modification plans or fees for council approval can also be considered as part of the release.</p>
4	<p>Approved modifications to a motor vehicle + Read more ...</p> <p>Modifications to a vehicle that can be approved for the early release of superannuation include, but are not limited to:</p> <ul style="list-style-type: none"> • installation of a wheelchair rack at the rear of the car • installation of an automatic gearbox • replacement of pedals with levers
5	<p>Doctor reports + Read more ...</p> <p>To determine if modifications of a customer's principal place of residence or vehicle are required, written evidence from a registered medical practitioner should be provided.</p> <p>The written evidence must advise that:</p> <ul style="list-style-type: none"> • a severe disability exists • specified modifications are necessary • the modifications will accommodate the customer or their dependant's needs arising from the severe disability
6	<p>Purchase a suitable property or vehicle + Read more ...</p> <p>A customer may need to purchase a suitable property or vehicle because their existing property or vehicle is not suitable for modification. The new property or vehicle must meet the needs of the customer or their dependant.</p> <p>Unlike the medical treatment/medical transport ground customers do not have to provide evidence of primary use of vehicle for the modification ground.</p>
7	<p>Disability aids + Read more ...</p> <p>A customer may need to purchase disability aids, for example mobility scooter, prosthetics or hearing aids to accommodate their or their dependant's severe disability. These costs can be considered as 'consistent with' the modification to principal place of residence or vehicle.</p> <p>Dentures and associated dental work may be considered a disability aid if the medical practitioner confirms that dentures are required to accommodate a severe disability. If dentures and dental work are for a categorisation under medical grounds then that application should be assessed as medical treatment.</p>

8	<p>Quotes and unpaid invoices + Read more ...</p> <p>Quotes and/or unpaid invoices are required to determine that an early release of superannuation is needed to pay for medical treatment and medical transport and the amount that is reasonably required to be released.</p> <p>Generally, quotes will be less than 6 months old and unpaid invoices less than 30 days old. This is a guide as individual service providers may set their own timeframes. Use the timeframe provided by the service provider.</p> <p>For example, the Department of Human Services can accept an invoice if the timeframe is 60 days. Quotes that are valid longer than 6 months can also be accepted.</p> <p>Schedule 1, Item 107 of the Superannuation Industry (Supervision) (SIS) Regs and Schedule 2, Item 109 of the Retirement Savings Account (RSA) Regs states that the release should be what is reasonably required. For the most part the department will accept the quote/s that the customer has provided to support their application, however where the assessor identifies a cheaper option may be available the customer should be contacted to discuss.</p> <p>Generally, a customer will only submit quotes or unpaid invoices for the expenses they require an early release of superannuation for.</p> <p>Only unpaid expenses will generally be considered for early release of superannuation benefits. This is because when an expense has been paid, the necessity to pay the expense no longer exists therefore the eligibility requirements of the ground have not been met. It is also a strong indication that the customer had the financial capacity to meet that expense.</p> <p>When a loan (including personal loans, car loans, loans from family and friends and credit cards) has been used to pay an expense, it is considered to be a paid expense and no longer meets a condition for release on compassionate grounds.</p> <p>Consideration may be given for exceptional situations. If a Service Officer identifies a situation they believe may meet this criteria, they must first seek advice from a Service Support Officer (by following normal escalation procedures) before advising the customer to apply or making any decision on the application.</p>
9	<p>Shortfall + Read more ...</p> <p>Where a person's net superannuation fund balance is less than the expense, consideration should be given to whether the available amount could pay for the modifications needed to accommodate a person's severe disability.</p> <p>For any shortfall under \$500 between the available superannuation funds and the expense the customer is applying for, it will automatically be considered that the customer will have the ability to meet this shortfall through income or other means.</p> <p>If a customer has declared an amount in savings that could meet this shortfall this should be taken into account prior to asking for more information. Unlike when considering savings towards the expenses and quarantining the first \$1,000.00, the full amount listed in savings can be used in assessing a customer's ability to meet their shortfall.</p> <p>Where a shortfall above \$500 exists and the customer has not declared any savings generally the Service Officer must determine if the shortfall can be paid by other means, for example from an additional superfund accounts or by a third party.</p>

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References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

Resources

This page contains a link to the report by medical practitioner form and links to the early release of superannuation information on the Human Services Website.

Forms

[Early Release of Superannuation on Specified Compassionate Grounds Report by Medical or Dental Practitioner and/or Specialist form \(MO017\)](#)

Human Services Website

[Compassionate grounds](#)

[Modifications to your home or motor vehicle](#)

This information is for internal use ONLY. Copies of this information should not be given to customers or any other external organisation.



Australian Government
Department of Human Services

Early release of superannuation benefits under palliative care, death, funeral or burial grounds for dependants 003-09010070

Currently published version valid from 27/09/2017 4:46 pm

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information about the assessment of the early release of superannuation benefits on the grounds of palliative care, death, funeral or burial expenses required for a customer's dependant.

Palliative Care, death or funeral for dependants

The purpose of this ground is to allow a customer early release of their superannuation benefits to cover expenses with a dependant's palliative care, death, funeral or burial.

This ground is the only compassionate ground where the release can only be made for a dependant of the customer.

A [dependant](#) includes the spouse of the person, any child of the person and any person with whom the person has an [interdependency relationship](#). See [Determining dependency for early release of superannuation benefits under compassionate grounds](#).

If the customer requires a release of superannuation for their own palliative care, see [Early release of superannuation benefits under the palliative care ground for customers](#).

A customer cannot apply to pre-pay their own funeral costs under this ground.

Other factors taken into account include:

- [Financial Capacity](#)
- [Borrowed Funds and Paid Expenses](#)
- Amount of Release - for the Funeral ground, a single lump sum, not exceeding an amount that is reasonably required. Generally, quotes and/or invoices is sufficient evidence to determine the release amount

When the Early Release of Superannuation Benefits (ERSB) programme makes a determination that a release is required, the trustee of the customer's superannuation fund is authorised to make a release of benefits, subject to the governing rules of the fund.

When determining the amount that can be released under the compassionate grounds, Superannuation Industry (Supervision) (SIS) Regs, Schedule 1, Item 107 or Retirement Savings Account (RSA) Regs, Schedule 2, Item 109 need to be taken into account.

The [Resources](#) page contains links to the Human Services Website for information on and the application for the early release of superannuation benefits for palliative care or funeral expenses.

Related links

[Determining dependency for early release of superannuation benefits under compassionate grounds](#)

Process

This page contains a table with information about the early release of superannuation benefits on the grounds of the customer's dependant palliative care, death, funeral or burial expenses.

On this Page:

[Early release of superannuation](#)

[Early release of superannuation for palliative care expenses for a dependant](#)

Early release of superannuation

Early release of superannuation for dependant's death, funeral or burial expenses

Table 1: This table has detailed information on the expenses considered for early release of superannuation benefits on the grounds of the death, funeral or burial of a customer's dependant.

Item	Description
1	<p>Evidence for death, funeral or burial expenses for a dependant + Read more ...</p> <p>To be satisfied that expenses exist for the death, funeral or burial of a dependant the customer must provide evidence that their dependant has passed away.</p> <p>Generally the types of evidence required is a death certificate, notification from the funeral provider or a letter from the dependants doctor advising they have passed away and date of passing.</p>

	<p>See Determining dependency for early release of superannuation benefits under compassionate grounds.</p> <p>Re-burial is not an expense that is considered for this ground, the expense must be a direct result of the initial burial of a dependant.</p>
2	<p>Expenses associated with death, funeral and burial + Read more ...</p> <p>Examples of expenses associated with death, funeral and burial include but are not limited to:</p> <ul style="list-style-type: none">• obtaining a death certificate• cremation costs• the cost of a coffin• the cost of a grave and headstone, and• cemetery fees
3	<p>Pre-paid funerals + Read more ...</p> <p>For pre-payment of funeral expenses for a customer's dependant, the customer should provide a letter from the dependant's medical practitioner confirming the person is terminally ill and a quote from the funeral service provider for costs.</p>
4	<p>s47E(d)</p>

5	<p>Shortfall + Read more ...</p> <p>If a shortfall exists between the amount required to cover the expense applied for and the amount available within the customer's net superannuation fund balance, a release may still be considered as the amount available will assist in paying for some of the expenses associated with the funeral. The customer may have to prioritise what expenses are needed or meet the shortfall themselves.</p> <p>There is no requirement to seek additional information from the customer regarding the shortfall amount.</p>
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Early release of superannuation for palliative care expenses for a dependant

Evidence requirements - palliative care

Table 2: This table has detailed information on the expenses considered for early release of superannuation benefits on the grounds of palliative care for a customer's dependant.

Item	Description
1	<p>Evidence for palliative care for a dependant + Read more ...</p> <p>To be satisfied palliative care is required the customer needs to provide certification from the dependant's medical practitioner that the dependant has a terminal medical condition, has 24 months or less to live and requires palliative care.</p>
2	<p>Palliative care expenses + Read more ...</p> <p>Palliative care expenses may include the reasonable costs of:</p> <ul style="list-style-type: none"> • accommodation in a hospice • service providers (such as medical specialists, nurses, support workers, counsellors and health professionals) giving the palliative care • carers giving palliative care at home or medication or medical treatment directly related to palliative management <p>Service Officers should be flexible in these circumstances as there may be uncertainty due to the level and duration of the palliative care support that is required for the customer.</p>
3	<p>Quotes and unpaid invoices + Read more ...</p> <p>Generally, quotes and/or unpaid invoices are required to determine that an early release of superannuation is needed to pay for palliative care and the amount that is reasonably required to be released.</p> <p>Generally, quotes will be less than 6 months old and unpaid invoices less than 30 days old. This is a guide as individual service providers may set their own timeframes. Use the timeframe provided by the service provider.</p> <p>For example, if the timeframe for an unpaid invoice is 60 days we can accept this. Quotes that are valid longer than 6 months can also be accepted.</p> <p>Only unpaid expenses will generally be considered for early release of superannuation benefits. This is because when an expense has been paid, the necessity to pay the expense no longer exists</p>

	<p>therefore the eligibility requirements of the ground have not been met. It is also a strong indication that the customer had the financial capacity to meet that expense.</p> <p>When a loan (including personal loans, car loans, loans from family and friends and credit cards) has been used to pay an expense, it is considered to be a paid expense and no longer meets a condition for release on compassionate grounds.</p> <p>s47E(d)</p>
4	<p>Shortfall + Read more ...</p> <p>If a shortfall exists between the amount required to cover the expense applied for and the amount available within the customer's net superannuation fund balance, a release may still be considered as the amount available will assist in paying for palliative care.</p> <p>There is no requirement to seek additional information from the customer regarding the shortfall amount.</p>

References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

Resources

This page contains links to the Human Services Website for information on and the application for the early release of superannuation benefits for palliative care or funeral expenses.

Human Services Website

[Early release of superannuation](#)

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Australian Government
Department of Human Services

Request for priority assessment of early release of superannuation benefits under compassionate grounds 003-09010110

Currently published version valid from 03/08/2017 2:30 pm

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information on requests by customers for priority assessment of applications for an early release of superannuation under compassionate grounds.

Early release of superannuation

Applications for early release of superannuation benefits are to be assessed within 28 days of receipt. s47E(d)
s47E(d)

Related links

[Apply for early release of superannuation benefits under compassionate grounds](#)

[Telephone protocols for early release of superannuation benefits under compassionate grounds](#)

[Reviews of decision for early release of superannuation benefits under compassionate grounds](#)

[Apply for early release of superannuation benefits under financial hardship grounds](#)

Process Summary

This page contains information about requests for priority assessment of early release of superannuation benefits under compassionate grounds.

Flowchart

Reasons to prioritise an early release of superannuation benefits application

This image provides the checks to determine if an application can be prioritised.

Note: [a text based version of the following process summary image is available.](#)

s47E(d)

Process

This page contains information about requests for priority assessment of Early Release of Superannuation Benefits (ERSB) under compassionate grounds.

Determining priority assessment of ERSB

Reasons to prioritise an ERSB application

This table provides detailed information about applications that can be prioritised.

Step	Description	Role/Authority
1	s47E(d)	
2	s47E(d)	
3	s47E(d)	
4	s47E(d)	

	s47E(d)	
5	s47E(d)	
6	s47E(d)	
7	s47E(d)	
8	s47E(d)	s47E(d)

	s47E(d)	
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References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

This information is for internal use ONLY. Copies of this information should not be given to customers or any other external organisation.



Australian Government
Department of Human Services

Telephone protocols for early release of superannuation benefits under compassionate grounds 003-09010120

Currently published version valid from 19/10/2017 4:45 pm

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information for Early Release of Superannuation Benefits (ERSB) Service Officers on protocols relating to phone contact with customers. All Service Officers must offer professional customer service and provide customers with accurate information in an efficient manner. All Service Officers must demonstrate a high level of social and cultural awareness.

On this Page:

Translating and interpreting assistance

Interpreter services or other support must be offered to callers as appropriate. Callers who require an interpreter or TTY (telephone typewriter) phone services can contact the service directly.

Privacy check

Before information can be provided about an existing ERSB application a privacy check must be performed. At least 3 points of identification must be provided by the customer.

Person Permitted to Enquire (PPE)

When a customer applies for the early release of superannuation benefits they advise whether they give permission for staff to speak with and disclose information about their application to third parties. A third party could be an individual, organisation or business. A person calling from an organisation or business must provide their name and the name of the organisation or business for identification purposes.

Existing Centrelink nominees or PPE arrangements cannot be used for ERSB purposes.

Permission to enquire for ERSB is found on the customer's record as a [Fast Note](#). Customers may have a current PPE on record but this does not automatically mean the permission applies to their ERSB application.

Service Officers can check the Document List (**DL**) on the customer's record for the subject line 'ERSB Permission to Enquire' to see who has been granted permission to enquire. PPE information is provided via an online or paper application and can be added, removed or updated by the customer over the phone.

Information relating to an ERSB application can be provided to third parties listed as a PPE for that application. Prior to information being discussed a privacy check must be completed and the Service Officer must confirm the customer has provided permission to speak with the third party. A PPE cannot update or amend the application.

Joint applications

A joint application which has been successfully submitted means the customers have agreed to their information being shared with the other applicants. This allows for joint applications to be discussed with all applicants. If all joint applications have not yet been submitted, permission to enquire must be confirmed.

Third Party with Authority to Act

A third party cannot use a customer's Centrelink online account for ERSB purposes. If a customer requires a third party to act on their behalf and submit the customer's ERSB application, the third party must:

- complete and post a paper claim
- provide relevant documents confirming their ability to act on the customer's behalf, for example, enduring power of attorney documents

Existing Centrelink nominees or PPE arrangements cannot be used for ERSB purposes.

A third party who has the ability to act on the customer's behalf can be provided with information about the application as well as being able to update ERSB information. The third party cannot update Centrelink information, such as the customer's address etc., without the relevant Centrelink nominee arrangement also.

Permission to act on a customer's behalf for ERSB is found on the customer's record as a [Fast Note](#). Service Officers can check the Document List (**DL**) on the customer's record for the subject line 'ERSB Permission to Act' to see who has been granted permission.

s47E(d)

Confirming approval letters with superannuation funds

Early release of a person's superannuation benefits is a two-step process. The Department of Human Services assesses applications. If the criteria is met for a compassionate ground, a letter is sent to the customer advising

the amount that has been approved for release. The customer submits the approval letter to their superannuation fund for release.

Superannuation funds may call to validate approval letters including the approved amount. The department provides a dedicated phone line for superannuation funds only. This number is not published for customer use.

s47E(d)

The [Resources](#) page contains links to the contact details for the Early Release of Superannuation Benefits (ERSB) programme and the Department of Human Services Media Team which supports the ERSB programme media enquiries. It also contains useful discussion points and considerations as well as privacy and secrecy advice.

Related links

[Assessing and recording an early release of superannuation benefits application under compassionate grounds](#)

[Request for priority assessment of early release of superannuation benefits under compassionate grounds](#)

[Reviews of decision for early release of superannuation benefits under compassionate grounds](#)

[Apply for early release of superannuation benefits under financial hardship grounds](#)

[Transferring calls](#)

[Report Suspected Fraud](#)

Process Summary

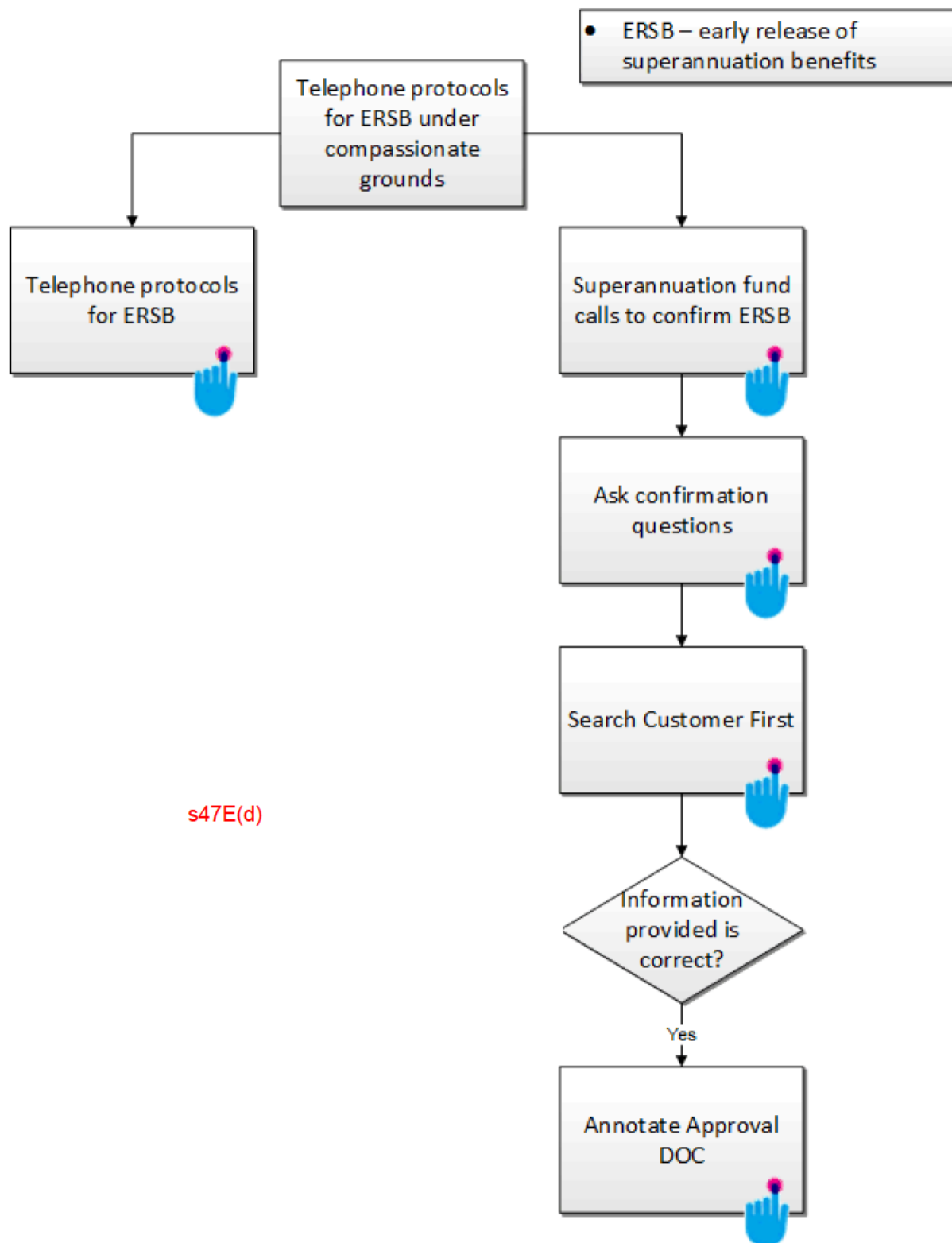
This page contains an overview of the information in this document about phone protocols for Early Release of Superannuation Benefits (ERSB) Service Officers.

Flowchart

Phone protocols for ERSB Service Officers

This image provides a summary of the information in this document about phone protocols for Early Release of Superannuation Benefits (ERSB) Service Officers.

Note: [a text based version of the following process summary image is available.](#)



Process

This page contains a table with information about telephone protocols for the Early Release of Superannuation Benefit (ERSB) and Confirming Approval Letters with Superannuation Funds.

On this Page:

[Telephone protocols](#)

[Confirming Approval Letters](#)

Telephone protocols

Telephone protocols for the ERSB

Table 1: This table contains detailed information about telephone protocols for the early release of superannuation benefits (ERSB).

Item	Description
1	<p>Privacy check + Read more ...</p> <p>Any 3 combinations of the following must be provided before information can be released:</p> <ul style="list-style-type: none"> • Customer Reference Number (CRN) • customer's full name • customer's current address • a contact phone number • date of birth
2	<p>Third parties + Read more ...</p> <p>Locate permission for a third party to enquire or act on the customer's record:</p> <ul style="list-style-type: none"> • search on the Document List (DL) screen for fast note with heading ERSB Permission to Enquire or ERSB Permission to Act • check fast note to confirm who customer has given permission to speak with • if the customer wishes to nominate a third party to enquire, create a fast note using the 'ERSB Permission to Enquire' template
3	<p>Customer contacts for progress of application + Read more ...</p> <p>Was the application lodged more than 28 days ago or application meets priority assessment criteria?</p> <p>Yes,</p> <ul style="list-style-type: none"> • Staff trained in application processing, go to Assessing and recording an early release of superannuation benefits application under compassionate grounds • Staff not trained in application processing, go to Step 4 <p>No, advise:</p>

	<p>'Thank you for lodging your Early Release of Superannuation application. Please be assured we are processing applications as quickly as possible to manage the demand across the business. Claimants will be notified of the outcome as soon as it is complete. If you have been requested to provide information, it is important that you do so as soon as possible so as not to delay your claim. Thank you for your patience.'</p> <p>It is only necessary to access the customer's record if the customer or PPE has specific questions or concerns about the supporting documentation that has been provided.</p>
4	<p>Completing ACTDOCs and callback DOCs + Read more ...</p> <p>It may be appropriate to create an ACTDOC or callback DOC when a customer's enquiry cannot be resolved at first point of contact. Do not create an ACTDOC if all the required information has been received unless:</p> <ul style="list-style-type: none"> • the application meets priority assessment guidelines, or • the application was lodged more than 28 days ago <p>Use the keyword 'ACTERSB' and region code 'CGT'.</p> <p>Use a callback DOC when a customer requests an explanation of a decision which cannot be resolved at first contact. Use the keyword 'CALLERSB' and region code 'CGT'.</p>
5	<p>Actioning withdrawal requests + Read more ...</p> <p>If the customer calls to confirm they want to withdraw their application, follow these steps:</p> <ul style="list-style-type: none"> • Locate the customer's online application by selecting Search online claims (claims online) via workspace • In the 'claim details' select from the drop down menu early release of Superannuation • Copy and paste the Customer Reference Number (CRN) into the CRN: field and press Search • Select the Claim ID this will open up the SAP workflow • Select the 'notes' twisty and select 'new' this will open a new window where notes can be entered as follows: 'Application withdrawn at customer request' (a fast note will also need to be created on the Customer First record using the 'ERSB App ID XXXXXXXX Withdrawn' template) • Select the user status twisty and select set new status and select withdrawn
6	<p>Paper application discussion points + Read more ...</p> <p>Online applications are a convenient way for customers to lodge through their myGov account.</p> <p>When a paper application is received it takes up to 10 minutes to upload the details into SAP before any assessment can commence. This adds unnecessary time and must be avoided wherever possible. Staff must have in-depth discussions with customers who request a paper application and only send paper applications to customers who are overseas, remote with limited to no internet access or do not have access to secure online facilities.</p> <p>The Resources page contains a checklist of discussion points and considerations regarding the benefits of applying online.</p> <p>See Telephone standards.</p>

7	<p>ERSB Telephony service offer + Read more ...</p> <p>ERSB skill tagged staff will provide a service offer that includes providing:</p> <ul style="list-style-type: none"> • progress of claim advice – see Step 3 • where the customer cannot confirm the minimum supporting documentation has been provided with the application, check the application. Where further documentation is required, tell the customer this must be provided within 14 days of the date the application was submitted or their application will be declined at initial assessment • general enquiry support and advice • respond to industry questions <p>Where the customer advises of a change of details or the Service Officer identifies that some of the details, for example address or contact details are incorrect, the Service Officer is required to update the customers Centrelink record details first.</p> <p>Note: Service Officers must gain consent/acknowledgement from the customer that the personal details they provide will be updated on their Centrelink record and any changes may have an effect on their Centrelink payments, such as rent assistance for change of address.</p> <p>Activities included in the service offer: (Operational Blueprint must be followed in all instances)</p> <ul style="list-style-type: none"> • changes to family name • changes to address (residential and postal) • changes to or new home, work or mobile phone numbers • changes to or new email addresses • Aboriginal or Torres Strait Islander identifier • review any current PPE arrangements in place • creation of new records • registration of self-service to support online application and direct customer to myGov to complete application via their Centrelink Online Account • issuing of paper claims to only those customers who: <ul style="list-style-type: none"> ○ reside overseas ○ live in remote locations with limited to no internet access, or ○ do not have access to secure online services <p>Activities not included in the full service offer:</p> <ul style="list-style-type: none"> • non-early release of superannuation enquiries, for example, family estimates, claiming Newstart Allowance (NSA), change to assets, child care arrangements, etc <p>For all non-early release of superannuation enquiries, the customer is to be cold priority transferred to the appropriate main business line. This transfer will only occur once all ERSB enquiries or activities have been completed.</p> <p>The Resources page contains Privacy and Secrecy advice.</p>
8	<p>Telephoning overseas customers + Read more ...</p> <p>ERSB Service Officers may make telephone calls to customers residing overseas for the purpose of requesting or verifying information relating to a customer's ERSB application.</p> <p>To make an overseas telephone call see General protocols for callbacks.</p>

9	<p>Requests for escalation + Read more ...</p> <p>Escalation may be requested by callers. If a caller requests an escalation, make sure their concerns have been addressed as far as possible. If a caller still wants to speak with another staff member about technical aspects of ERSB see Service Officer role when seeking Technical Peer Support (TPS) in Smart Centres.</p> <p>s47E(d)</p>
10	<p>Transferring calls + Read more ...</p> <p>ERSB staff trained to answer general enquiries only, must transfer any progress of existing claim calls using the unannounced transfer - ERBa-ERSB Claim Enquiry option in Interaction Workspace (iWS) Softphone.</p>
11	<p>Customer advises they have lodged additional required evidence + Read more ...</p> <p>Where a customer contacts to advise they have lodged the additional requested information and the scan is displaying on the record, take the ERSB application off hold so that Workload Management (WLM) can reallocate.</p> <p>To take an application off hold:</p> <ul style="list-style-type: none"> • In Customer First use the 'Search Online Claims (Claims Online)' to search for the customer's ERSB application by Customer Reference Number (CRN) • From the 'Social Applications Found' list, select the 'Claim ID' of the customer's 'In Process' ERSB application • Within the application data, in the 'Dates' tab expand the twisty to find the 'WMS Hold Expiry Date' and remove the date in the 'Date From' field • At the top of the page select 'Save' to save the changes

Confirming approval letters

Confirming approval letters with superannuation funds

Table 2: This table contains detailed information about confirming approval letters with superannuation funds for the ERSB.

Step	Action
1	s47E(d)
2	s47E(d)

	s47E(d)
3	s47E(d)
4	s47E(d)
5	s47E(d)

Resources

This page contains a links to the contact details for the Early Release of Superannuation Benefits (ERSB) programme and the Department of Human Services Media Team which supports the ERSB programme media enquiries. It also contains useful discussion points and considerations, as well as, privacy and secrecy advice. Links on this page may be unavailable to external audiences.

On this Page:

Contact details

Contact details

[Media](#) - The Department of Human Services Media Team is responsible for responding to media enquiries. All media contacts must be referred to the media team. s47E(d)
s47E(d)

Discussion points and considerations

Benefits of applying online and assisting customer without access to internet

Table 1: This table contains a checklist of discussion points and considerations regarding the benefits of applying online and assisting customers without access to internet.

Item	Description
1	<p>Advantages of online applications</p> <ul style="list-style-type: none"> • Quick and easy, takes less time online to complete an application when compared to completing a paper application • Lodge the application at a time that suits customer, for example, once the kids have gone to bed, after work etc • Quicker turnaround when all the supporting evidence is received • Ability to upload supporting documents • Paper applications are dependent on postal delivery, these delays can be both external with Australia Post or internal with our contractors • Paper applications require scanning at the Scanning Operations Centre (SOC), this process adds additional time to the process with risks of delays • Paper applications are required to be scanned to Customer First and there can be delays depending on the mail received daily at the Scanning Operations Centre (SOC) • Approval letters will be available within 48 hours when eligibility is determined, through their myGov account. No need to wait for Australia Post - delivery and can be printed by the customer • Instant acknowledgement of receipt of application once submitted
2	<p>Assisting customer that does not have access to internet</p> <ul style="list-style-type: none"> • The Department of Human Services Service Centres/offices have computers with free internet access along with digital assistants to provide help using online services • Libraries provide computers with free internet access plus many of them provide free Wi-Fi internet within the library grounds

	<ul style="list-style-type: none"> • Check with family and/or friends to see if they have computers/devices and/or internet that can be used - they may also be able to assist the customer if they are new at using online services • Many councils provide Wi-Fi hotspot areas - contact the local council to find if there are any of these hotspots in the area • www.freewifi.com.au is an example of a site available to check for free Wi-Fi spots in Australia. Note: this site may not be the most accurate tool but can sometimes be of assistance
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Privacy and secrecy advice

Questions and answers

Table 2: This table contains questions and answers regarding privacy and secrecy.

Item	Description
1	<p>Would it be a breach of privacy to use information collected for the purpose of early release of superannuation to update the customer Centrelink record?</p> <p>Answer: We consider it is likely that this use of information will be prohibited by the secrecy provisions of the Australian Prudential Regulation Authority Act 1998 (APRA Act).</p>
2	<p>Would Centrelink in this circumstance require the customer's consent to update the Centrelink record?</p> <p>Answer: Yes. The written or verbal consent of the customer to use their early release of superannuation information for Centrelink purposes would be required. A simpler solution would be to collect this information directly from the customer when the customer contacts Centrelink.</p>

This information is for internal use ONLY. Copies of this information should not be given to customers or any other external organisation.



Australian Government
Department of Human Services

Reviews of decision for early release of superannuation benefits under compassionate grounds 003-09010150

Currently published version valid from 24/10/2017 9:35 am

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information on seeking a review of a decision for early release of superannuation benefits (ERSB) under compassionate grounds.

On this Page:

Review of a decision

The purpose of an internal review is to ensure the decision was supported by legislation, policy and evidence provided. Customers can request a review if they believe the Department of Human Services has made an incorrect decision under the Superannuation Industry (Supervision) Regulations 1994 (SIS Regulations).

A review can identify and resolve any errors made in a decision. A request for a review will only be accepted in the situations where the customer believes legislation or policy was not applied appropriately. The review cannot change a decision where the customer does not meet the eligibility criteria based on information provided, or make a different decision if the customer does not agree with legislation or policy.

Customers have **14 days** from date of decision to submit a review of decision. If this timeframe has expired customers must submit a new application with all supporting evidence.

A request for review will be assessed by a Review Officer and will look at the evidence that was provided with the original application. The decision will be reviewed against the requirements of the legislation and the original decision will be:

- upheld
- overturned, or
- modified

Customers will be advised of the outcome of the review in writing.

When a review of decision will not be accepted

When a review of decision will not be accepted

If a customer (or their representative) does not agree with an early release of superannuation outcome, it is important to determine why they do not agree. This will ensure that the relevant information is provided and a review of decision can be requested where required.

- A review of decision **will not** be accepted in the following situations:
- customers do not agree with the current legislation
- customers believe that the department should have made allowances to consider their individual circumstances
- application was declined because customer failed to submit supporting evidence within the required timeframe

customer would like to request an additional amount

Administrative errors

Where it has been identified that incorrect information was used to make the decision or all relevant information was not considered, the customer **will not** be required to submit a review.

For example, the Service Officer has not considered a document which had been supplied by the customer before assessment and would have resulted in a different outcome.

Note: if all information available at the time of assessing the application was used to make the decision (no input keying errors or omitted/missed information or documents), this is **not** an administrative error. In these situations, assess if a review of decision is appropriate.

s47E(d)

The [Resources](#) page contains links to the review form and the Human Services and Australian Government Treasury websites. Also links to contact details for returning the review form and the process for suppressing ERSB letters and content for manual letter content (Q999).

Related links

[Assessing and recording an early release of superannuation benefits application under compassionate grounds](#)

[Early release of superannuation benefits under medical treatment and medical transport grounds](#)

[Early release of superannuation benefits under the mortgage assistance ground](#)

[Early release of superannuation benefits under the modification of home/vehicle ground](#)

[Early release of superannuation benefits under the palliative care ground for customers](#)

[Early release of superannuation benefits under the palliative care, death, funeral or burial grounds for dependents](#)

[Request for priority assessment of early release of superannuation benefits under compassionate grounds](#)

[Telephone protocols for early release of superannuation benefits under compassionate grounds](#)

[Apply for early release of superannuation benefits under financial hardship grounds](#)

Process Summary

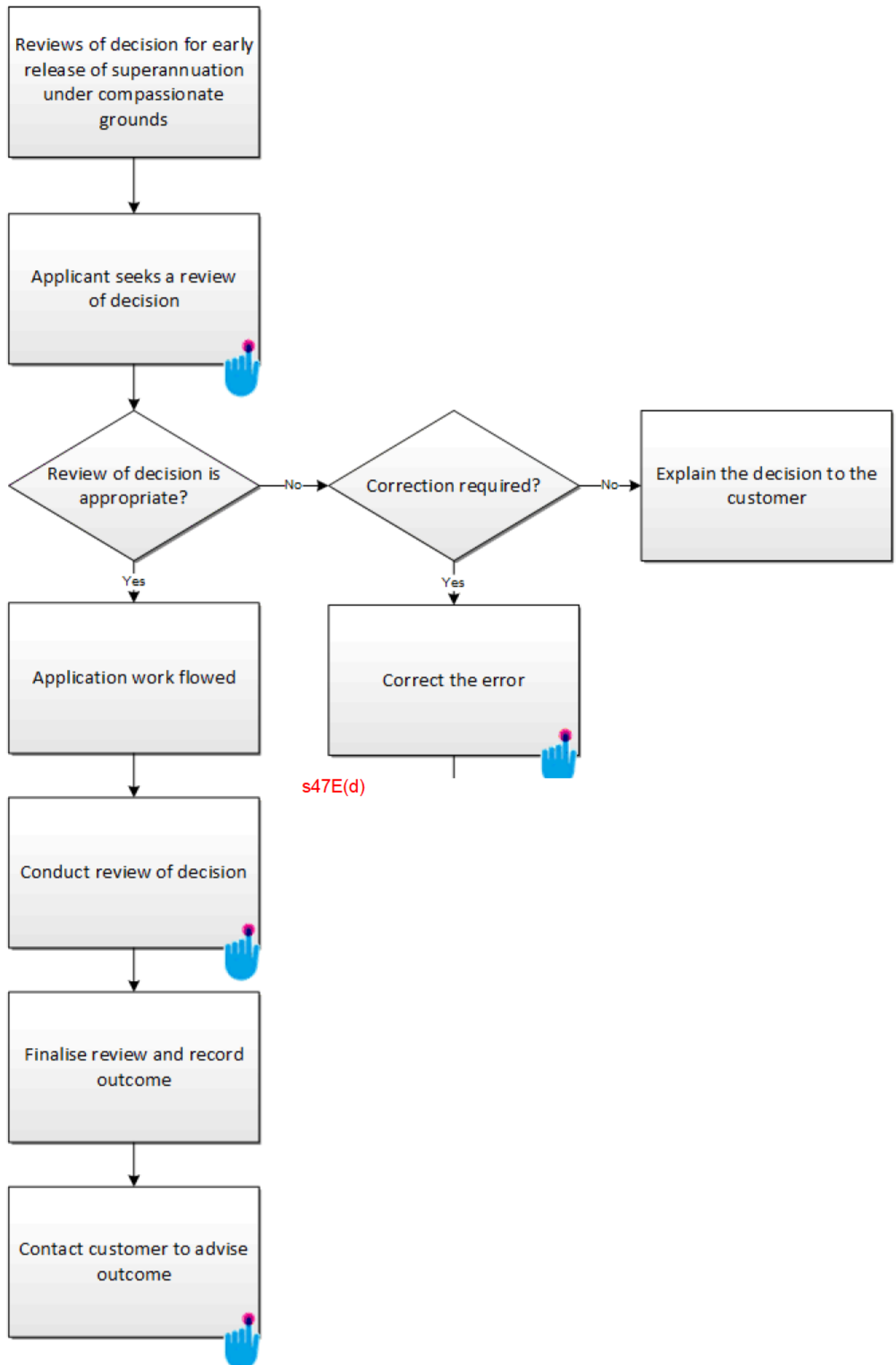
This page contains a summary of how to explain decisions to customers, correct an administrative error and/or review a decision.

Flowchart

Reviews of decision for early release of superannuation benefits under compassionate grounds

This image provides an overview of how to o explain decisions to customers, correct an administrative error and/or review a decision.

Note: [a text based version of the following process summary image is available.](#)



Process

This page contains information for staff to determine when a review of a decision is required and for an assessor conducting a review of a decision for a customer's request for early release of their superannuation.

On this Page:

[Determining when a review is required](#)


[Correcting an administrative error](#)

[Internal review](#)

Determining when a review is required

Determining with the customer when a review of decision is required

Table 1: This table describes what can be discussed with the customer to determine why they disagree with the decision and whether a review of the decision is appropriate.

Step	Action	Role/Authority
1	<p>The customer disagrees with the decision + Read more ...</p> <p>During a conversation with the customer determine why they disagree with the decision. Provide information to the customer about how these decisions are made.</p> <p>What is the reason the customer disagrees with the decision?</p> <p>The customer</p> <ul style="list-style-type: none"> disagrees with the legislation or policy, go to Step 2 does not think their individual circumstances have been considered, go to Step 3 believes they have provided the evidence needed but the decision maker has not appropriately applied policy or legislation, go to Step 4 has provided the evidence needed but information was entered incorrectly or was not included in the assessment, go to Correcting an administrative error for early release of superannuation table 	
2	Disagrees with the legislation or policy + Read more ...	


	<p>Explain the following to the customer:</p> <ul style="list-style-type: none"> • Decisions are based on legislation and policy and the Department of Human Services has no discretion to make a decision outside the legislation or policy • The Treasury is responsible for administering the legislation and policy that the decisions are made under. If the customer disagrees with the legislation or policy they may contact the Treasury directly with their concerns. <p>The Resources page contains a link to the Treasury's website.</p> <p>Procedure ends here.</p>	
3	<p>The customer's individual circumstances have not been considered + Read more ...</p> <p>Explain the following to the customer:</p> <ul style="list-style-type: none"> • The Department of Human Services makes decisions based on legislation and policy and has no discretion to make exceptions in individual circumstances • No-one including Treasury staff members, Ministers or the Prime Minister has discretion to make exceptions in individual circumstances • If the customer considers the reasons to access superannuation need to be changed, direct them to contact the Treasury directly with their concerns. The Resources page contains a link to the Treasury's website <p>Procedure ends here.</p>	
4	<p>The evidence needed has been provided but has not been appropriately applied + Read more ...</p> <p>Ask the customer to describe the evidence they have provided which they believe supports their application. After discussing the evidence:</p> <ul style="list-style-type: none"> • if the customer maintains they have provided sufficient evidence but the Department of Human Services has not appropriately applied policy or legislation, they may be granted a review, go to Step 5 • if the customer advises they want to provide additional information or have encountered additional costs since the decision was made, they must submit a new application. The new application must contain all the supporting information they want considered. <p>Procedure ends here.</p>	
5	<p>The customer maintains request for a review + Read more ...</p> <p>A request for a review will only be accepted where the customer maintains legislation or policy were not applied appropriately.</p> <p>Following the Service Officer's explanation and/or referrals, if the customer maintains this view, provide the following information:</p>	

	<ul style="list-style-type: none"> • The request for a review must be received within 14 days from the date of the original decision • Request for a review of decision (MO019) forms are available on the Human Services Website • Forms can be submitted online via the Document Lodgement Service or mailed to Human Services <p>Once the review of decision forms are received, go to Recording and conducting internal review table.</p> <p>The Resources page has a link to the form and D, E useful contact information for return address for the form.</p>	
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Correcting an administrative error

Correcting an administrative error for early release of superannuation

Table 2: This table describes how Service Officers correct an administrative error for early release of superannuation or refer to an ERSB Technical Peer Support (TPS) officer for the correction.

Step	Action	Role/Authority
1	<p>Administrative error is identified + Read more ...</p> <p>An administrative error is identified by the Service Officer</p> <p>Does the Service Officer have the skills to correct the error?</p> <ul style="list-style-type: none"> • Yes, go to Step 3 • No, go to Step 2 	
2	<p>Contact an ERSB TPS officer + Read more ...</p> <ul style="list-style-type: none"> • Advise the customer of the transfer • Select the softphone drop down option Early Release of Super - TPS • Record transfer and the reasons the call was transferred on a DOC <p>Procedure ends here.</p>	
3	<p>Correcting an administrative error + Read more ...</p> <p>Identify the administrative error.</p> <p>Was the application incorrectly:</p> <ul style="list-style-type: none"> • rejected? Go to Step 4 • granted for: <ul style="list-style-type: none"> ○ a higher amount? Go to Step 5 ○ a lower amount? Go to Step 6 	



4	<p>The application was incorrectly rejected + Read more ...</p> <p>If the application was incorrectly rejected:</p> <ul style="list-style-type: none"> • Reload the original application • Start the assessment process again. See Assessing and recording an early release of superannuation benefits application under compassionate grounds 	
5	<p>The application was incorrectly granted + Read more ...</p> <p>Has the approval letter been issued?</p> <ul style="list-style-type: none"> • Yes, contact the superannuation fund to request they take no action on the original letter because the decision is incorrect <ul style="list-style-type: none"> ○ If they confirm approval not actioned reload the application and provide correct decision letter ○ If they won't confirm or they confirm approval already made, record this on a DOC. Then, take no further action • No, suppress the letter. The Resources page contains information about how to suppress ERSB letters <ul style="list-style-type: none"> ○ Reload original application and assess and provide correct decision letter <p>Record what action was taken and the reasons it was taken on a DOC.</p>	
6	<p>The application was incorrectly granted for a higher amount + Read more ...</p> <p>Has the approval letter been issued?</p> <ul style="list-style-type: none"> • Yes, contact the superannuation fund to request they take no action on the original letter because the amount is incorrect. <ul style="list-style-type: none"> ○ If they confirm approval not actioned, reload the application and assess for the correct amount ○ If they won't confirm or they confirm approval already made, record on a DOC. Then, take no further action • No, suppress the letter. The Resources page contains information about how to suppress ERSB letters. <ul style="list-style-type: none"> ○ Reload original application and assess for the reduced amount <p>Record what action was taken and the reasons why it was taken on a DOC.</p>	
7	<p>The application was incorrectly granted for a lower amount + Read more ...</p> <ul style="list-style-type: none"> • Reload the original application • Assess the application for the additional amount • The customer and superannuation fund will receive 2 letters for the combined amount of the release that is required • Record on a DOC 	




8	Issue feedback + Read more ... <ul style="list-style-type: none"> Issue feedback to the Original Decision Maker via the Staff Feedback Tool Record on a DOC 	
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Internal review

Recording and conducting internal review

Table 3: This table describes the steps to take to conduct an internal review of decision for early release of superannuation.

Step	Action	Role/Authority
1	Review of decision request received + Read more ... <p>Has the customer provided the completed request for review form within 14 days of an early release of superannuation benefits application outcome?</p> <ul style="list-style-type: none"> Yes, go to Step 3 No, go to Step 2 	
2	Request to review a decision is received more than 14 days after application outcome + Read more ... <p>Check if there is any reason for a delay in submitting, for example:</p> <ul style="list-style-type: none"> customer lives overseas, or customer lives in rural or remote location postal delay - specifically where customer initiated the return of the review form within 14 days but receipt of the form was delayed <p>Determine if a review will be conducted. If unsure, discuss with a Technical Peer Support Officer.</p> <p>If a review will be conducted, go to Step 3.</p> <p>If a review will not be conducted, issue manual letter (Q999) to the customer. DOC review request not accepted and review not undertaken as received outside allowable timeframe. See Resources tab for standard Q999 wording.</p> <p>Procedure ends here.</p>	
3	Review of application work flowed + Read more ... <p>A review of decision form is received by a Review Officer through the Workflow Management System.</p>	

4	<p>Conduct review of decision + Read more ...</p> <p>Review Officer conducts a review of the decision ensuring the decision is supported by legislation, policy and evidence.</p> <p>What is the outcome of the review?</p> <p>Note: reviewing officer must only review information on hand at the time of the original assessment and only overturn a decision where the decision was made outside the processing and decision making guidelines as per available reference material.</p> <ul style="list-style-type: none"> • Uphold original decision <ul style="list-style-type: none"> ○ Create and send Q999 advising review decision outcome (see Resources tab for standard Q999 wording), go to Step 5 • Overturn original decision <ul style="list-style-type: none"> ○ Reload the application and input information required to make correct decision. An automatic outcome letter will be sent, go to Step 5 	
5	<p>Record outcome of review + Read more ...</p> <p>On the Customer First record create a review DOC outlining the decision. There is no requirement to put notes in SAP workflow. There is a Fast Note available for this DOC.</p> <p>Note: if application was reloaded to overturn decision, ensure both original and new App ID is referenced on the DOC.</p>	
6	<p>Contact customer to advise outcome of review + Read more ...</p> <p>At least 2 contact attempts must be made to tell the customer the outcome and how the decision was made.</p> <p>Contact attempts should be made at least 90 minutes apart and a record of all interaction documented on the customer's record.</p>	

References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A \(2\), Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

Resources

This page contains links to the review form and the Human Services and Australian Government Treasury websites. Also links to contact details for returning the review form and process for suppressing ERSB letters and content for manual letter content (Q999).

On this Page:

[Forms](#)

[Human Services Website](#)

[External website](#)

[Contact details](#)

[Suppressing ERSB letters](#)

[Manual letter content \(Q999\)](#)

Forms

[Early Release of Superannuation on Specified Compassionate Grounds - Request for review of a decision form \(MO019\)](#)

Human Services Website

[Early release of superannuation](#)

External website

[Australian Government The Treasury](#)

Contact details

[Department of Treasury](#)

[Early Release of Superannuation Benefits \(ERSB\) programme](#) - return address for the form

Suppressing ERSB letters

All requests to suppress ERSB letters must be referred to a Service Support Officer (SSO) using the normal escalation procedures.

If applicable the SSO escalates the issue to ICT (SAP Corporate Systems PSB) using the [ICT Service Desk form](#) 'SAP Outbound Correspondence Incident' with a 'High' Urgency. (Search 'Support Request' with keyword 'SAP')

The officer will add a **DOC** on the customer's record detailing the action being taken, including the relevant Service Desk (SD) number.

Manual letter content (Q999)

Review request closed timeframe expired

This table contains the text required when issuing manual letters (Q999) which are relevant to review of decisions.

Item	Description
1	<p>Review request closed timeframe expired</p> <p>Letter content to be added between salutation and signature.</p> <p>Early release of superannuation benefits on specified compassionate grounds Request for independent review - Review request closed</p> <p>We are writing to you about your request we received on <day month year> to review our decision for the Early Release of Superannuation under Specified Compassionate Grounds.</p> <p>We cannot review our decision as the timeframe to request a review has expired.</p> <p>More information</p> <p>If you have any questions or would like more information, please go to humanservices.gov.au/earlyrelease or call us on 1300 131 060 (call charges may apply).</p>
2	<p>Original decision upheld</p> <p>Paragraph 1:</p> <p>We are writing to you about your request for review. After careful consideration we have decided that the original decision is to be upheld as it was correct.</p> <p>Paragraph 2:</p> <p>**Decision notes**</p> <p>Paragraph 3:</p> <p>The review was conducted using the information present on your record at the time of the original decision. Any information received after the initial decision date has not been used for the purpose of the review.</p> <p>Paragraph 4:</p>

	For more information about the review process, please call us on 1300 131 060 (call charges may apply).
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This information is for internal use ONLY. Copies of this information should not be given to customers or any other external organisation.



Australian Government
Department of Human Services

Assessing and recording an early release of superannuation benefits application under compassionate grounds 003-09010160

Currently published version valid from 08/12/2017 2:29 pm

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information on how the Early Release of Superannuation Benefits (ERSB) programme assesses and records an application for early release of superannuation under compassionate grounds.

On this Page:

Minimum supporting evidence

Customers are required to provide evidence to support their application for an early release of superannuation. Evidence required is dependent on the expense they are applying for. The online and paper applications explain to the customer what evidence is required.

Applications for an early release of superannuation cannot be processed without the required supporting evidence.

The [Process](#) page contains further information on the evidence required for each ground of early release of superannuation.

Checking previous ERSB DOCs

Customers may have had previous ERSB applications or interactions with the Department of Human Services that may have relevance to a new application or contact. Check previous **DOCs** from the last application or contact to see if:

- the customer already had an approval for the same expense?
- policy advice been provided which would be relevant to the current application?

- a conversation or request for information happened which will assist in making a decision or in advising the customer of what the Department requires?
- a decision already been made to reject the same expense and no new information has been provided?

s47E(d)

Service Officers should provide customers with a consistent approach. Reviewing ERSB related **DOCs** helps to ensure all relevant information is being considered.

Timeframe to provide minimum supporting evidence

Customers are advised in the online and paper applications what the required minimum supporting evidence is for their application. Customers have 14 calendar days from the date they submit their application to provide this minimum supporting evidence.

Customers failing to provide the minimum supporting documentation at the time of application or within 14 days of submitting it, will have their application rejected. These customers must reapply.

s47E(d)

Requesting additional supporting evidence

s47E(d)

. If the Service Officer has requested additional supporting evidence from the customer and the customer has asked for written confirmation a manual (Q999) request for information letter can be sent.

Verifying supporting evidence

Service Officers are able to contact third parties to confirm supporting evidence where required to make an assessment. For example, current arrears from a mortgagee or confirmation of the amount outstanding for an invoice from a service provider. When a customer submits their application they provide permission through the declaration for the Department of Human Services to make enquiries necessary to ensure they receive the correct payment.

When speaking with third parties, **do not**:

- provide specific details about an application other than what is required to confirm the information for example the customer's name and date of birth and information on the quote
- compare details from unrelated applications or supporting evidence
- discuss the differences between documents provided by the same service provider

When verifying supporting evidence generally Service Officers should be requesting verification of information required to accept the document, for example confirming the date and amount of a quote or confirming the amount of current arrears for a mortgage claim.

There are a number of reasons why a Service Officer may feel a document requires further verification, for example a document appears to have been altered or it has been identified the customer has provided documents in the past which could not be verified. s47E(d)
s47E(d)

If it appears from the information provided by the service provider that the information does not match, the Service Officer could ask for further details, for example the breakdown of a quote. This could help identify why there might be discrepancies. Do not disclose when information does not match our records to the service provider. Where supporting documents cannot be verified, all documents should be verified. s47E(d)

Whilst there may be a preferred contact for some service providers when validating information, this does not mean that only this person can validate information. If contact is unsuccessful with the preferred contact, call any other contact numbers available on their website and ask if someone else can verify the information.

When confirming any information Service Officers must adhere to the Department's privacy rules, see [Privacy, sharing and storage of customer information](#) and [Disclosing information to third parties](#). All discussions with third parties must clearly be documented on the customer record.

Previous release for the same expense

In assessing an application a Service Officer may identify a previous release of benefit was approved for the same expense. Contact the customer to determine what happened with the previous release. If relevant clarify with the service provider. This will ensure that all relevant information is used when completing the current application assessment,

Incorrect or conflicting superannuation fund details

If incorrect or conflicting superannuation fund details are identified during the application assessment process they must be managed appropriately.

Reasons for conflicting superannuation details are:

- the customer:
 - provided incorrect information to the department, for example incorrect superannuation fund details
 - rolled their funds into a different superannuation fund since lodging their application
- the Service Officer recorded details for an incorrect superannuation fund

If the customer's superannuation funds are now held in a different fund and a release letter:

- **Has been sent** to their previous fund, the customer must reapply providing details of the new superannuation fund. A manual (Q999) release letter must not be issued to the new fund. In the new application the customer must provide confirmation that the funds have been rolled over
- **Has not been sent** to their previous fund, the customer does not need to reapply. A manual (Q999) release letter can be sent to the new fund and the incorrect letter must be suppressed

When a Service Officer has erred, if the original release letter has not already been sent it must be suppressed. The [Resources](#) page contains information about how ERSB letters are suppressed.

Note: in these circumstances it is not an appropriate workaround to issue a **manual** (Q999) approval letter. The application must be reloaded and reassessed with the correct fund information. The correct automatic letter will then be issued to the customer.

Issuing manual (Q999) ERSB approval letters

Manual (Q999) approval letters must only be issued in the case of system error and in extenuating circumstances.

If a system issue results in the automatic approval letter not being issued and the time since finalising the application is greater than 48 hours, normal escalation procedures must be followed. The issue is referred to ICT who will investigate and advise if they can fix the problem or a manual (Q999) approval letter may be sent to the customer. The [Resources](#) page contains information about the escalation procedure.

If extenuating circumstances exist, for example the customer meets priority assessment criteria, a manual (Q999) approval letter may be issued. The Process page of [Request for Priority assessment of early release of superannuation benefit under compassionate grounds](#) contains reasons to prioritise an ERSB application.

s47E(d)

s47E(d)

The information should only be used for determination of ERSB application and normal Departmental policy on browsing and accessing customer information apply. Any changes to customer information will require permission from the customer prior to updating as it could affect their other Centrelink business.

The [Resources](#) page contains information about escalating ERSB letter issues and suppressing these letters when required. There are links to useful websites, including the Human Services Website and timeframes for assessing early release of superannuation, suggested text for Fast Notes and finalisation documents. Links on this page may be unavailable to external audiences.

Related links

[Apply for early release of superannuation benefits under compassionate grounds](#)

[Early release of superannuation benefits under medical treatment and medical transport grounds](#)

[Early release of superannuation benefits under the mortgage assistance ground](#)

[Early release of superannuation benefits under the modification of home/vehicle ground](#)

[Early release of superannuation benefits under the palliative care ground for customers](#)

[Early release of superannuation benefits under the palliative care, death, funeral or burial grounds for dependents](#)

[Determining dependency for early release of superannuation benefits under compassionate grounds](#)

[Request for priority assessment of early release of superannuation benefits under compassionate grounds](#)

[Telephone protocols for early release of superannuation benefits under compassionate grounds](#)

[Reviews of decision for early release of superannuation benefits under compassionate grounds](#)

[Apply for early release of superannuation benefits under financial hardship grounds](#)

Process Summary

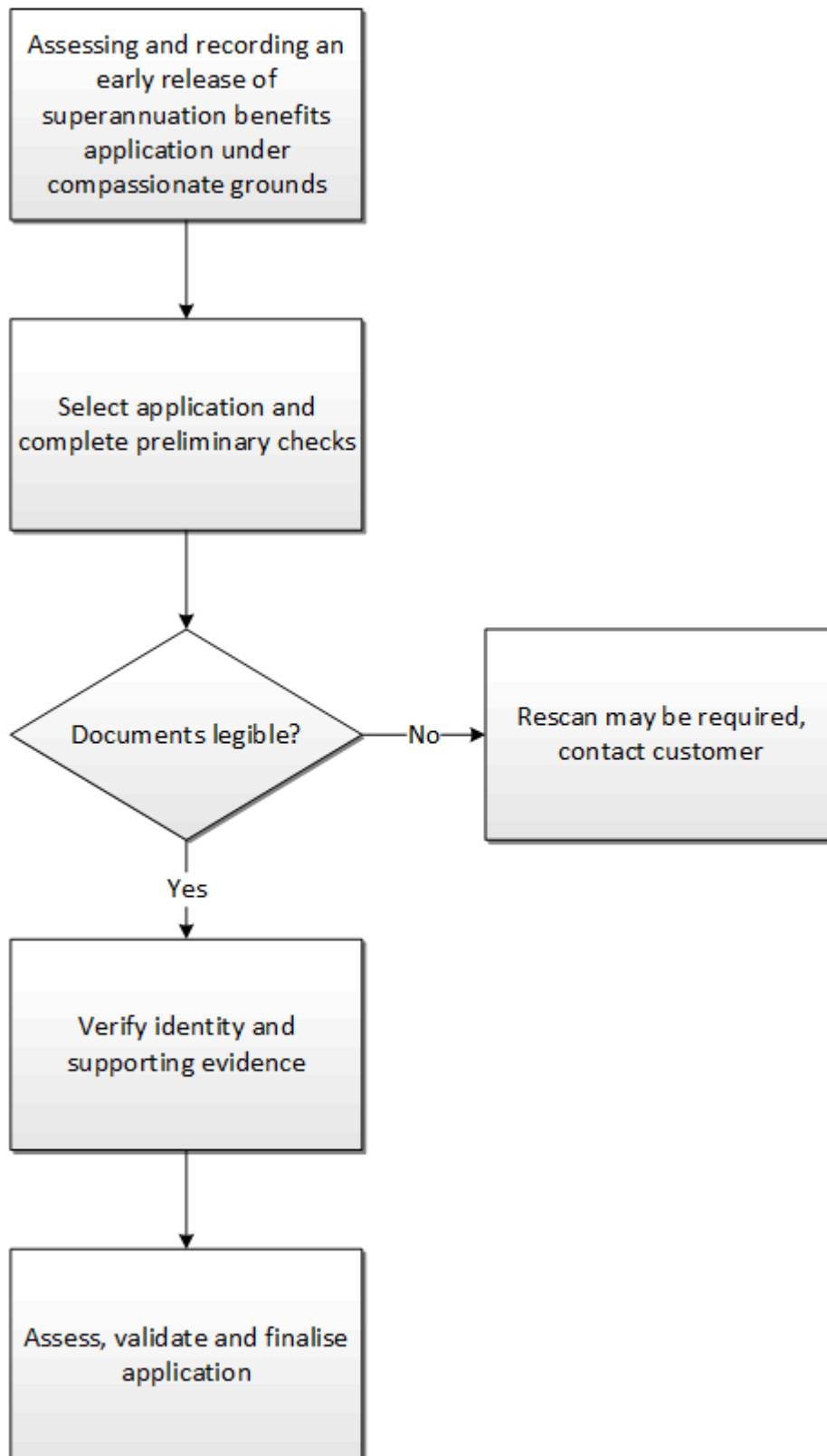
This page contains information on assessing and processing early release of superannuation benefits.

Flowchart

Assessing and recording early release of superannuation benefits application under compassionate grounds

This image provides a summary of how to assess and record early release of superannuation benefits applications.

Note: [a text based version of the following process summary image is available.](#)



Process

This procedure is for staff processing Early Release of Superannuation Benefits (ERSB) applications only.

This page contains information about how the Department of Human Services assesses and processes applications for early release of superannuation benefits.

On this Page:

[Supporting evidence](#)

[Loading a paper application for early release of superannuation](#)

[Assessing an application for early release of superannuation](#)

[Translation of documents](#)

Supporting evidence

Minimum supporting evidence

Table 1: This table contains information on the minimum supporting evidence required for each ground of early release of superannuation.

Item	Minimum supporting evidence
1	<p>Identity confirmation + Read more ...</p> <p>Customers must ensure their identity has been confirmed. The following information applies to all grounds and forms part of the minimum supporting documentation requirements.</p> <p>s47E(d)</p> <p>If identity has not been established the customer has not met 1 of the minimum requirements for their application.</p>
2	<p>Quotes and unpaid invoices + Read more ...</p> <p>Generally quotes will be less than 6 months old and unpaid invoices less than 30 days old.</p> <p>s47E(d)</p>

	s47E(d)
3	<p>Dependency + Read more ...</p> <p>For all grounds other than Mortgage where a customer is applying for a dependant they must provide evidence that the person is/was a dependent. If this has not been provided then they have not meet one of the minimum requirements for their application. See Determining dependency for early release of superannuation benefits under compassionate grounds for more information.</p>
4	<p>Medical treatment and transport + Read more ...</p> <p>Doctors reports</p> <p>Customers must provide 2 doctors' reports from:</p> <ul style="list-style-type: none"> • a registered medical practitioner, and • a relevant specialist <p>Note: the reports can be from 2 specialists as they are registered medical practitioners.</p> <p>The customer has not met the minimum requirements of their application if they have only provided:</p> <ul style="list-style-type: none"> • 1 doctor's report, or • 2 reports but 1 is not from a specialist, or • a letter from a medical practitioner or a specialist which does not stipulate categorisation or Public Health System <p>Categorisation for medical treatment can only be for either life threatening illness or injury, acute or chronic pain or acute or chronic mental illness. s47E(d)</p>

	<p>Quotes or unpaid invoices</p> <p>Customers must provide quotes and/or unpaid invoices to support their application and evidence of expenses required.</p> <p>Generally, a customer will only submit quotes or unpaid invoices for the expenses they require an early release of superannuation for.</p> <p>s47E(d)</p> <p>Medical transport - if the application is for medical transport the customer must provide details from the medical practitioner or relevant service provider of treatment:</p> <ul style="list-style-type: none">• locations• frequency, and• duration <p>Where more than 1 quote for the same expense has been provided, Service Officers should use the cheaper option available to the customer.</p> <p>s47E(d)</p>
5	<p>Mortgage + Read more ...</p> <p>Written statement from lender</p> <p>A written statement is required from the mortgagee or lender stating that payment of an amount is overdue. Also that if the person fails to pay the overdue amount, the mortgagee will foreclose</p>

	<p>the mortgage on the person's principal place of residence or exercise its express, or statutory, power of sale over the person's principal place of residence.</p> <p>s47E(d)</p> <p>The written statement must include:</p> <ul style="list-style-type: none"> • amount of overdue arrears • amount equal to 3 months' repayments • amount that is 12 months' interest on the outstanding balance of the loan at the time the statement is made • address of the secured property, and • the name of the person/s listed as legally responsible for the loan <p>Note: if the person is not listed on the written statement they are not eligible under this ground. A person's partner is not considered to be responsible for the loan if they are not listed on the written statement.</p> <p>Generally, the overdue arrears amount must not be older than 30 days at the time of application being submitted. s47E(d)</p> <p>s47E(d)</p>
6	<p>Funeral of a dependent + Read more ...</p> <p>Confirmation of death</p> <p>Customers must provide evidence that their dependent has died.</p> <p>This can be in the form of:</p> <ul style="list-style-type: none"> • a death notice issued by Births, Deaths & Marriages • a letter from the hospital or doctor <p>s47E(d)</p> <p>s47E(d)</p>
7	<p>Palliative Care + Read more ...</p> <p>Doctor's report</p> <p>Customers must provide 1 doctor's report confirming the person has a terminal illness and palliative care is required and what the care is. s47E(d)</p> <p>s47E(d)</p> <p>s47E(d)</p>

8	<p>Modifications + Read more ...</p> <p>Doctor's report</p> <p>Customers must provide 1 doctor's report confirming the person or their dependant has a severe disability, modifications are needed and what the modifications are. s47E(d)</p> <p>s47E(d)</p>
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Loading a paper application for early release of superannuation

Loading a paper application for the early release of superannuation in SAP

Table 2: This table describes the steps in uploading a paper application in SAP for early release of superannuation to then complete the SAP assessment workflow.

Step	Action
1	<p>Locate application + Read more ...</p> <p>Paper applications are scanned onto a customer's record and will be allocated to suitably skilled Service Officers by Workload Manager (WLM).</p> <p>Select work item when presented in WLM.</p> <p>The customer's record will display</p> <p>Locate paper application using Document Tools in Customer First.</p>
2	<p>Person Permitted to Enquire (PPE) + Read more ...</p> <p>Check the Person Permitted to Enquire (PPE) section of the application form, generally on the last page of the forms. If a person has been listed in this section, create a PPE DOC using the Fast Note template with the heading 'ERSB Permission to Enquire' and the PPE's details as listed on the form.</p> <p>In some circumstances a customer may require a third party with authority to act to complete the application on their behalf. These applications can only be done via the third party completing a paper form and providing the relevant legal documentation to support they have the authority to act for the customer. For these applications create a DOC using the Fast Note template with the heading 'ERSB Permission to Act' and the appointed persons details as listed on the form,</p> <p>Note: existing Centrelink Nominees or Person Permitted to Enquire (PPE) arrangements cannot be used for ERSB purposes. See, Telephone protocols for early release of superannuation benefits under compassionate grounds.</p>
3	<p>Preliminary check + Read more ...</p>

	<p>Check the form for the following information:</p> <ul style="list-style-type: none"> • Name, date of birth, address etc. on the form matches the customer's Centrelink record • Superannuation fund details have been provided and are correct. Search the fund's Australian Business Number (ABN) using the Australian Prudential Regulation Authority (APRA) superannuation fund search. The Resources page contains a link to APRA • Application has been signed (it is not a requirement for the form to be dated) • If the application is a joint application, are the other customer/s applications identified? If so, which person is the primary applicant? <p>Note: the primary applicant must be loaded first, because the secondary applicant(s) cannot be loaded without the Verification Code from the primary applicant.</p> <p>Has all information been provided to load the application?</p> <ul style="list-style-type: none"> • Yes, go to Step 5 • No, go to Step 4
4	<p>Missing information + Read more ...</p> <p>If information is missing from the application form it cannot be loaded.</p> <p>Call the customer to attempt verification of the missing information.</p> <p>If contact cannot be made with the customer:</p> <ul style="list-style-type: none"> • create an OPEN Progress of Claim DOC using the Fast Note template, on the customer's record add a keyword of 'ACTERSB'. Include the information required to load the application • place the Progress of Claim DOC on 'hold' until day 15, it will then be reallocated and followed up • close/complete the paper application scan activity. <p>Note: to create an OPEN Progress of Claim DOC using the Fast Note, override 'Document Completion' to 'No' and/or select 'Held'.</p> <p>If the customer calls to provide the information:</p> <ul style="list-style-type: none"> • update the Progress of Claim DOC with the requested information so the application can be loaded • take the Progress of Claim DOC off of hold, or • where the call is received by an assessor, the application should be loaded and the Progress of Claim DOC updated and closed <p>Note: advise the customer that this is only the missing information needed to load their claim and is not an assessment of their eligibility. The application will now await assessment and if further information is required once an assessment has taken place, they will be advised.</p>
5	<p>Load application + Read more ...</p> <ul style="list-style-type: none"> • Go to Workspace and search for 'Assisted'. Select Assisted ERSB Application from the Customer Online Account block • On the Overview page, select Start New Application • On the New application page:

	<ul style="list-style-type: none"> ○ select the appropriate option for Are you applying as part of a joint account? If this is a joint application, locate any other applications. Note: customers only have 14 days for any related claims to be added to the primary claim ○ select the ground based on the type of application supplied • On the Eligibility for early release of superannuation page, make required updates. Do not tick any of the staff only boxes at this point as the application will reject • Follow online claim process entering customer information in Details, Superannuation, Finances and Expenses sections. Select Next on each page to save. Once completed, each section displays with a tick • On the Review and submit page, check that all the customer's details are correct. Check the declaration acceptance, and select Submit • The Receipt page will display. The Next Steps section advises the documents the customer needs to provide <p>If this is the primary applicant of a joint application and other applications are being loaded, take note of the linking code and complete the process for any joint applications.</p> <p>See Step 1 in the Assessing an application for early release of superannuation table.</p>
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Assessing an application for early release of superannuation

Assessing an application for the early release of superannuation

Table 3: This table describes the initial steps in assessing a request for early release of superannuation when the customer has submitted an online application.

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Translation of documents

Requesting translation of documents for ERSB

Table 4: This table describes how to process documentation that requires translation.

Step	Action
1	Translation of documents + Read more ... Obtain an accredited English translation of any document received in a language other than English.
2	Request for translation + Read more ... Follow the Translation of documents process. Locate the Request for Translation (SS226a) form .

	Note: do not request the translation of an entire document unless all information is relevant. Be specific for example, rather than having an entire death certificate translated, ask for whatever information is needed in order to make a decision, such as the name of the deceased, date of death, cause of death, place and date of issue etc.
3	<p>Complete the form + Read more ...</p> <p>Complete the form using ERSB Office code C942821.</p> <p>For all ERSB document translations select Urgent Job box for the request to be completed within 5 working days.</p> <p>Scan the request and required document/s to be translated onto the customer's record. If scanning to a customer's record is not available, see Scanning not available.</p> <p>Allow 7 working days for a response.</p>
4	<p>Forward request for translation + Read more ...</p> <p>All request for translation details should be emailed to Early Release of Superannuation Benefits (ERSB) programme for reference and follow up action.</p>
5	<p>Return of translation + Read more ...</p> <p>See Return of Translation.</p>

References

This page contains links to legislation.

Legislation

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A, Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

[Australian Prudential Regulation Authority Act 1998, section 58, Protection from liability](#)

Resources

This page contains contact details, information to assist Service Officers in the Early Release of Superannuation Benefits (ERSB) programme assess, record and manage applications for early release of superannuation under compassionate grounds.

On this Page:

Suppressing ERSB letters

All requests to suppress ERSB letters must be referred to a Service Support Officer (SSO) using the normal escalation procedures.

If applicable the SSO escalates the issue to ICT (SAP Corporate Systems PSB) using the [ICT Service Desk form](#) 'SAP Outbound Correspondence Incident' with a 'High' Urgency. (Search 'Support Request' with keyword 'SAP')

The officer will add a **DOC** on the customer's record detailing the action being taken, including the relevant Service Desk (SD) number.

Escalating ERSB letter system issues

All ERSB letter system issues, for example an approval letter has not issued must be referred to a Service Support Officer (SSO) using the normal escalation procedures.

If applicable the SSO escalates the issue to ICT (SAP Corporate Systems PSB) using the [ICT Service Desk form](#) 'SAP Outbound Correspondence Incident' with a 'High' Urgency. (Search 'Support Request' with keyword 'SAP')

ICT will investigate and respond advising:

- a manual (Q999) letter is required or
- no further action is required because they were able to trigger or issue the required letter

The officer will add a **DOC** on the customer's record detailing the action being taken, including the relevant Service Desk (SD) number.

External links

[Searching for a Medical Practitioner](#)

[Legacy electronic Release of Benefits system \(eROBs\)](#) - (only accessible by staff with approved access)

[Australian Prudential Regulation Authority \(APRA\) lookup](#) (Superannuation fund search)

[XE website](#)

Contact details

[Early Release of Superannuation Benefits \(ERSB\) programme](#)

[Language Services Unit](#)

Staff not trained in ERSB under compassionate grounds may transfer customers' calls unannounced if the customer requests information about ERSB (compassionate grounds) using the following options available within Interaction Workspace (iWS) Softphone:

- application enquiries – **ERBa – ERSB Claim Enquiry**
- general enquiries – **ERBb – ERSB General Information**

Note: calls relating to ERSB under financial hardship must not be transferred to these queues. These must be dealt with at first contact using normal escalation procedures where required.

Human Services Website

[Early release of superannuation](#)

Response timeframes

Timeframes for response

The table below outlines the response in actioning work types.

Action	Timeframe
Action request	Up to 48 hours
Call back request	Up to 48 hours
Application prioritisation request	Up to 48 hours

Suggested Fast Note text

Use the Fast Note templates available in Customer First to place **DOCs** on the customer's record. **Note:** **DOCs** can be requested by external parties, do not copy departmental material such as Operational Blueprint processes, specific policy advice or training material.

Successful Contact

Called customer and advised not all minimum supporting documentation has been received. Advised customer they have until [date], [xx] days to provide or application will be rejected and they will need to reapply. Customer still needs to provide [insert what is required].

Unsuccessful Contact

Attempt to call customer was unsuccessful. If customer contacts please advise that we have not received all minimum supporting documentation and they must provide by [date] or their application will be rejected and they will need to reapply. Customer still needs to provide [insert what is required] advise customer that assessment cannot be made until we receive this information and once received an assessment will be made and the customer will be contacted if further information or clarification is required.

This information is for internal use ONLY. Copies of this information should not be given to customers or any other external organisation.



Australian Government
Department of Human Services

Determining dependency for early release of superannuation benefits under compassionate grounds 003-09010170

Currently published version valid from 24/10/2017 10:38 am

Background

This procedure may not be printed, broadcast or released externally. For contact details and more information, see [Information Publication Scheme](#).

This document outlines information on how to determine dependency in relation to a specific ground for early release of superannuation benefit.

Dependency

When a customer is applying for a dependant's expense, the dependency test defined in the Superannuation Industry (Supervision) (SIS) Act s10 must be applied. Not all compassionate grounds allow for expenses to be paid for a dependant. For example, mortgage assistance does not have provisions to apply for a dependant.

There is no discretion when applying the dependency test as it is clearly set out in legislation.

Where customers are applying to pay expenses for their dependants, only their partner or child are automatically considered dependant.

We define a child as:

- a biological child
- an adopted child, or
- a stepchild

For all other relationships, the customer must prove that they are in an interdependency relationship.

Evidence required

Further evidence is only required for a spouse or child in instances where the relationship is not clear. For example, where the child does not live at the same address and has a different surname. If there is not enough information within the supporting documentation to confirm the relationship, Service Officers may request a copy

of a birth certificate showing the customer is the parent of the dependant. In the case of spouse or partner where the relationship is not clear, a marriage certificate or evidence of a genuine domestic living arrangement such as a joint utility account should be requested.

Applications submitted where the customer is in an interdependency relationship must provide evidence that they live together and provide a statutory declaration outlining the nature of the relationship. For interdependency relationships, both the customer and their dependant must live together. When the 2 people do not live together further evidence needs to be provided as to why the living arrangements are separate. Legislation stipulates that the customer will meet the interdependency test if the reasons for living apart are due to temporarily working overseas or interstate, in prison or either or both suffer from a physical, intellectual or psychiatric disability.

The [Resources](#) page contains scenarios and a link to the Human Services Website for information on early release of superannuation benefits under compassionate grounds.

Related links

[Apply for early release of superannuation benefits under compassionate grounds](#)

[Early release of superannuation benefits under medical treatment and medical transport grounds](#)

[Early release of superannuation benefits under the modification of home/vehicle ground](#)

[Early release of superannuation benefits under the palliative care, death, funeral or burial grounds for dependants](#)

Process

This page contains information about determining dependency to meet an expense for early release of superannuation benefits under compassionate grounds.

Determining interdependency for early release of superannuation benefits

Assessing dependency and interdependency for early release of superannuation benefits

This table provides detailed information on assessing dependency and interdependency.

Item	Description
1	<p>Dependency evidence + Read more ...</p> <p>Where customers are applying to pay expenses for their dependants, only their partner or child are automatically considered dependant.</p> <p>Note: a child of the customer is an automatic dependant. A customer who is claiming for their parent however will need to prove that an interdependency relationship exists.</p>

2	<p>Interdependency evidence + Read more ...</p> <p>Customers applying for expenses other than their spouse or child must also provide evidence that an interdependency relationship exists.</p> <p>A statutory declaration must be provided with these applications advising the nature of relationship. All of the circumstances of the relationship must be included in the declaration and include (where relevant) all of the following information:</p> <ul style="list-style-type: none"> • Duration of the relationship • If there is jointly owned house or belongings • The commitment to a shared life • The care and support of children • The amount of emotional support • The public aspects of the relationship • Whether the relationship is permanent <p>Note: the statutory declaration needs to be tailored to a customer's individual circumstances and must include all dot points above that are relevant to the customer.</p> <p>Both the customer and their dependant must live together. Evidence of this must be provided, for example, utility accounts, bank accounts, drivers' licence showing address is the same.</p> <p>In cases where the customer and their dependant do not live together, a release can only be considered where they are not living together because of at least 1 of the following reasons:</p> <ul style="list-style-type: none"> • Temporarily working interstate or overseas • Detained in prison • Receiving care for physical/intellectual/psychiatric disability
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References

Links to the Federal Register of Legislation site point to a 'Series' page which lists all available historical versions. Navigate to the appropriate legislative reference(s) listed below by selecting the 'Latest' compilation at the top of the list.

[Superannuation Industry \(Supervision\) Regulations 1994, section 6.19A \(2\), Release of benefits on compassionate grounds](#)

[Retirement Savings Account Regulations 1997, section 4.22A, Release of benefits on compassionate grounds](#)

[Superannuation Industry \(Supervision\) Act 1993, section 6.01\(5\), Interpretation](#)

[Superannuation Industry \(Supervision\) Regulations 1994 - REG 1.04AAAA](#)

Resources

This page contains scenarios and a link to the Human Services Website for information on early release of superannuation benefits under compassionate grounds.

Scenarios

Scenarios for applying the dependency and interdependency test for early release of superannuation

This table contains scenarios for applying the dependency and interdependency test for early release of superannuation.

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Human Services Website

[Early release of superannuation](#)