

Putative Spouse Statutory Declaration Of Independent Person



Super SA



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Please complete all the details on this form in **BLOCK LETTERS** using a **BLACK PEN** and return to Super SA via post or email.

To find out more visit supersa.sa.gov.au or call **1300 369 315**

1. Details of Deceased Member

Client ID or Super ID

Title

Date of birth

Given Name(s)

Family Name

Email address

Mobile phone

Work phone

Home phone

Postal address

Suburb

State

Postcode

Note: You **do not** need to complete this Statutory Declaration if the member and their partner were in a Registered Relationship as at the date of the member's death (within the meaning of the *Relationships Register Act 2016*).

The partner of the deceased member must provide a certified copy of the registered relationship certificate, demonstrating that the relationship was registered in accordance with the *Relationships Register Act 2016* as at the date of the member's death. The certificate must be issued at or after the member's date of death.

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2. Statutory declaration

I, (Full name of person making the declaration)

of (Address of person making the declaration)

Postcode

do solemnly and sincerely declare I personally knew the late (Full name of the deceased)

of (Address of the deceased)

Postcode

Applicant's name

Applicant's Address

Postcode

I declare that, to the best of my knowledge, the applicant was the putative spouse¹ of the deceased at the time of their death. I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1936 (SA)*.

Declared at _____ in the State/Territory of _____

on this _____ day of _____ 20 _____

Signature (Signature of Declarant)

before me² (Signature of Witness)

x

x

This declaration was signed/initialled by electronic means. (Tick if declaration was signed electronically)

This declaration was taken remotely under the observation of the authorised witness through an audio-visual link and the requirements under the *Oaths Act 1936* for taking declarations by audio visual link were complied with. (Tick if the declaration was witnessed remotely online)

Name of Witness

Address of witness

Postcode

Title or qualification of witness²

¹ A person is the putative spouse of a member if the person and the member had been cohabiting as defacto spouses and:

- had been cohabiting continuously for the preceding three years, or for a total of not less than three out of the four preceding years, or
- a child of whom both persons are the parents has been born.

A person is also recognised as a putative spouse of the member if in a Registered Relationship with the member (within the meaning of the *Relationships Register Act 2016*).

² A witness can be one of the following: a Justice of the Peace, Commissioner for taking Affidavits, a Notary Public and a Police Officer. Please refer to the Attorney General's website for the full list of authorised witnesses which can be accessed at the AGD Website (South Australia) > Services & Support > Justices of the Peace and authorised witnesses > Authorised witnesses.

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2. Statutory declaration (continued)

Only complete the following section if the declarant received any assistance in making the declaration, or the authorised witness permitted any modification to the process of making the declaration. For example, state here that the statement was read to the declarant and/or they nodded their agreement.

I certify that the following modifications were made to the witnessing process:

Signature of authorised witness

Name and address of any other person who assisted the declarant to make the declaration (not including assistance in a professional capacity to prepare/write the declaration on the instructions of the declarant).

Nature of assistance the other person provided, e.g. translation assistance.

3. Relationship details

In support of the above declaration please provide the following information:

1. What is your relationship to the deceased? (Brother, sister, friend etc.)

2. Are you aware that the deceased was living with the applicant as their putative spouse at the date of death?

Yes (go to 3)

No (go to 8)

3. What is your understanding of the relationship between the deceased and the applicant?

4. On what date do you believe the deceased and the applicant commenced their defacto relationship, having the distinguishing characteristics of a married relationship?

5. Are you aware if the deceased resided continuously with the applicant from the date they commenced living together to the date of death?

Yes

No

6. Are you aware of any periods of time when the deceased and the applicant separated and later recommenced living together?

Yes

No

7. If YES, please provide the dates to the best of your knowledge. Please provide information for the four years prior to the date of death.

Ceased

Recommenced

Ceased

Recommenced

Ceased

Recommenced

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3. Relationship details (continued)

8. Do you know whether the deceased had any children?

Yes (go to 9)

No (go to 10)

9. Please provide information you have about the relationship between the deceased and any children of the applicant:

10. Please provide details of living arrangements of the deceased and the applicant if not already described above:

11. Do you know if the deceased and the applicant jointly owned real estate or other major assets?

12. Do you know if the deceased and the applicant had any joint liabilities?

13. Do you know if the deceased and the applicant pooled any of their resources? (e.g. joint bank accounts or similar)

14. Do you know if the deceased and the applicant jointly paid household expenses?

15. Was the applicant recognised by family members and friends as the putative spouse of the deceased?

Yes (go to 17)

No (go to 16)

16. If NO, what was the understanding of family members and friends of the relationship between the deceased and the applicant?

17. Please provide any further information that demonstrates whether or not the deceased and the applicant lived together in a defacto relationship that had the distinguishing characteristics of a married relationship.

If there is insufficient space provided for your answers please attach more pages to this declaration.

Contact us

 **Email** supersa@sa.gov.au

 **Website** supersa.sa.gov.au

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Ground floor, 151 Pirie St Adelaide SA 5000
(Enter from Pulteney Street).

 **Post** GPO Box 48, Adelaide SA 5001

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