



SUPERANNUATION



**Estate Planning**  
**that connects**  
**your head and**  
**your heart.**



Our superannuation is one of the most significant assets we have. We always assumed it would automatically go to who ever we listed and had no idea to make that binding we had to complete additional paperwork.

### *Death benefit nomination*

A death benefit nomination is how you formally advise the superannuation fund of your wishes for distributing your super after you have died.

You can nominate one or more of your dependants to receive your superannuation death benefit, or you can nominate your legal representative to distribute the benefit as part of your estate.

### *Why you need one*

Completing a binding death benefit nomination means the superannuation fund must distribute the benefits exactly as per your wishes and has no discretion to vary or override them.

### *How to organise your nomination*

As part of your estate plan we will check your most recent superannuation statement for your super fund's rules and other relevant information.

If you don't have a valid beneficiary in place we will organise the relevant forms or advise you in your Estate Planning Strategy what you need to do to finalise a nomination.

### *Who should I nominate?*

To remove any doubt, I encourage you to nominate your Legal Personal Representative (the person listed as your executor) as your sole superannuation death benefit beneficiary. This person will distribute the benefit as part of your estate to your beneficiaries or dependents.

#### **Is my super automatically part of my estate?**

Your super does NOT automatically form part of your estate, and no dependant has an automatic right to the benefit.

#### **I've listed my chosen beneficiaries to my super account online, is that enough?**

No. To ensure your superannuation is paid to your dependants you need to formally advise your superannuation fund by completing and lodging a **binding death benefit nomination form**.

#### **What happens if I don't complete the form?**

The trustee of your super fund will make the decision on your behalf whether they pay your nominated beneficiaries or not.

# ESTATE *YOUR* LAWYER

[yourestatelawyer.com.au](http://yourestatelawyer.com.au)

## DISCLAIMER

This publication contains comments of a general nature only and is intended to provide information. It is not intended to be relied upon as, nor is it substitute for specific professional advice. No responsibility can be accepted by Your Estate Lawyer or the authors for loss occasioned to any person doing anything as a result of any material in this publication.