



Application for refund of contributions

1. Notes to employer

Please print clearly in black ink.

When to use this form

You should use this form if you have made contributions in error for a member and wish to have those contributions refunded to you.

Making a claim for a payment made in error

It is important to note that under Commonwealth Superannuation legislation, the Trustee of First State Super can only make a refund where it is satisfied that the payment has been made in error. For the Trustee to make a refund, evidence in the form of a valid statutory declaration setting out the circumstances for each payment made in error must be provided.

Please note that claims for payments which are more than 12 months old or which total more than \$10,000 cannot be processed without the member's consent.

Please also note that in some cases, it may not be possible to process a refund request. For example, if the member for whom the refund has been requested is no longer a member of First State Super, or there are insufficient funds available in the member's account, or if the member has stated they will not authorise the refund, the request will be declined.

The Trustee cannot arbitrate disputed claims for refunds. The Trustee only pays claims on the basis that Employers:

- accept full responsibility for any matters arising out of the payment of the claim, and
- agree to indemnify the Trustee immediately a refund is found to have been made improperly or is disputed by a member regardless of whether or not the member's right to the payment is established.

Your application for refund of contributions should be completed in full and returned to First State Super PO Box 1229 Wollongong NSW 2500.

2. Employer details

Employer name

Employer code

3. Member details

Member name

Member number

4. Overpayment details

Contribution period ended	Amount paid	Amount payable	Overpayment
DD / MM / YY	\$	\$	\$
DD / MM / YY	\$	\$	\$
DD / MM / YY	\$	\$	\$
DD / MM / YY	\$	\$	\$
Total overpayment			\$

5. Details of the refund claim

Please provide the following statutory declaration on how the overpayment occurred.

I, the undersigned (please PRINT your full name)

make the following declaration under the Statutory Declaration Act 1959 on behalf of (please PRINT the full name of the employer)

(the Employer)

1. The payment(s) made to the member's account (outlined in Section 4) was (were) made in error as a result of: (please ✓ tick one box):

Clerical, administrative or computer error;

A mistaken belief that:

the member was an employee and it was later found they were not;

a contribution had not been paid but it was later found it had been duplicated;

The contribution being paid to the wrong employee;

CONTINUES ON NEXT PAGE >

If you need help with this form: Contact Customer Service between 8:30 am and 5:30 pm AEST from Monday to Friday on **1300 650 873**

5. Details of the refund claim (continued)

- The contribution being paid to the wrong fund in respect of an employee;
- A mistake resulting from:
- the belief that the contribution was allowed by the Superannuation Industry (Supervision) Act or the Trust Deed for the Fund but is in contravention;
 - the belief that the contribution was required by an award or industrial instrument when that was not the case;
 - the contribution being debited from our account under a direct debit arrangement subsequent to a valid request for the arrangement to be cancelled.
- Other – please provide details

2. I make this Declaration on behalf of the Employer (please PRINT the full name of the employer)

and I confirm that I have the capacity and authority:

- to request this refund; and
- to sign this Declaration on the Employer's behalf.

By making this Declaration, I hereby acknowledge and agree that where the value of unit prices have decreased during the period between the payment and the claim, the amount refunded may be less than the contributed amount.

By making this Declaration I further acknowledge and agree that the Employer is fully accountable to the Trustee for any matters arising out of this claim and agree the Employer shall indemnify the Trustee against all costs, expenses and any other sums incurred arising out of the payment or administration of this claim or where a refund is found to have been paid improperly or is disputed by a member regardless of whether or not the member's right to the payment is established.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the Statutory Declarations Act 1959, and I believe that the statements in this declaration are true in every particular.

Signature of person making the declaration

Declared at (place)

on this date

before me:

Signature of person before whom the declaration is made (see notes on page 3)

Full name, qualification and address of person before whom the declaration is made

Signatory name (please PRINT full name)

Occupation/Public Notary status

Postal address

Suburb

State

Postcode

Notes:

1. A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the Statutory Declarations Act 1959.
2. Chapter 2 of the Criminal Code applies to all offences against the Statutory Declarations Act 1959 — see section 5A of the Statutory Declarations Act 1959.

[CONTINUES ON NEXT PAGE >](#)

6. Member authorisation

Member authorisation to be completed where the claim is for payments more than 12 months old or where the total overpayment is in excess of \$10,000.

I am the member referred to above and I authorise the amount to be deducted from my First State Super account.

Name (please PRINT your full name)

Signature

Date

Notes to applicants

A statutory declaration under the Statutory Declarations Act 1959 may be made before –

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

- Chiropractor
- Dentist
- Legal practitioner
- Medical practitioner
- Nurse
- Optometrist
- Patent attorney
- Pharmacist
- Physiotherapist
- Psychologist
- Trade marks attorney
- Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

- Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955)
- Bailiff
- Bank officer with 5 or more years of continuous service
- Building society officer with 5 or more years of continuous service
- Chief executive officer of a Commonwealth court
- Clerk of a court
- Commissioner for Affidavits
- Commissioner for Declarations
- Credit union officer with 5 or more years of continuous service
- Employee of the Australian Trade Commission who is:
 - (a) in a country or place outside Australia; and
 - (b) authorised under paragraph 3 (d) of the Consular Fees Act 1955; and
 - (c) exercising his or her function in that place
- Employee of the Commonwealth who is:
 - (a) in a country or place outside Australia; and
 - (b) authorised under paragraph 3 (c) of the Consular Fees Act 1955; and
 - (c) exercising his or her function in that place
- Fellow of the National Tax Accountants' Association
- Finance company officer with 5 or more years of continuous service
- Holder of a statutory office not specified in another item in this list

- Judge of a court
- Justice of the Peace
- Magistrate
- Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
- Master of a court
- Member of Chartered Secretaries Australia
- Member of Engineers Australia, other than at the grade of student
- Member of the Association of Taxation and Management Accountants
- Member of the Australasian Institute of Mining and Metallurgy
- Member of the Australian Defence Force who is:
 - (a) an officer; or
 - (b) a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service; or
 - (c) a warrant officer within the meaning of that Act
- Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
- Member of:
 - (a) the Parliament of the Commonwealth; or
 - (b) the Parliament of a State; or
 - (c) a Territory legislature; or
 - (d) a local government authority of a State or Territory
- Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
- Notary public
- Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
- Permanent employee of:
 - (a) the Commonwealth or a Commonwealth authority; or
 - (b) a State or Territory or a State or Territory authority; or
 - (c) a local government authority;with 5 or more years of continuous service who is not specified in another item in this list
- Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
- Police officer
- Registrar, or Deputy Registrar, of a court
- Senior Executive Service employee of:
 - (a) the Commonwealth or a Commonwealth authority; or
 - (b) a State or Territory or a State or Territory authority
- Sheriff
- Sheriff's officer
- Teacher employed on a full-time basis at a school or tertiary education institution

This page has been left blank deliberately