## **Income Protection**

Complete this form in BLACK ink with a ballpoint pen using BLOCK letters | Any request will be invalid if not signed and dated. Please mail this form to: Australian Food Super, Locked Bag 5390, Parramatta NSW 2124 | Member Hotline: 1800 808 614



# DUTY TO TAKE REASONABLE CARE - IMPORTANT INFORMATION BEFORE YOU BEGIN THIS APPLICATION

You have a duty to take reasonable care not to make a misrepresentation when applying for insurance. If you do not comply with your duty to take reasonable care, TAL Life Limited, the insurer, may avoid or vary your cover. This means you may not be able to claim your benefit or the amount you will receive may be reduced. Before answering the questions contained in this application form it is important that you carefully read the Duty to Take Reasonable Care section on page 2 of this form which explains your duty, including the effect if you don't comply.

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#### YOUR DUTY TO TAKE REASONABLE CARE

When you apply for insurance with TAL (the Insurer), you are treated as if you are applying for cover under an individual consumer insurance contract. A person who applies for cover under a consumer insurance contract has a legal duty to take reasonable care not to make a misrepresentation to the Insurer before the contract of insurance is entered into.

A misrepresentation is a false answer, an answer that is only partially true, or an answer which does not fairly reflect the truth.

This duty also applies when extending or making changes to existing insurance, and reinstating insurance.

#### If you do not meet your duty

If you do not meet your legal duty, this can have serious impacts on your insurance. Under the Insurance Contracts Act 1984 (Cth) there are a number of different remedies that may be available to the Insurer. They are intended to put the Insurer in the position it would have been in if the duty had been met. For example, the Insurer may:

- · avoid the cover (treat it as if it never existed);
- · vary the amount of the cover; or
- · vary the terms of the cover.

Whether the Insurer can exercise one of these remedies depends on a number of factors, including:

- whether reasonable care was taken not to make a misrepresentation. This depends on all of the relevant circumstances.
- what the Insurer would have done if the duty had been met for example, whether it would have offered cover, and if so, on what terms
- · whether the misrepresentation was fraudulent; and
- in some cases, how long it has been since the cover started.

Before any of these remedies are exercised, the Insurer will explain the reasons for its decision, how to respond and provide further information, and what you can do if you disagree.

#### Guidance for answering the questions in this form

You are responsible for the information provided to the Insurer. When answering questions, please:

- Think carefully about each question before you answer. If you are unsure of the meaning of any question, please ask us before you respond.
- · Answer every question.
- Answer truthfully, accurately and completely. If you are unsure about whether you should include information, please include it.

 Review your application carefully before it is submitted. If someone else helped prepare your application (for example, your adviser), please check every answer (and if necessary, make any corrections) before the application is submitted.

Please note that there may be circumstances where the Insurer later investigates whether the information given to it was true. For example, it may do this when a claim is made.

#### Changes before your cover starts

Before your cover starts, the Insurer may ask you whether the information that has been given as part of your application for insurance remains accurate or whether there has been a change to any of your circumstances.

#### If you need help

It's important that you understand your obligations and the questions that are being asked. Please contact us for help if you have difficulty understanding the process of obtaining insurance or answering any questions.

Please also let us know if you're having difficulty due to a disability, understanding English or for any other reason - we're here to help and can provide additional support.

#### YOUR PRIVACY

Australian Food Super advises that personal information it holds about you (including your name, address, date of birth and details of the financial assets) is collected to administer your superannuation account. Some or all of your personal information may be disclosed to contracted third parties in Australia and overseas. Your information may also be disclosed to Australian government agencies, law enforcement agencies and regulators, or as required under other Australian law, contract, and court or tribunal order. Australian Food Super and its insurers are bound by the Australian Privacy Principles contained in the Privacy Act 1988 (and subsequent amendments). For more information, please contact Australian Food Super or obtain a copy of the Privacy Policy from austfoodsuper.com.au.

### **CONTACT AUSTRALIAN FOOD SUPER**

Telephone: 1800 808 614 Facsimile: 1300 855 378

Website: ausfoodsuper.com.au

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service@ausfoodsuper.com.au



