

# DEATH BENEFIT – Nomination of Beneficiaries Form

The information contained in this form does not constitute general or individual advice. We strongly recommend that you seek professional advice from an appropriately qualified person before making any nomination.

## 1. Member Details

Full Fund Name	McLeary Superannuation Fund		
Surname	McLeary		
Given Names	Shirley	Date of Birth	06/01/1939
Address	54 Currong Street		
City /State /Post Code	Kenmore QLD 4069		
Home Phone	( )	Mobile	
Work Phone	( )	Email	

## 2. Nominated Beneficiaries

Please refer to the information overleaf before completing this form.

I wish to: ☐ Make a new nomination thereby revoking all prior binding or non-binding nominations

This is: ☒ A 3 year Binding Nomination  
☐ A Non-lapsing Binding Nomination  
☐ A Non-Binding Nomination

Who would you like your benefit to be paid to in the event of your death? (In the event that you want to nominate more than one beneficiary please provide an additional nomination ensuring the percentage of benefits does not exceed 100%)

### A. Beneficiary

Full Name	IAN ALFRED McLEARY		
Address	54 CURRONG ST		
City	KENMORE	State	QLD
Date of Birth	04/03/1938	Post Code	4069
Relationship to you (ie spouse, child, other financial dependant, interdependency relationship)	SPOUSE		
Percentage of Benefit	100 %		

OR ☐ Legal Personal Representative

In the event that above Nominated Beneficiary predeceases me please pay my benefit as follows:

☐ Legal Personal Representative  
☐ Alternate Beneficiaries – listed below

# DEATH BENEFIT – Nomination of Beneficiaries Form (continued)

## 1. Beneficiary

Full Name

Address

City  State  Post Code

Date of Birth

Relationship to you (ie spouse, child, other financial dependant, interdependency relationship)

Percentage of Benefit  %

## 2. Beneficiary

Full Name

Address

City  State  Post Code

Date of Birth

Relationship to you (ie spouse, child, other financial dependant, interdependency relationship)

Percentage of Benefit  %

## 3. Member Declaration

I acknowledge that I have read and understood the Important Information set out above and I agree to the terms contained therein.

Signature  Date

## 4. Binding Nomination – Declaration by Witnesses

Only complete this section if you wish to make a lapsing or non-lapsing Binding Nomination.

We declare that we are each over 18 years of age, that we are NOT nominated beneficiaries on this form and that this form was signed by the member in our presence.

Signature of Witness A	<input type="text" value="M. D."/>	Date Signed	<input type="text" value="31 / 01 / 2013"/>
Name	<input type="text" value="MARTIN REMUOS"/>	Date of Birth	<input type="text" value="21 / 11 / 1973"/>
Signature of Witness B	<input type="text" value="A. P."/>	Date Signed	<input type="text" value="31 / 01 / 2013"/>
Name	<input type="text" value="ANDREW PARKINSON"/>	Date of Birth	<input type="text" value="29 / 09 / 1981"/>

**\* \* \* \* IMPORTANT INFORMATION \* \* \* \***

(A PRECIS)

**Please Read the Following Information Carefully**

**Member Options**

You may choose to make either a **Binding, Non-lapsing Binding** or a **Non-binding** nomination. The differences between these types of nomination are set out below:

**A. Binding Nomination**

- Your valid **binding nomination** is a legal instruction to the Trustee/s to who the death benefit must be paid and the amount. The beneficiaries must be your 'dependants' and/or the Legal Personal Representative of your Estate.
- A binding nomination is valid for three years from the date it is made. The nomination will become a non-binding nomination after three years unless a new binding nomination is signed.
- A valid binding nomination must be signed by you in the presence of two witnesses who must each sign and date the declaration where indicated at the bottom of the form and state their full name and date of birth. **The witnesses must be over 18 and must not be nominated beneficiaries.**
- An invalid binding nomination will be treated as a non-binding nomination by the Trustee/s and will **NOT** revoke or replace an existing valid binding nomination.

OR

**B. Non-lapsing Binding Nomination**

- Your valid **non-lapsing binding nomination** is a legal instruction to the Trustee/s as per a binding nomination.
- A valid non-lapsing binding nomination is valid until revoked or replaced by the member.
- All other conditions as per binding nomination

OR

**C. Non-Binding Nomination**

- A **non-binding nomination** is an expression of your wishes to be taken into account knowing the Trustee/s has complete discretion in deciding who will receive the death benefit and the amount(s) that they will receive. The benefit may be paid to one or more of your 'dependants' in whatever proportion(s) the Trustee/s thinks fit **and/or** may be paid to the Legal Personal Representative of your Estate to be distributed in accordance with your Will.
- A non-binding nomination is valid for the whole term of Fund membership unless another valid nomination is lodged with the Trustee/s.
- A non-binding nomination does not need any witness signatures.

OR

**D. No Nomination**

- If you do NOT make a nomination, the benefit will be paid at the discretion of the Trustee/s to the dependant(s) and/or your Legal Personal Representative to be distributed as part of your Estate.

## DEATH BENEFIT – Nomination of Beneficiaries Form (continued)

### You Should:

- Read the Important Information section of this Form in full.
- Ensure the Trust Deed governing the Fund contains provisions for you to make the desired nomination and benefit payment method.
- Seek professional advice before making any nomination (either Binding or Non-Binding).
- Complete the Nomination of Beneficiaries Form.
- Complete Sections 1 and 2 then sign the form in Section 3.
- Complete Section 4 in the case of a Binding Nomination.
- Ensure the percentage totals exactly 100%.

### NOTE:

- The person/s who you nominate to receive the benefit must be a person/s who is a 'dependant' under the superannuation laws, which includes your spouse or de facto spouse, children and any person who is financially dependent on you at the time of death. The definition of dependant also includes interdependency relationships.
- If your nominated beneficiary (excluding a Legal Personal Representative) is not a dependant at the time of your death the nomination will no longer be binding, therefore leaving The Fund Trustee to exercise discretion while being aware that the prime purpose of superannuation is for your benefit in retirement or any remaining dependants in the event of your death. If foresight indicates a probability that it is unlikely that a proposed beneficiary may not be a dependent at some time in the future, it may be preferable to nominate the Legal Personal Representative of your Estate and have the death benefit distributed in accordance with your Will. This course of action may also be adopted if a non-dependant is to be nominated.
- You may revoke or change your nomination at any time by providing the Trustee/s with a new valid Nomination of Beneficiaries Form.

Please provide the *original* of this form (including the original of any photocopies of this Form made to accommodate additional beneficiaries) to the Trustee/s and *copies* of all aforementioned forms to your legal adviser and to:

**Cavendish Superannuation Pty Ltd  
GPO Box 9981  
Adelaide SA 5001**

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