



 [Print whole section](#)

Access on compassionate grounds

Find out about accessing super early on compassionate grounds, what you need to do, how to apply.

Access on compassionate grounds – what you need to know

Eligibility criteria, required evidence, what you need to do before applying to access super on compassionate grounds.

Expenses eligible for release on compassionate grounds

What expenses are eligible and what evidence you need to access super on compassionate grounds.

How to apply for release on compassionate grounds

How to apply for early release of super on compassionate grounds and what to expect.

QC 73096

Access on compassionate grounds – what you need to know

Eligibility criteria, required evidence, what you need to do before applying to access super on compassionate grounds.

Last updated 2 August 2023

Overview

There are limited circumstances where you can access your super on compassionate grounds to meet unpaid expenses for you or your [dependant](#). Under the law, the ATO has no discretion to vary the conditions under which you can access your super early.

You may be able to have super released on compassionate grounds to meet unpaid expenses for:

- medical treatment for you or your dependant
- medical transport for you or your dependant
- modifying your home or vehicle to accommodate special needs arising from your or your dependant's severe disability
- palliative care for your or your dependant's terminal illness
- death, funeral or burial expenses for your dependant
- preventing foreclosure or forced sale of your home

See **Expenses eligible for release on compassionate grounds**.

These circumstances **do not include** meeting general day-to-day expenses in hardship situations. In these situations, you may be able to access your super, but there are different rules, and you apply directly to your super fund (see **When you can access your super early**).

When you apply, ensure you attach all the required evidence so your application can be assessed as quickly as possible. Applications that are not accompanied by all the required documentary evidence may be delayed or not approved.

As your application may not be approved, we recommend you wait for the outcome and receive payment from your fund **before** you book the treatment or services you have applied for.



Things to consider

Accessing your super early will reduce your super balance. This may affect your:

- future retirement income
- income protection insurance
- life and total and permanent disability insurance cover
- family tax benefit
- child support payments.

Make sure you understand your options and the financial impacts of accessing your super before applying. Consider getting financial advice.

You can start with these free services:

- Centrelink's [Financial Information Service](#)  can inform and educate you about financial matters.
- ASIC's [Moneysmart](#)  has helpful information about seeking financial advice.

How tax applies

The super you withdraw on compassionate grounds is paid and taxed as a normal super lump sum (see **Tax on super benefits**). The tax rate depends on various factors, including your age, your preservation age and the components of the super lump sum.

Super that is released early will generally count towards your assessable income for income tax purposes. You need to include any taxable amounts in your tax return.

What you need to do before applying

Before you apply for early release of super on compassionate grounds, work through these steps to check what you need to do:

- If you're seeking to access your super to pay for an expense for yourself, you'll need to find out if you're [eligible](#).
- If you're applying to pay for [someone else's expenses](#), there are additional eligibility requirements.

- If you meet the eligibility requirements you'll then need to understand what [evidence](#) you need to provide.

Contact your super fund

Before applying to us for compassionate release of your super, contact your super fund to

- confirm they will release your super early on compassionate grounds
- confirm there is sufficient money in your account to cover both the expense and the tax withholding amount (which generally is up to 32% of the amount being withdrawn)
- check if there will be any fees for releasing your super early under compassionate grounds
- understand the implications on any insurance attached to your accounts.

If you're a member of an **exempt public sector super scheme**, do not apply to us unless your scheme has directed you to. In most cases, you'll need to apply directly to your scheme for early release of super. These schemes are subject to state and territory laws on early release of super.

If you have a **self-managed super fund (SMSF)**, you still need our approval to access your super early under compassionate release of super. Be aware that some advisers claim you can get early access to your super by transferring it into a SMSF. These schemes are illegal and there are heavy penalties if you participate (see **Illegal early access to super**).

Eligibility for compassionate release of super

We can only approve a release of your super if you meet all the conditions listed below:

- Condition 1 – you are or have been a citizen or permanent resident of Australia or New Zealand.
 - If you **are currently** a temporary resident, you cannot meet this condition and you're **not** eligible to apply.

- If you **were** a temporary resident and are not a current Australian or New Zealand citizen or permanent resident, you cannot meet this condition and you're **not** eligible to apply (but you may be eligible to be paid your super in the form of a **Departing Australia superannuation payment**).
- Condition 2 – you meet the eligibility requirements of the specific compassionate ground that you're applying for (see **Expenses eligible for release on compassionate grounds**).
- Condition 3 – you have not yet paid the expense. We can only approve a release on compassionate grounds for unpaid expenses. If you've already paid the expense, you don't meet the eligibility requirements.
- Condition 4 – you can't afford to pay part or all of the expense without accessing your super. That is, you can't pay the expense by:
 - getting a loan
 - using your savings or a credit card
 - selling shares, investments, or assets
 - accessing funding through other means (such as the National Disability Insurance Scheme).
- Condition 5 – you provide all required supporting evidence and **unpaid** invoices or quotes, including any documentary evidence required to show you're in a dependant relationship with someone when you're applying to pay an expense for them.

Accessing super to pay expenses for someone else

If you're seeking to access your super to pay an expense for another person, you must have a dependent relationship with that person.

If your relationship meets the requirements of an [interdependent](#) or [substantially financially dependent](#) relationship, you need to provide evidence of the relationship.

Who is a dependant

A person can be considered your dependant if they meet the criteria for one of the categories below:

- your spouse
- your child
- any other person you are in an interdependent relationship with
- a person who is substantially financially dependent on you.

Read the information below to determine if your relationship meets the relevant criteria and to understand the additional evidence you need to provide.

Applications submitted with incomplete evidence will be delayed or not approved.

Spouse

We define a spouse as someone who is either:

- legally married to you
- a person who is recognised as being in a registered relationship with you under a state or territory law
- not legally married to you but lives with you on a genuine domestic basis in a relationship as a couple.

If you're applying to pay for the expense of your spouse, you're not required to provide any additional evidence with your application.

Child

A child is someone less than 18 years old.

To be considered your dependent, the child must be either your:

- biological child
- adopted child
- stepchild
- child of your spouse
- a child within the meaning of the *Family Law Act 1975*.

If you're applying to pay for the expense of your child who meets the above criteria, you're not required to provide any additional evidence

with your application.

If your application is to pay for the expenses of your child who is 18 years or older, you'll need to satisfy that an interdependent relationship or a substantially financial dependent relationship exists between you and your child.

Interdependent

An interdependent relationship is a relationship between 2 people which meets all the conditions below:

- they have a close personal relationship
- they live together
- one or both provides financial support to the other
- one or both provides domestic support and personal care to the other.

You may also be considered to have an interdependent relationship if you have a close personal relationship but live apart temporarily. For example, one or both of you are:

- temporarily working or studying interstate or overseas
- detained in prison
- receiving care for a physical, intellectual, or psychiatric disability.

Evidence

To show that you are in an interdependent relationship with another person, you need to provide:

- documents showing you both live at the same address. Note: If you're temporarily living apart, your documents need to show that you normally live together and why you are temporarily living apart.
 - this could be a joint bank statement or a phone or utility bill for example.
- evidence of the financial support provided
 - this can include bank statements from both people that clearly shows payments to the other person or made on their behalf

- a statutory declaration, detailing all of the circumstances of the relationship between the persons, including (where relevant)
 - the duration of your relationship
 - whether or not a sexual relationship exists
 - the degree of mutual commitment to a shared life
 - ownership, use and acquisition of property
 - the care and support of children
 - the public aspects of your relationship
 - the degree of emotional support provided to each other
 - the degree to which the relationship is one of mere convenience; and
 - any information that indicates you intend for the relationship to be permanent.

To download a Commonwealth statutory declaration form, see [How to complete a statutory declaration](#) .

Example: evidence to support interdependency

Alix makes an application for compassionate release of super to modify her home to accommodate her adult son's special needs arising from a severe disability. To support her application that her son is a dependant both Alix and her son provide:

- a statutory declaration that:
 - they have shared and continue to share a close and personal relationship for over 2 years
 - they have lived together for more than 2 years
 - they provide domestic support in the form of cleaning and cooking and emotional support to each other given they have no other living relatives
 - due to her son's disability, he cannot live on his own and therefore they intend the current situation to be permanent.

- electricity bills confirming they live at the same address
- copies of bank statements showing that Alix has provided for the last eight years, and continues to provide, financial support of \$100 a week to her son. As they live together Alix is also able to show that she pays for all bills, and everyday expenses for her and her son.

In this case we are satisfied that an interdependency relationship exists between Alix and her son.

Substantially financially dependent

A person is substantially financially dependent on another where one person is unable to meet their normal living expenses without the financial support of the other person. Your application needs to include information and financial documents that show:

- you make regular, continuous, substantial financial payments to, or on behalf of, the other person for a significant period
- these payments cover all or a substantial portion of the person's normal living expenses
- the person would be unable to afford their normal living expenses without these payments (such as groceries, mortgage/rent, transportation costs, utility bills and medical expenses).

Evidence

To prove you're in a substantially financially dependent relationship with another person, you need to provide:

- a written statement or letter (this can include a statutory declaration) from yourself or the dependant that includes the following information about the relationship
 - how regularly financial support is provided
 - the value of financial support provided
 - the duration of the financially dependent relationship
 - whether the other person's normal living expenses are financed by these payments

- the level of reliance the other person has on the financial support provided
 - whether the other person has any other sources of income and, if so, the value
 - any other information that supports the relationship.
- financial documents that
 - support the written statement or letter and clearly demonstrate that you financially support the other person to meet their normal living expenses (such as groceries, mortgage payments or rent, transportation costs, utility bills, medical expenses) on a regular basis for a significant period
 - show the other person could not meet their living expenses without your financial support.

Financial documents that can demonstrate the financial support include:

- your and the other person's bank statements for the same period, showing:
 - the transfer and receipt of money to, or on behalf of, the other person
 - how the money is used to fund the other person's normal living expenses
 - any income the other person is receiving
- receipts for expenses you have paid on behalf of the other person
- documents detailing any employment payments or government assistance provided to the dependant that show any other income they have.

Example: evidence to support substantial financial dependency

Dev makes an application for compassionate release of super for medical treatment for his mother. Dev and his mother share a close relationship and he supports his mother financially. They don't live together. To support a substantially financial relationship, Dev provides us with:

- copies of bank statements from himself and his mother showing fortnightly transfers of money to support his mother. His mother used the money transferred by Dev to buy essential everyday living expenses. This arrangement has been occurring for more than 12 months. The bank statements also show that Dev's mother does not receive any other income or financial assistance
- copies of receipts for shopping expenses, medical expenses, and rent payments that Dev has been paying for his mother for more than 12 months
- statutory declarations from both Dev and his mother detailing the financial support Dev provides to his mother, and how his mother wouldn't be able to maintain a basic standard of living without the support Dev provides. The supporting bank statements and receipts substantiate the statutory declarations provided by both Dev and his mother.

Given the breadth of supporting material provided by Dev and his mother, we're satisfied that a substantial financial dependency relationship exists.

Evidence requirements

You must provide evidence relevant to the **specific ground** on which you're applying for compassionate release and where relevant to show that someone is your [dependant](#).

If you don't provide the right evidence your application will be delayed or not be approved.

The following requirements apply to all the evidence and information that you provide:

- If you submit your application online, you need digital copies of the required evidence. We accept photos of documents. Supported file

formats are PDF, gif, jpeg and png. We **do not** accept screen shots of text messages or emails.

- Our system will not accept more than 20 attachments and 10 MB per attachment.
- If you submit a paper application, you need to ensure you provide copies of your documents. **Do not provide original documents** as these will not be returned.
- Where your evidence, including quotes/invoices or registered medical practitioner/specialist reports, are written in a language other than English, you will need to have it translated. The translator must be accredited by the National Accreditation Authority for Translators and Interpreters ([NAATI](#) [↗](#)).
- Don't include images of a disturbing nature to support your application as they're not necessary to assess your application.
- We may undertake checks with your providers to validate evidence provided in your application, including where missing or additional information is required. This includes contacting service providers to validate invoices, quotes, or medical reports.

Quotes and unpaid invoices

Under each ground we also need to see evidence of **unpaid** expenses that show the amounts you're seeking to release from your super account. This can include an itemised quote or an unpaid invoice that shows the amount and a description of each component.

Unpaid invoices and quotes must:

- include an itemised list of expenses and their respective costs.
Lump sum quotes or invoices will **not** be accepted
- include the provider's name and contact details
- be on the provider's letterhead
- be addressed to you, or your dependant if you are applying for them
- be dated
 - no more than six months old for quotes
 - no more than 30 days old for unpaid invoices

- be converted to Australian dollars if they're in a foreign currency, at the exchange rate at the time you apply. If we approve your application, we won't recalculate the conversion at the time of approval.

QC 60034

Expenses eligible for release on compassionate grounds

What expenses are eligible and what evidence you need to access super on compassionate grounds.

Last updated 2 August 2023

Overview

Early access to your super on compassionate grounds is available only for the specific unpaid expenses listed on this page.

Make sure you meet the general **eligibility conditions** before working out whether your expense is eligible for payment under early release on compassionate grounds.

This page explains:

- the categories of expenses that are eligible for release on compassionate grounds
- the eligibility criteria for each category
- the evidence you need to provide for each expense category
- any additional requirements you have to meet.

Ensuring you have all of the evidence you need before you submit your application will enable it to be assessed in the quickest time possible. Applications not accompanied by all the required documentary evidence may be delayed or not approved.

Medical treatment

You may be eligible to release some of your super to pay for unpaid medical treatment expenses for you or your dependant.

Alternative options for payment

You may not need to access your super to pay the full amount of the medical treatment expense. You may receive a rebate from Medicare or your private health insurer, and it may be paid directly to your medical practitioner.

It's important to talk to your medical practitioner, Medicare, or your private health insurer to find out:

- what costs you have to pay yourself
- how much, if any, of the expense Medicare or your private health insurer will cover
- whether you can enter into a payment plan to pay for the treatment.

You should also find out if the rebate can be paid directly to your medical practitioner.

The out-of-pocket expenses should be listed on the quote or invoice.

What is medical treatment?

For the purposes of release on compassionate grounds, medical treatment is the application of medicines or the practice of medicine to a person, such as surgery or psychotherapy.

The medical treatment must meet both of the following eligibility conditions:

- Eligibility condition 1: you or your dependant must require the medical treatment to either:
 - treat a life-threatening illness or injury
 - alleviate acute or chronic pain
 - alleviate acute or chronic mental illness.
- Eligibility condition 2: the medical treatment is not readily available through the public health system.

Eligible treatments

Expenses for the following medical treatments may be eligible where specific evidence is provided:

- surgery
- psychiatric treatment
- medicinal drugs
- in vitro fertilisation treatments
- dental treatment

Ineligible treatments

The following expenses are generally not considered medical treatment because they're general personal expenses:

- payment of household bills and general living expenses such as rent and utilities
- payment of outstanding debts such as credit card debts or bank loans
- holidays, health retreats, spa treatments and gym membership
- administration fees charged by a third party to help you prepare your application
- cosmetic procedures that are not required to treat a life-threatening illness or alleviate acute or chronic pain or mental illness.

Other expenses that are generally not eligible include:

- treatment not related to [Eligibility condition 1](#)
- treatment that a registered medical practitioner does not consider necessary to [Eligibility condition 1](#)
- treatment for potential conditions – that is, medical conditions you may develop in the future but don't currently have.

Evidence

You must provide:

- a quote (no more than 6 months old) or unpaid invoice (no more than 30 days old)

- 2 medical reports
 - one from a registered medical specialist who is a specialist in the area that you're applying to have medical treatment for (see 'Relevant medical speciality' below)
 - one from either a registered medical practitioner or another registered medical specialist.

If you're applying to pay an expense for another person, you may need to provide evidence that you're in a **dependent relationship** with them.

Examples of relevant medical specialist

If you are applying for treatment of:

- an acute or chronic mental illness, your application must include a medical report from a psychiatrist
- a life-threatening illness or injury, one medical report must be from a registered medical specialist whose speciality is relevant to the life-threatening illness or injury. For example, if you're applying to pay for an expense to treat cancer, the specialist will be an oncologist.

Note that allied professionals, such as physiotherapists, psychologists and podiatrists, are **not** considered registered medical practitioners or medical specialists.

Medical reports

The reports must clearly explain:

- detailed information relating to your, or your dependant's, specific condition and how it's a life-threatening illness or injury, acute or chronic pain or mental illness
- what the medical treatment is to treat the condition
- why it's necessary for you or your dependant to undertake this medical treatment
- how the medical treatment will either:
 - treat your, or your dependant's, life-threatening illness, or injury
 - alleviate your, or your dependant's, acute or chronic pain

- alleviate your, or your dependant's, acute or chronic mental illness
- that the medical treatment you or your dependant needs to treat the condition in [Eligibility condition 1](#) is not readily available through the public health system.

If you or your dependant normally live in Australia and need to travel overseas for treatment, your registered medical practitioner in Australia also needs to advise why you or your dependant cannot have the treatment in Australia.

The medical practitioner reports must be completed, signed, and dated less than 6 months before you submit your application.

If your medical treatment is occurring in stages or over multiple cycles, your medical reports need to specify the number of cycles or stages required. When submitting applications for subsequent cycles or stages, you can include the same medical reports provided they were completed no more than 6 months before you submit your application. Where the treatment is occurring within 6 months of the medical report, you will need to provide evidence that the prior stage of treatment was completed and paid.

You should ask your registered medical practitioners to use our **medical report form** to ensure they provide all the information we need. **Guidance for medical practitioners** provides further information on what is required.

If the medical reports are incomplete or don't contain enough information, processing of your application may be delayed or it may not be approved.

Quotes or invoices

To assess your application, we'll also need to see evidence showing the unpaid amount of out-of-pocket expenses that you're seeking to release from your super account.

This can be an itemised quote or an unpaid invoice that shows the amount and a description of each part of the treatment. If applicable, information about the frequency of your medical treatment with costs for each stage/appointment should be included.

Where there are multiple elements to your medical treatment, a quote or unpaid invoice showing a single cost will be insufficient. The elements must be itemised.

If your quote or unpaid invoice is incomplete or doesn't meet the **evidence requirements**, processing of your application may be delayed or it may not be approved. You may also be required to provide further evidence to support your application.

Additional evidence for certain treatments

In vitro fertilisation (IVF) treatments

If you're applying for IVF treatments to treat an acute or chronic mental illness, your application will require a medical report from a psychiatrist and a registered medical practitioner.

If you apply for a second or later IVF treatment, you'll need to provide a new or updated quote in each subsequent application. However, the same medical report can be used so long as it was completed no more than 6 months before you submit your application.

If your IVF treatment requires human donor gametes or human embryos, your medical reports will need to support the need for these expenses. Your invoice will also need to include a statement from the provider advising that they were acquired altruistically and comply with the relevant law and guidelines. If acquired from overseas, further evidence may be required.

If your application includes third party medical expenses, both medical reports must certify that medical treatment for a third-party forms part of your or your dependant's necessary medical treatment.

Dental treatment

If you're applying for dental treatment you need to provide a report from a registered medical practitioner and a report from a dental practitioner to certify the medical treatment required.

In this case, we also require:

- a copy of your treatment plan with details of all stages of the treatment
- an itemised quote or an unpaid invoice.

Treatment occurring over multiple stages

If you're applying for treatment that is occurring over multiple stages, we may only approve the costs relating to the initial stage of your treatment.

Where you have been approved for the initial stage of a treatment and are submitting another application to pay for subsequent stages, you'll need to provide evidence verifying that the:

- initial stage has been completed and paid for, and
- next stage is still required.

Example: dental treatment over multiple stages

Tyrell makes an application for compassionate release of super to pay for dental treatment. He includes certification from a dental surgeon and his general practitioner which specifies that Tyrell has chronic periodontal disease which is causing him chronic pain. The medical reports also specify that surgical treatment is required to alleviate Tyrell's condition, including the removal of several existing teeth over multiple stages.

Tyrell includes an invoice which details expenses for surgical periodontal treatment and anaesthetist expenses. Tyrell also includes a treatment plan which reflects these treatments will occur in 2 stages, 3 months apart.


In this case we can only approve amounts to be released from super which relates to the first stage of treatment. After Tyrell has undergone the first stage of treatment, he can apply for the second stage if he still requires access to super to pay for the expense.

Medical transport

You may apply for compassionate release of super to pay for medical transport for you or your dependant.

If you also need to access your super to pay for medical treatment, you can apply for medical transport in the same application.

Alternative options for payment

All Australian states and territories have patient assisted travel schemes to help people in rural and remote areas with the costs of travel for specialist treatment. These schemes may also be able to assist with accommodation costs and travel expenses for carers. Find out more about these schemes in your state or territory at [health direct](#) .

Some private health insurers offer travel and accommodation benefits. You can check your policy to see what's included.

The [Medical Treatment Overseas Program](#)  (MTOP) may provide financial assistance for Australians suffering from a life-threatening medical condition to receive treatment overseas where effective treatment is not available in Australia.

What is medical transport?

Medical transport means transport by land, water, or air to attend medical treatment. The medical treatment you require transport for must meet the following 2 eligibility conditions:

- Eligibility condition 1: you or your dependant must require medical treatment for one of the following reasons:
 - treat a life-threatening illness or injury
 - alleviate acute or chronic pain
 - alleviate acute or chronic mental illness.
- Eligibility condition 2: you have no other means to pay for transport to attend your or your dependent's medical treatment.

We will only approve the most cost efficient and reasonable medical transport option available.

Expenses that may be eligible

Expenses that may be eligible include costs for transport required to access medical treatment, including:

- public transport such as a bus, train, or ferry
- government or non-government providers offering medical transportation services on a fee-for-service basis or ambulance
- hire car, private taxi, or ride share

- domestic flights, international flights, or air ambulance
- goods or services directly associated with travelling somewhere to obtain medical treatment such as the cost of parking, road tolls or fuel
- [purchasing a vehicle](#) (new or second hand) where its primary use (at least 60%) will be for medical transport, and other means of transport cannot reasonably be used.

When assessing release, we'll consider the:

- frequency of required medical treatment
- period in which the treatment is required
- distance to treatment locations
- any other information provided.

In some cases, we may also consider whether there are less expensive options to meet your medical transport needs.

Expenses that are not eligible

Expenses that are not eligible include:

- transport that is mainly for personal reasons such as accommodating a large family or holiday expenses
- difficulty paying a vehicle loan
- costs of vehicle options such as tinted windows or metallic paint unless they are specifically medically required
- unreasonable costs, for example, first class flight tickets when you or your dependant can fly economy.

Evidence

You must provide:

- a quote (no more than 6 months old) or **unpaid** invoice (no more than 30 days old)
- 2 medical reports, one from
 - a registered medical specialist who is a specialist in the area of the medical treatment for which you require the medical transport

- either a registered medical practitioner or another registered medical specialist

Examples of the appropriate registered medical specialist to provide medical reports for some treatments are shown below. If you apply for treatment of:

- an acute or chronic mental illness, your application must include a medical report from a psychiatrist and also detail why medical transport is necessary
- a life-threatening illness or injury, one medical report must be from the registered medical specialist that relates to your illness or injury and why medical transport is necessary. That is, if the application is to pay for an expense to treat cancer, the specialist will be an oncologist.

Note that allied professionals, such as physiotherapists, psychologists and podiatrists are **not** considered registered medical practitioners or specialists.

If you're applying to pay an expense for another person, you may need to provide evidence that you're in a **dependent relationship** with them.

Medical reports

The reports must clearly provide:

- detailed information about your, or your dependant's, specific condition and how it is a life-threatening illness or injury, acute or chronic pain or mental illness
- what the medical treatment is to treat the condition
- why it's necessary for you or your dependant to undertake this medical treatment
- how the medical treatment will:
 - treat your, or your dependant's, life-threatening illness, or injury
 - alleviate your, or your dependant's, acute or chronic pain
 - alleviate your, or your dependant's, acute or chronic mental illness

- details of the locations, frequency, and duration of the treatment. If you're applying for **both** medical treatment and medical transport, you can use the same medical practitioner reports. At least one report must provide details of the locations, frequency, and duration of the treatment.
- details of any medical conditions that impact your transport needs.

If you or your dependant normally live in Australia and need to travel overseas for treatment, your registered medical practitioner in Australia also needs to advise why you or your dependant cannot have the treatment in Australia.

The medical practitioner reports must be completed, signed, and dated less than 6 months before you submit your application.

Ask your medical practitioners to use our **medical report form** to ensure they provide all the information we need. If they're unsure how to complete this form, they can refer to information here and to **guidance for medical practitioners**.

If the medical reports are incomplete or do not contain enough information, processing of your application may be delayed or it may not be approved.

Quotes or invoices

You will need to provide quotes or **unpaid** invoices that set out the cost of the medical transport options that are available to you. Before we approve any release, we will consider the most cost efficient and reasonable transport options.

If your quote or unpaid invoice is incomplete or doesn't meet the **evidence requirements**, processing of your application may be delayed or it may not be approved. You may also be required to provide further evidence to support your application.

Additional evidence for certain transport options

If you consider that some transport options are not available to you or you have additional transport needs, your evidence needs to include supporting information. For example, you may have:

- a medical condition that limits your ability to access public transport, in which case your medical reports will need to include supporting information

- a medical condition or treatment that requires another person to travel with you, in which case your medical reports will need to include supporting information
- limited access to transport options where you reside, in which case you need to advise us of this in your application and provide any supporting evidence.

Purchasing a vehicle

We'll only approve the purchase of a second hand or new vehicle when all other means of transport cannot reasonably be used, or it's the most economical option.

You should consider if your existing vehicle can be used for medical transport. If your vehicle is not suitable, your quote or unpaid invoice will need to include the trade-in value of your current vehicle, to ensure the appropriate amount is considered for release.

If you're applying for a vehicle that costs more than \$20,000, your application needs to include additional evidence from your medical practitioner as to why that specific vehicle is required, including why a lower value vehicle would not be suitable. This will only be approved where it is medically required or would mean that you could not otherwise reach the locations of your medical treatment.

Flights for treatment

If you're applying for flights for you or your dependant, we'll only approve the cost of an economy ticket unless a registered medical practitioner provides details about why a higher class of tickets is medically necessary.

Example: purchasing a vehicle

To attend medical treatment, Mary applies for compassionate release of super to purchase a car worth \$18,000. Mary has provided medical reports from her general medical practitioner and a medical specialist which certify that Mary: suffers from chronic pain, and it's necessary for her to attend medical treatment once a fortnight for the next 6 months.

The medical report states that the distance required to be travelled is a 20 km round trip. This equates to a total of

240 kilometres. Mary also states that she could take a taxi to her appointments; however, she would prefer a car to continue using for her personal use after her treatments finish. She provides quotes for the taxi and the car. The taxi will cost \$526 over the relevant period.

In this case a taxi may be the most suitable form of transport for Mary, given that the cost of a taxi fares would be less than the cost of a vehicle.


Though Mary may prefer to purchase a car, this is not relevant to her ability to attend medical treatment.

Modifying your home or vehicle to accommodate a severe disability

You may be eligible to release some of your super to pay for **unpaid** expenses to modify your home or vehicle to accommodate your or your dependant's special needs arising from a severe disability.

Alternative options for payment

You may have other options to pay for expenses to accommodate special needs arising from your or your dependant's severe disability, including:

- support via the National Disability Insurance Scheme (NDIS)
- access to hearing services via the [Australian Government Hearing Services Program](#) 
- states and territory support for disability services.

Accommodating special needs arising from a severe disability

If you're applying to modify your home or vehicle to accommodate special needs arising from a severe disability, you must meet these 3 conditions for your expense to be eligible:

- Eligibility condition 1: You or your dependant have special needs arising from a severe disability – that is, a severe physical or mental impairment that limits one or more functional capabilities such as

mobility, communication, and self-care, causing substantial functional limitation in everyday activities.

- Eligibility condition 2: You are seeking a modification to either your own
 - home – that is, the place where **both** you and your dependant permanently live or reside. It can't solely be your dependant's home.
 - vehicle – it can't be your dependant's vehicle.
- Eligibility condition 3: The modification is to accommodate your or your dependant's special needs
 - We can only consider modification expenses that specifically accommodate you or your dependant's special needs. Everyday expenses or items not specifically related to accommodating the special needs arising from the severe disability are unlikely to be approved.
 - The modification to your home may include changes to the structure, layout, or fittings to make your home more accessible to accommodate your or your dependant's special needs arising from a severe disability.
 - Your vehicle may be modified; for example, to allow wheelchair access or include hand controls.

Other expenses to accommodate a severe disability

You may be eligible for a release under compassionate grounds for specific expenses if you meet the 2 eligibility conditions below:

- Eligibility condition 1: You or your dependant have special needs arising from a severe disability
 - A severe disability refers to a severe physical or mental impairment which limits one or more functional capabilities such as mobility, communication, and self-care, causing substantial functional limitation in everyday activities.
- Eligibility condition 2: You are applying for an expense that will accommodate the special need.

The following expenses may be eligible if the above 2 eligibility conditions are met:

- purchasing disability aids or assistive technology
- purchasing a modified vehicle where your existing vehicle is unable to be modified
 - You should consider if your existing vehicle can be used for medical transport. If your vehicle is not suitable, your quote or unpaid invoice will need to include the trade-in value of your current vehicle, to ensure the appropriate amount is considered for release.

Expenses that may be eligible

Expenses to modify your home could include:

- installation of ramps both inside and outside the home
- installation of handrails
- adjustment to heights of kitchen cabinetry
- changes to bathroom fixtures and fittings to make them more accessible.

Expenses to modify your vehicle could include:

- installation of a wheelchair ramp or hoist/lift
- installation of an automatic gearbox
- replacement of pedals with levers or hand controls
- changes to car seating
- installation of sensors.

Expenses that are not eligible

Expenses that are not eligible include:

- everyday living expenses
- general renovations or changes to your home or vehicle that are not specifically related to accommodating special needs arising from a severe disability.

Evidence

You must provide:

- a quote (no more than 6 months old) or **unpaid** invoice (no more than 30 days old)
- a medical report from a registered medical practitioner or specialist.

If you have a report from an occupational therapist, you can also attach this to support your application.

If you're applying to pay an expense for another person, you may need to provide evidence that you're in a **dependent relationship** with them.

Medical reports

The report must clearly specify:

- details of your or your dependant's disability and its severity, including the special needs that need to be accommodated
- the expense required to accommodate special needs arising from your or your dependant's severe disability
- how each expense on the **unpaid** invoice/quote will accommodate the special needs

The report can also detail whether you have access to NDIS funding for the expense.

The medical practitioner report must be completed, signed, and dated less than 6 months before you submit your application

You should ask your medical practitioner to use our **medical report form** to ensure they provide all the information we need. If they're unsure how to complete this form, they can refer to this page and to **guidance for medical practitioners** for further information on what is required.

If the medical reports are incomplete or don't contain enough information, processing of your application may be delayed or it may not be approved.

Quotes or invoices

To assess your application, we will also need to see evidence showing the **unpaid** expenses that you're seeking to release from your super account.

You must provide an itemised quote or an unpaid invoice that specifies each expense required to accommodate the special needs arising from the severe disability.

Where there are multiple expenses required, a quote or unpaid invoice showing a single cost will be insufficient. These elements must be itemised.

If you're applying to modify your home or vehicle, the quote or invoice must be addressed to you as the owner of the home or vehicle. If any of the expenses are being funded by NDIS, please note this on the invoice or quote.

If your quote or unpaid invoice is incomplete or doesn't meet the **evidence requirements**, processing of your application may be delayed or it may not be approved. You may also be required to provide further evidence to support your application.

Additional evidence for modifications to your home

If you're applying to modify your home, you also need to provide evidence that the property is your principal place of residence. This can be a utility bill (for example, gas, or electricity bill) less than 3 months old, in your name that shows the address of the property.

If you're renting the property you're applying to modify, your landlord must provide written consent to the proposed changes.

Example: modification to home

Chris makes an application for early release of super to modify his home to accommodate the special needs of his 6-year-old daughter as she has a severe disability.

He has provided a report from his general practitioner advising that:

- his daughter has cerebral palsy which is a severe disability
- due to his daughter's disability, Chris' home has to be modified with ramps outside the home
- the ramps will allow access for his daughter's wheelchair into and out of his home

- NDIS funding is not available for the construction of the ramps.

Chris has also provided a quote, which includes his home address, detailing the cost of the construction of the ramp. He also provides an electricity bill which details his home address.

In this case we can make a determination to release super for the construction of ramps to Chris' home to accommodate the special needs of his daughter.

Palliative care for a terminal illness

You may be eligible to release some of your super to pay for **unpaid** palliative care expenses, resulting from a terminal illness, for you or your dependant.

Alternative options for payment

If you have a terminal medical condition and are looking to access your super early, you can apply directly to your super fund for **early access to your super due to a terminal medical condition**. In this case, the amount released will not be taxable.

Your dependant may also be able to access their own super tax free, directly from their super fund if they are suffering a terminal medical condition.

You also may not have to access your super to pay the full amount. For example, you may receive an amount from Medicare or your private health insurer for some palliative care costs. It is important to talk to Medicare or your private health insurer to find out what costs you have to pay yourself and how much, if any, of the expense Medicare or your private health insurer will cover.

What is palliative care?

For the purposes of release on compassionate grounds, palliative care is help that allows a person who requires end of life care to live as fully and comfortably as possible. Palliative care can be provided in a hospice, in a hospital or at home depending on the nature of the illness and the availability of care and support.

If you're applying for palliative care expenses, you must meet 2 eligibility conditions:

- Eligibility condition 1: you or your dependant has a terminal illness and has 24 months or less to live.
- Eligibility condition 2: you or your dependant requires palliative care.

Expenses that may be eligible

Expenses that may be eligible, where specific evidence is provided, include the cost of:

- accommodation in a palliative care facility
- service providers such as doctors, nurses, or counsellors
- home carers related to the palliative management
- hiring specialised medical equipment or aids for use in the home
- therapies to assist in easing pain, such as massages or acupuncture.

Expenses that are not eligible

Expenses that are generally not considered to be an expense associated with palliative care include:

- payment of rent, mortgage, or utilities
- pre-payment of funeral expenses
- payment for flights or accommodation to visit someone in palliative care.

Evidence

You must provide:

- a quote (no more than 6 months old) or **unpaid** invoice (no more than 30 days old)
- a medical report from a registered medical practitioner or specialist.

If you're applying to pay an expense for another person, you may need to provide evidence that you're in a **dependent relationship** with them.

Medical report

The medical report must clearly state:

- you or your dependant has a terminal illness and has 24 months or less to live.
- you or your dependant requires palliative care
- the type of palliative care required (for example, at home or in a palliative care facility).

The medical practitioner reports must be completed, signed, and dated less than 6 months before you submit your application

You should ask your medical practitioner to use our **medical report form** to ensure they provide all the information we need. If your medical practitioners are unsure how to complete this form, they can refer to this page and to **guidance for medical practitioners** for further information.

If the medical reports are incomplete or do not contain enough information, processing of your application may be delayed or it may not be approved.

Quotes or invoices

To assess your application, we will also need to see evidence showing the **unpaid** expenses you're seeking to pay with a release from your super account.

You must provide an itemised quote or **unpaid** invoice that specifies each palliative care expense you require.

Where you seeking to pay multiple expenses, a quote or **unpaid** invoice showing a single cost will be insufficient. These elements must be itemised.

If your quote or **unpaid** invoice is incomplete or doesn't meet the **evidence requirements**, processing of your application may be delayed or it may not be approved. You may also be required to provide further evidence to support your application.

Example: palliative care at home

Gavin makes an application for compassionate release of super to pay for palliative care expenses for his wife Danica.

Gavin includes a medical report from Danica's registered medical practitioner which states that Danica has a terminal neurological


condition and is not expected to live longer than 12 months. The medical practitioner has also certified that Danica needs palliative care and her preference is to remain in her own home. Gavin also provides a quote and an **unpaid** invoice. One shows the cost of a year's rent on their current home and the other is for a specialised medical bed to make Danica comfortable at home.

In this case we can approve an amount to be released from super to pay for the specialised bed, but we cannot approve the amount for rent as this is a general living expense. Danica may be able to access her own super tax-free from her fund under the terminal medical condition of release.

Death, funeral or burial expenses for your dependant

You may be eligible to release some of your super to pay for **unpaid** death, funeral, or burial expenses for your dependant.

Other financial support options

You may be entitled to assistance from [Services Australia](#)  if you've been receiving Services Australia support payments.

Financial institutions may also release funds from the bank account of a deceased person to pay for their funeral expenses. Ask your dependant's financial institution if this is an option.

What are death, funeral and burial expenses?

Expenses associated with death, funeral or burial that are necessary or required may be eligible for release. These need to be **unpaid**, as legally we can only approve a release to pay unpaid expenses, which does not include reimbursement.

If you're applying to pay death, funeral or burial expenses of a dependant, you must meet three eligibility conditions:

- Eligibility condition 1: the person has recently died.
- Eligibility condition 2: your relationship with the person met the criteria of a **dependant**.

- Eligibility condition 3: the expenses you're applying for solely relate to the death, burial or funeral of your dependant.

Expenses that may be eligible

Expenses that may be eligible if they are required to pay for the death, funeral, or burial include:

- the death certificate fee
- professional service fees required for the funeral or burial, including hiring costs, celebrant or clergy fees, flowers, and public advertising
- burial fees, including the coffin, casket, cemetery fees and burial plot
- cremation costs, including the urn
- interment (burial) fees for cremated ashes
- transportation of the deceased to and from the funeral service, or the city or country of burial.

Expenses that are not eligible

Expenses that are generally not eligible, as they are considered to be the result of personal decisions rather than the necessary funeral or burial expenses, include:

- expenses associated with a wake
- expenses for a headstone
- payment for a monument
- expenses that are not considered essential to conduct a funeral or burial, such as dove releases or entertainment
- pre-payment of your funeral expenses.

Evidence

If you're applying to pay for expenses associated with the death, funeral, or burial expenses of your dependant, you will need to provide:

- one of the following documents as proof of death:
 - a copy of your dependant's death certificate (this includes a provisional death certificate)

- a copy of your dependant's coroner certificate
- a letter from your dependant's registered medical practitioner or funeral provider on their letterhead, signed and dated, stating
 - the dependant has passed away
 - the date of death
 - the medical practitioner's Australian Health Practitioner Regulation Agency number (for registered medical practitioners only).
- a quote (no more than 6 months old) or **unpaid** invoice (no more than 30 days old).

If the dependant is not your spouse or your child under 18 years old, you need to provide evidence that supports you were in an interdependent or substantially financially dependent relationship.

Quotes or invoices

To assess your application, we will also need to see evidence showing the **unpaid** amount of expenses you're seeking to release from your super account.

You must provide an itemised quote or an **unpaid** invoice that specifies each of the death, funeral or burial expenses. A quote or **unpaid** invoice that shows a single cost isn't sufficient. It must be itemised.

If your quote or **unpaid** invoice is incomplete or doesn't meet the **evidence requirements**, processing of your application may be delayed or it may not be approved. You may also be required to provide further evidence to support your application.

Example: funeral of a dependant

Dimitri makes an application for compassionate release of super to pay for the funeral of his partner, Suzanna.

Dimitri includes a letter from Suzanna's registered medical practitioner which says that Suzanna passed away two weeks ago. He also provides an invoice from a funeral company

itemising professional fees, coffin, death certificate and celebrant.

The invoice notes that the total amount was \$12,000, and that \$4,000 has been paid. There is a balance due and payable within the next month of \$8,000. Dimitri says that he paid the initial \$4,000 as the funeral company required a deposit, but he wants to recoup the \$4,000 and to pay the outstanding amount of \$8,000.

In this case, we consider Suzanna was a dependant of Dimitri as they were spouses. Therefore, we can approve release of the **unpaid** amount of \$8,000. We cannot approve release of the \$4,000 as we can only approve the release of **unpaid** expenses. The law does not permit us to release money for paid amounts.

Preventing foreclosure or forced sale of home

You may be eligible to release some of your super if you've received a threat to repossess or sell your home from:

- your mortgage lender, due to mortgage arrears
- your council, due to outstanding council rates
- an enforcement officer who has been given authority in a court order to sell your home to satisfy an outstanding debt you owe another entity.

This ground does not allow for super to be accessed to pay general expenses. See [Expenses that may be eligible](#) for a list of allowable expenses.


Processing of applications not accompanied by all the required documentary evidence may be delayed or the application may not be approved.

Alternative options for payment

If you own multiple properties, you may not be eligible for a release on compassionate grounds as you may be able to pay your expense by selling one or more of your investment properties. When applying, you should provide documents that support why you've been unable to sell

other properties to prevent the threatened foreclosure or sale of your home.

You may also be able to enter into an agreement with your mortgagee to prevent foreclosure action being taken until money is raised by mortgaging or selling a property.

If strata levies apply to your home and you're struggling to pay them, [National Debt Helpline's Strata Levies](#)  has information about other payment options. It also includes steps you can take to prevent the forced sale of your home and phone or chat services to get advice from a financial counsellor for free.

What is foreclosure or forced sale?

Foreclosure is the legal process by which a mortgagee takes possession of a property and sells it when the homeowner fails to make their mortgage repayments. The mortgagee repossesses the property to try to recoup money owing on the loan.

You may also be eligible to access some of your super if your property is subject to forced sale by another entity such as your local council or an enforcement officer by an order of a court.

If you're applying to prevent the foreclosure or forced sale of your home by a mortgage lender or council, you must meet **all** of the following conditions:

- Eligibility condition 1 – the property subject to the foreclosure or forced sale is your principal place of residence (home).
- Eligibility condition 2 – you're legally responsible for the mortgage repayments or council rates on the property.
- Eligibility condition 3 – you've received written advice that your principal place of residence is to be foreclosed, sold, or repossessed from
 - your mortgage lender who has provided you with a default notice
 - your council, as your council rates have been outstanding for more than 2 years
- Eligibility condition 4 – you have no capacity to pay an amount to prevent the foreclosure or forced sale.

If you've received a threat of foreclosure or forced sale of your home from an entity other than your mortgage lender or council, you may still be eligible to apply. See [Other forced sale of property](#) for the evidence requirements.

Expenses that may be eligible

Expenses that may be eligible, where specific evidence is provided, include:

- a payment on your home loan mortgage that is in arrears and your mortgage lender has provided you with a notice that your home will be repossessed or sold
- an amount to pay outstanding council rates on your home where the rates have been in arrears for 2 or more years and your council has given you written notice that they will sell your home
- a payment of an outstanding debt to a third party where a court order has been issued giving an enforcement officer the authority to sell your home to wholly or partially to satisfy the debt listed on the court order.


Expenses that are not eligible

If your expense is one of these following, do not apply for a release on compassionate grounds as you're **not eligible**, and your application will be rejected.

Expenses that are not eligible include:

- mortgage arrears where the property being sold is not your home
- mortgage arrears of another person, including the mortgage of a dependant
- mortgage arrears where your mortgage lender has not issued a default notice or equivalent notice
- council rates that have not been in arrears for more than 2 years or for which the council has not given you a notice they intend to sell the home
- costs in a Family Court splitting order or agreement that requires the home to be sold
- costs incurred to prevent you entering into bankruptcy, where doing so will result in the loss of your home

- rental arrears or other general living expenses.

If you're **not** eligible and experiencing financial difficulties, you should consider whether you meet the eligibility criteria to access your super due to [severe financial hardship](#) .

Maximum release amount for foreclosure or forced sale of home

The maximum amount that can be accessed from your super in a 12 month period to prevent foreclosure from a mortgage lender is referred to as the cashing restriction, which is the **sum of both**:

- three months of repayments, and
- 12 months interest on the outstanding balance of the loan.

For example, if your monthly repayments are \$1,200 and 12 months interest on your loan is \$9,600, the maximum you can request within the 12 month period is $3 \times \$1,200 + \$9,600 = \$13,200$.

If your application to prevent foreclosure by your mortgage lender is approved, the 12 months cashing restriction timeframe starts from the date your super fund releases this payment.

If you have more than one super fund, you can apply for several smaller amounts from each fund. However, the total amount released from all super funds can only be the amount required to stop foreclosure, and is limited to the maximum release amount. If you don't have enough funds to prevent the foreclosure, we will not approve the release of any funds.

Evidence

The evidence required in your application depends on the entity that is threatening the foreclosure or forced sale of your home.

Mortgage arrears

If you're applying to pay for overdue mortgage arrears to prevent foreclosure or forced sale of your home, you must provide:

- a default notice or equivalent notice issued from your mortgagee (bank or other lender) for each loan you secured against your home
- a utility bill (such as for gas or electricity) less than 3 months old, in your name and that shows the address of the property

- a letter from your bank or lender for **each loan** secured against your home.

The bank or lender letter must be addressed to you and state all of the following:

- that payment of an amount is overdue, and the mortgagee will foreclose or force the sale of your home if the overdue amount isn't paid by the due date
- the current amount owing that must be paid in order to stop action to sell your property
- the address of the property under threat of sale
- the amount equal to three months repayments for the loan
- the amount equal to 12 months interest on the outstanding balance of the loan
- the name of the person or persons legally responsible for the loan and the loan account number.

If you have more than one mortgage on your home, you need to provide a separate letter for each mortgage under threat by foreclosure or forced sale.

The letter must be:

- dated no more than 30 days before the date on your application
- on the bank or lender's letterhead.

Council rates

If you're applying to pay for arrears on council rates to prevent the forced sale of your home, you must provide:

- a utility bill (such as for gas or electricity) less than 3 months old, in your name and that shows the address of the property.
- a letter from the council, addressed to you and stating all of the following:
 - the address of the property under threat of sale
 - that payment of an amount is overdue, and the council has begun action to foreclose or sell your home if the overdue amount isn't paid by the due date

- the current amount owing that must be paid in order to stop action to sell your property
- the amount in arrears itemised for each year
- that you owe a minimum of 2 years or more of council rates.

The letter must be:

- dated no more than 30 days before the date on your application
- on the council's letterhead.

Other forced sale of property

If you're applying to prevent the forced sale of your home to satisfy an outstanding debt you owe another entity, you must provide all of the following documents:

- a utility bill (such as for gas or electricity) less than 3 months old, in your name and that shows the property's address
- a copy of the court order that lists you as the debtor and authorises an enforcement officer to sell your home to satisfy in full or in part the amount owing to another entity (creditor) as listed on the judgement
- a letter from the enforcement officer that states all of the following:
 - they will now proceed to sell your property in accordance with the court order
 - the address of the property they intend to sell
 - the current amount owing that must be paid in order to prevent the sale.

Example: foreclosure from a mortgage lender

Leon makes an application for compassionate release of super to pay for mortgage repayments in arrears to prevent his bank foreclosing on the mortgage on the home he lives in.

Leon includes a letter addressed to him from his bank which states that:

- Leon is legally responsible for repayments on his home loan
- 3 months repayments equal \$9,000
- 12 months interest is \$2,000
- if Leon does not pay the outstanding mortgage arrears of \$11,000 within 28 days, the bank will take action to sell the property.

Leon also includes a utility bill addressed to him at his home and a default notice secured against his home.

In this case we can approve \$11,000 to be released from super. However, Leon cannot apply for another amount under this ground for another 12 months as he has reached his cashing restriction.

Example: sale to pay liability to another entity

John makes an application for compassionate release of super to pay outstanding strata fees to prevent the seizure and sale of his home due to his inability to pay the strata fees.

John includes the following documents in his application:

- signed court order from the Perth Magistrates Court for the seizure and sale of his home by the Sheriff or Bailiff of Western Australia if the outstanding strata fees of \$20,000 are not paid
- a letter from the bailiff detailing
 - the outstanding strata fees in accordance with the court order are \$20,000
 - the bailiff is proceeding to sell John's home to recover the outstanding debt of \$20,000 plus interest
 - the address of the property that will be sold
 - if the amount is paid in full the bailiff will cease progressing with the sale of the home

- a utility bill addressed to John at his home.

In this case we can approve \$20,000 to be released from super.

QC 73097

How to apply for release on compassionate grounds

How to apply for early release of super on compassionate grounds and what to expect.


Last updated 2 August 2023

Overview

You can apply online or on a paper form for early release on compassionate grounds.

We're unable to process applications over the phone. But we can answer any questions you have about completing your application – phone us on **13 10 20**.

We don't charge for processing applications. But some third-party intermediaries may charge a fee to assist with preparing and submitting an application on your behalf. Intermediaries can only charge you a fee if they're a registered tax agent. Your super cannot be released to cover the intermediary's fees.

You should never share your myGov login details with anyone, including your registered tax agent. To check if a provider is a registered tax agent, use the [Tax Practitioners Board register](#) .

Before you apply

Before you apply you should:

1. carefully review the information we provide here to:
 - understand the impacts of accessing your super

- determine if you're **eligible**
- understand the evidence required to support an application, including
 - the general **evidence requirements**
 - any evidence required to show you're in a **dependent** relationship with someone when you're seeking access to pay an expense for them
 - evidence relevant to the **specific ground** on which you're applying for compassionate release

2. confirm you have a sufficient super balance to cover the expense and withholding tax

3. check if your super fund allows early release of super

4. collect all the documents and evidence required to support your application.

If you have a self-managed super fund (SMSF), you must still apply to us and get our approval before releasing any money from the fund.

Common errors when applying

Applications need to be supported by the right evidence for the specific compassionate release ground. Failing to provide the right evidence will result in delays in processing the application or it not being approved.

Table of common errors


Common errors when applying include...	Find out more
Attaching invoices for paid expenses – we can only approve the release of super for unpaid expenses.	Eligibility for compassionate release of super

<p>Attaching out of date quotes or invoices. They must be:</p> <ul style="list-style-type: none"> • for quotes – no more than 6 months old <p>for unpaid invoices – no more than 30 days old.</p>	<p>Quotes and unpaid invoices</p>
<p>Not providing the right medical reports to support your medical treatment:</p> <ul style="list-style-type: none"> • You must obtain a medical report from the relevant registered medical specialist in the area of the medical condition that you're applying for release to treat. <p>If you're applying for treatment to alleviate an acute or chronic mental illness, the relevant medical specialist report must be completed by a psychiatrist.</p>	<p>Evidence</p>
<p>Applying to prevent the foreclosure or forced sale of your home from a mortgage lender and not providing all evidence requirements: default notice, letter from the mortgage lender and a utility bill.</p>	<p>Evidence</p>
<p>Applying for release to prevent foreclosure or forced sale of your home for ineligible expenses such as credit card debt, outstanding rent, or other personal loans.</p>	<p>Expenses that are not eligible</p>
<p>Applying to purchase a vehicle for medical transport where the vehicle costs more than \$20,000 and not including additional information that supports the need for the specific vehicle.</p>	<p>Medical transport - purchasing a vehicle</p>
<p>Applying for the expense of a dependant and not including sufficient evidence to support the existence of an interdependent or</p>	<p>Accessing super to pay expenses for someone else</p>

substantial financially dependent relationship.	
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How to apply

Online application process

You can access our online application form via your [myGov account](#)  linked to ATO online services.

From the ATO online services home page, select the heading option **Super**, then **Manage**, then **Compassionate release of super**.

Ensure you're aware of the following information before completing your online application:

- You need digital copies of the required evidence. We accept photos of documents. Supported file formats are PDF, gif, jpeg and png. We **do not** accept screen shots of text messages, emails or Google documents.
- Our system can't accept more than 20 attachments
- Each attachment needs to be smaller than 10 MB.

Benefits in applying online

- Online applications are generally processed more quickly than paper applications, which can take up to 28 days to process.
- You can access your application and the documents you provide at any time.
- You will receive a receipt ID that indicates we have received your application and can be used to discuss it with us.
- You don't have to make copies of your evidence or send them via post.
- You will receive the outcome of your application quicker via your myGov inbox.
- Our online application includes a help function to help you apply correctly.

If you can't apply online

If you don't have access to our online services to submit your application, request a paper application form by:

- phoning us from within Australia on **13 10 20** (8.00 am–6.00 pm, Monday–Friday, or 10.00 am–2.00 pm on Saturdays AEDT), or
- phoning us from overseas on **+61 2 6216 1111** (8.00 am–5.00 pm, Monday–Friday AEDT) to request a paper application form.

If you apply from overseas:

- Copies of documents you provide to support your application should be certified as true and correct copies of the original document. You must arrange for documents in another language to be translated into English and certified as a true and correct copy by an authorised translation service.
- Quotes and invoices must be converted to Australian currency.
- Post your completed forms and supporting documents to

Australian Taxation Office
Compassionate release of superannuation
PO Box 3006
PENRITH NSW 2740
AUSTRALIA

More than one person applying for the same expense

You can apply for the same expense as another person if all people applying need to pay different parts of the same expense. If you and another person are applying for the same expense, **each person** will need to:

- complete and submit a separate application
- meet the eligibility criteria
- provide the applicable evidence (including documents showing the **unpaid** expense is in the names of all applicants).


The sum of the amount requested in the separate applications must not be more than the total amount of the **unpaid** invoice or quote.

What to expect after you apply

When reviewing your application, we will treat you respectfully and professionally. We will respond to your application fairly and in a timely manner as outlined in the [ATO Charter](#).

We will assess your eligibility in accordance with the limited grounds for compassionate release of super. This normally occurs within 14 days (28 days for paper applications). **We can't provide you with a progress update during this period.**

While assessing your application, we may contact you or third-party providers about the evidence you provided, particularly if there is incomplete or missing information. This includes validating expenses in the unpaid invoices and quotes, and the information provided in reports.

Once we have assessed your application, we will let you know the outcome by either phone or SMS text message and you will receive a letter in your [myGov inbox](#)  or via post if you apply on a paper form. You will also be able to access our letter on **ATO online services** under communication history. Our letter may take up to 72 hours to arrive (or more if it is sent by post).

If your application is successful, we will send a copy of the approval letter to your super fund, who you will then need to contact directly to [release your super](#).

How to withdraw your application

You can't amend your application after it has been submitted.

To withdraw an application, **contact us** and provide us with your application reference number.

If your application is approved

Release of your super

If your application is approved, once you receive our approval letter, you must contact your super fund to arrange release of your money.

You'll need to provide your fund with a copy of our approval letter to process your payment. The letter can only be used to release one lump sum payment. You should wait for your approval letter before

contacting your super fund to arrange for release of the approved amount.

Your super fund will automatically deduct the tax from your super account. See [Tax on super benefits](#) and [Super lump sum tax table](#) for more information.

Super funds have their own processes and timeframes for releasing money from super. If you need to know how long it will take for your fund to release your money, you will need to ask them. We don't have any role in determining how long this takes, and we can't assist you in relation to the release after we send the approval letter.

After you have received your amount

After you have received your release from your super fund, you must pay the expenses that were approved with the amount released from your super fund.

You also need to keep your receipts for the paid expense as you may need to provide this information to us.

Your super fund will also issue you a payment summary that will display the amount released from your super balance and the tax withheld.

When lodging your income tax return for the relevant financial year, you need to include any taxable amounts shown on the payment summary. If any releases from your super are not pre-filled when completing your income tax return, you need to manually include these as per the payment summary.

If your application is not approved

You'll receive a letter advising the reason/s your application was not approved. We will also try to contact you via phone to explain our decision.

The reasons for non-approval generally fall into the following categories:

- You did not meet eligibility conditions. If you or the expense you applied for are ineligible (because, for example, the expense has already been paid), submitting further applications or a review request will result in the same outcome.

- If your application was not approved because you didn't provide sufficient evidence, you need to submit a new application with all the required documentation. If you request a review of our decision without providing additional evidence, it generally will be unsuccessful.
- If your application was partially approved and you have new evidence, you need to submit a new application with the required documentation for the additional amount.

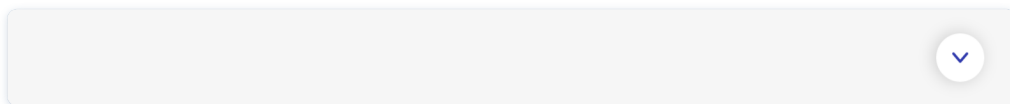
If you don't understand our decision or believe we have made a mistake under the law, you can contact us so we can explain our decision.

Request a review of our decision

If after contacting us, you consider that we made a decision that was incorrect based on the information in your application, you can request a review of our decision.

Generally you must submit your request within 14 days of the date of the original decision letter. In your review request, you need to specify why you believe our decision is incorrect.

For instructions on requesting a review, see **Compassionate release of superannuation – request for review of decision**.



QC 73098

Our commitment to you

We are committed to providing you with accurate, consistent and clear information to help you understand your rights and entitlements and meet your obligations.

If you follow our information and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we will take that into account when determining what action, if any, we should take.

Some of the information on this website applies to a specific financial year. This is clearly marked. Make sure you have the information for the right year before making decisions based on that information.

If you feel that our information does not fully cover your circumstances, or you are unsure how it applies to you, contact us or seek professional advice.

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