

DEATH BENEFIT PAYMENT DEED		<i>Please complete all details in block letters</i>
Firm ordering (if applicable):		
Person ordering:		
Street address:		
Postal address (if different):		
Phone:	Email:	
Tick here <input type="checkbox"/> if we are to invoice the fund's trustee (otherwise, our invoice will be made out to the person ordering)		
Documents will be delivered by email as PDF files	Tick here <input type="checkbox"/> for hardcopy delivery (fee applies)	

NAME OF FUND
Name of SMSF:
Please provide a copy of the current deed which is dated (dd/mm/yyyy):
Was this SMSF established, varied or updated by DBA previously? <input type="checkbox"/> Yes <input type="checkbox"/> No
Please provide deed reference (eg, 1234:176026) (located on front of deed or cover letter): _____ : _____

COMPANY TRUSTEE			
Company name:			
ACN:			
Registered office:			
Full names of all directors			
T1		T2	
T3		T4	

OR, INDIVIDUAL TRUSTEES	
T1	Full name:
	Street address:
T2	Full name:
	Street address:
T3	Full name:
	Street address:
T4	Full Name:
	Street address:

SMSF MEMBERS	
M1	Full name: T1? <input type="checkbox"/>
	Street address:
M2	Full name: T2? <input type="checkbox"/>
	Street address:
M3	Full name: T3? <input type="checkbox"/>
	Street address:
M4	Full name: T4? <input type="checkbox"/>
	Street address:

MEMBERS APPLYING FOR DEATH BENEFIT PAYMENT DEED	
S1	Full name: M1? <input type="checkbox"/>
	Home address:
	Relationship: Spouse <input type="checkbox"/> De Facto <input type="checkbox"/> Other:
S2	Full name: M2? <input type="checkbox"/>
	Home address:
	Relationship: Spouse <input type="checkbox"/> De Facto <input type="checkbox"/> Other:

DEATH BENEFIT PAYMENT DEED OPTIONS	
OPTION 1	
<input type="checkbox"/>	<p>I would like documents that seek to ensure upon death:</p> <ul style="list-style-type: none"> any account-based pensions paid automatically revert to the surviving spouse up to the maximum amount under the TBC regime and the balance is provided as a lump sum <i>to the surviving spouse</i> if there is no surviving spouse, then to the deceased' estate <p>These documents will be prepared on the basis that the SMSF has a recent DBA Lawyers deed (if not, an additional cost for a deed update may be applicable).</p>
OPTION 2	
<input type="checkbox"/>	<p>I would like documents that seek to ensure upon death:</p> <ul style="list-style-type: none"> any account-based pensions paid automatically revert to the surviving spouse up to the maximum amount under the TBC regime and the balance is provided as a lump sum <i>to the deceased's estate</i> if there is no surviving spouse, then to the deceased' estate <p>These documents will be prepared on the basis that the SMSF has a recent DBA Lawyers deed (if not, an additional cost for a deed update may be applicable).</p>
See 'Disclaimers' on page 3	

Disclaimers

- We will assume that the fund members that are requesting the death benefit payment deed have the exact same wishes (*mutatis mutandis*). If different members have different wishes, further fees will apply.
- These instructions are for documentation only. We recommend a meeting with the members given the importance of the documentation, to ensure that the members understand the documents and the related legal aspects. We acknowledge that the members may not want to have a meeting (and we would charge additional fees for any meetings or extra attendances).

We are yet to receive express confirmation in recent times from the ATO that a non-reversionary pension can be made into a reversionary pension mid-stream. There is non-binding ATO material issued in 2013 that indicates that an account-based pension can be made reversionary mid-stream provided the deed and pension documents include the appropriate authorisation.

Relationship definitions:

- 1 A superannuation lump sum death benefit can generally only be paid to a dependant and/or LPR. A Dependant as defined under the *Superannuation Industry (Supervision) Act 1993* (Cth) ('SISA') and the *Superannuation Industry (Supervision) Regulations 1994* (Cth) can benefit under a death benefit payment deed. A dependant is a spouse, child (including an adult child) or someone who is financially dependent on or who was in an interdependency relationship with the deceased member.
- 2 A 'de facto' is defined in the SISA as a person who lives with another person on a genuine domestic basis as the spouse of the person.
- 3 A person is in an 'interdependency relationship' with a member if they live with the member as part of a close personal relationship with the member, and one or each of them provides the other with personal care and financial and domestic support. Alternatively, a person can also be in an interdependency relationship with the member if they are in a close personal relationship with the member, but do not satisfy the other criteria as either one or both of them suffer from a physical, intellectual or psychological disability.

SPECIAL INSTRUCTIONS

Please ensure clear and correct instructions are provided, as we are not responsible for any errors.

Note that DBA is not licensed to provide financial product advice under the *Corporations Act 2001* (Cth).