

# Your duty to take reasonable care not to make a misrepresentation

## About your duty

When you apply for life insurance as a member of Australian Retirement Trust, the insurer may conduct a process called underwriting. It's how the insurer decides whether it will cover you, and if so on what terms and at what cost. If your application is underwritten, you will be asked questions which the insurer needs to know the answers to. These will be about your personal circumstances and may include questions about your health and medical history, occupation, income, lifestyle, pastimes, and current and past insurance. The information you provide in response to the questions is vital to the insurer's decision.

## The duty to take reasonable care

When applying for insurance which is to be underwritten, you have a legal duty to take reasonable care not to make a misrepresentation before your application is accepted by the insurer. 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. Your cover could be avoided (treated as if it never existed), or its terms may be changed. This may also result in a claim being declined or a benefit being reduced. Please note that there may be circumstances where the insurer later investigates whether the information you provided was true. For example, the insurer may do this when a claim is made.

## **Guidance for answering questions**

When answering questions as part of an application for insurance cover, you should:

- Think carefully about each question before you answer. If you are unsure of the meaning of any question, please ask us or the insurer before you respond.
- Answer every question.
- Answer truthfully, accurately and completely.
- If you are unsure about whether you should include information or not, you should include it.
- Review your application carefully before it is submitted. If someone else helped prepare your application (for example, your adviser), you should check every answer (and if necessary, make any corrections) before the application is submitted.
- You must not assume that Australian Retirement Trust or the insurer will contact your doctor for any medical information.

## Changes before your cover starts

Before your application is accepted, the insurer may ask about any changes that mean you would now answer the questions differently. As any changes might require further assessment or investigation, it could save time if you let us or the insurer know about any changes when they happen.

## If you need help

It's important that you understand this information and the questions that you are asked. Ask us or the insurer for help if you have difficulty understanding the process of applying for insurance or answering our or the insurer's questions. If you're having difficulty due to a disability, understanding English or for any other reason, we are here to help and can provide additional support for anyone who might need it.

# What can the insurer do if the duty is not met?

If you do not take reasonable care not to make a misrepresentation, there are different remedies that may be available to the insurer. These are set out in the *Insurance Contracts Act 1984* (Cth). These are intended to put the insurer in the position they would have been in if the duty had been met.

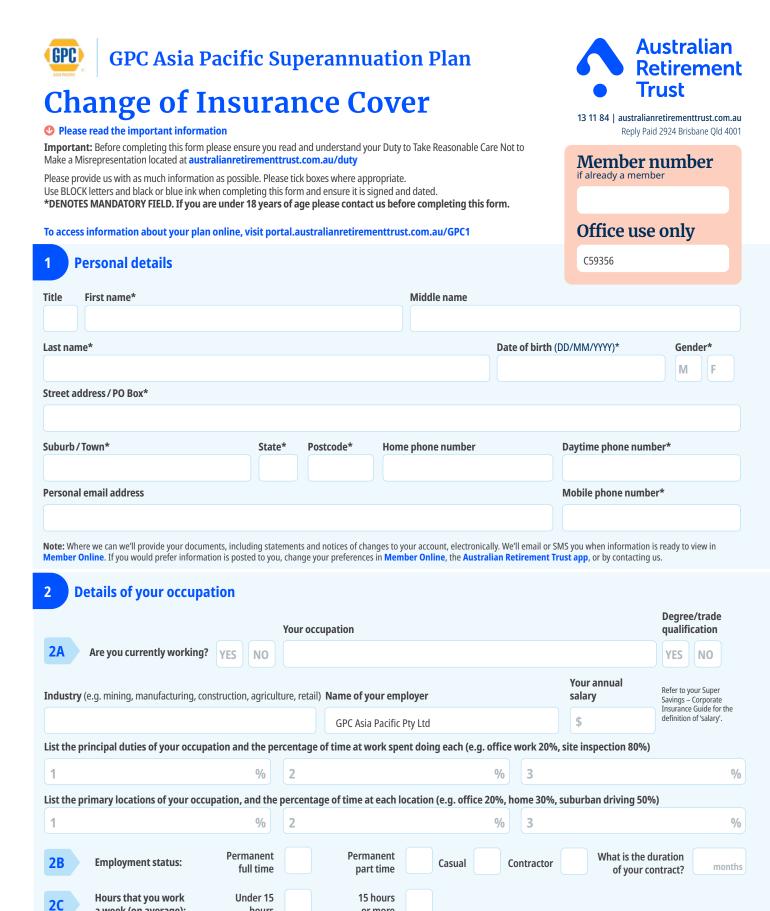
For example, the insurer may:

- 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 you took reasonable care 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 they 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 the insurer exercises any of these remedies, they will explain their reasons, how to respond and provide further information, including what you can do if you disagree.



or more

Please continue over page

hours

a week (on average):

#### 3 **Insurance cover**

**Important:** Before completing this section, please refer to your Super Savings – Corporate Product Disclosure Statement for Accumulation Account (PDS) and Super Savings – Corporate Insurance Guide for insurance details, available on your employer plan's microsite. Any increase in insurance cover will be subject to acceptance by the insurer and will apply from the date your cover is accepted by the insurer.

3A Would you like to change your level of Standard Death and Total & Permanent Disability (TPD) cover?								
Level 1 Level 2 Level 3 (10%) (15%)								
If you'd like more than Level 3 cover, please complete section 3B to apply for Additional cover.								
Note: If you're increasing your cover within 120 days of joining your employer, or reducing your cover, you do not need to complete the entire form; simply tick the appropriate box and go to the last page to sign and date.								
OR								
3B Would you like to apply for Additional cover? Death and Total & Permanent Disability (TPD)								
I would like to apply for the following amount of fixed cover <sup>1</sup> :								
Death cover \$ TPD cover \$								
The amount you specify will be in addition to your Standard cover, if any.								
Cover will be provided on a fixed cover <sup>1</sup> basis for permanent employees and a fixed premium <sup>2</sup> basis for casuals.								
1 Fixed cover means your amount of insurance stays the same but your premiums will generally increase as you get older. 2 Fixed premium means your premiums stay the same but your amount of insurance generally decreases as you get older.								
Income Protection								
Are you applying for Income Protection? YES NO								
Monthly benefit required								
Note: To be eligible for Income Protection you must be employed on a full-time or part-time permanent basis and working an average of 15 or more hours per week								
The maximum Income Protection amount available is 75% of your 'salary' up to a maximum of \$50,000 per month. Refer to your Super Savings – Corporate Insurance Guide for the definition of 'salary'.								

**>** Please continue over page

## Personal health statement

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a) Are you an Australian or New the Department of Immigrati							stralia (as approved by	YES	)
<b>b) How many standard drinks o</b> One standard drink = approxim				or 10 oz/285 m	l full-stre	ength beer	Standard dr	rinks per weel	k
c) In the last 12 months, have yo other nicotine products? (If ye					ttes, cig	jars, pipes or used	l e-cigarettes or	YES	)
d) Have you ever used illicit dru (If yes, provide details including								YES	)
e) What is your height and weig	ht?		cm		kg	Due Date (DD/M	IM/YYYY)		
f) If female, are you pregnant? I	if yes, p	lease provide estimate	ed due date	YES	NO				
g) Do you have definite plans to	travel	or reside overseas? (	If yes, please prov	ide details)				YES	)
Cities/Countries	Durati	on of travel	Frequency of t	ravel	Rea	son for travel	Date of departu	re	
h) Do you engage in or intend to football (all codes), long distant martial arts or any other hazard	e sailin	g, hang gliding, scuba	diving, motor raci				itaineering,	YES	
Activity		Frequency		Professiona	i or Amai	teur	Maximum height, speed	and/or deptn	
i) Have any of your immediate fa breast cancer, ovarian cancer, disease? You are only required (If yes, please provide details)	colon (	bowel) cancer, polycy	stic kidney diseas	se, diabetes, s	troke, H	untington's chore	a or any hereditary	YES	)
Relationship		Condition		Approximat	e age of	onset	Age of death (if applicab	le)	
j) Have you ever injected yoursel	f with a	any illicit drugs not p	rescribed by a me	dical practitio	oner?		Υ	YES NO	
<b>k) 1.</b> In the last 5 years, have yo i. Someone who might have	expose	d you to the human in	nmunodeficiency	virus (HIV) inf	ection.		cicumkneur to	res NO	
(This may include unprotec ii. Someone who injects non-J				, ,	•		s is ulikilowil to you.)	res NO	
iii. Someone who is a sex work								YES NO	
iv. Someone who is infected w	/ith hur	nan immunodeficienc	y virus (HIV) infec	tion			Y	YES NO	
v. Someone who is infected w (You may answer 'No' if you	/ith hep u are va	oatitis B ccinated and have im	munity for hepati	tis B.)				res NO	
vi. Someone who is infected w							Y	res NO	
2. In the last 5 years, have you b sexually transmitted infection							Υ	res NO	

. . .

I)	Hav	e you ever suffered symptoms of, or had, or been told you have, or received any advice, investigation or treatment for any of the following:		
	i)	High blood pressure, chest pains, high cholesterol, heart murmurs, rheumatic fever, any heart complaint or stroke	YES	NO
	ii)	Asthma, chronic lung disease, sleep apnoea, COVID-19 (do not include a negative test result, or if never diagnosed) or other respiratory disorder	YES	NO
	iii)	Indigestion, gastric or duodenal ulcer or any bowel disorder	YES	NO
	iv)	Diabetes, abnormal blood sugar, gout or thyroid disorder	YES	NO
	V)	Depression, anxiety/stress state, fatigue, panic attacks, psychiatric treatment/counselling, mental illness or nervous disorder	YES	NO
	vi)	Epilepsy, fits of any kind, paralysis, migraines, tinnitus, dizziness or recurrent headaches, or any neurological disorder including multiple sclerosis	YES	NO
	vii)	Arthritis, repetitive strain injury (RSI), chronic fatigue syndrome, fibromyalgia	YES	NO
	viii)	Back or neck complaint, whiplash, sciatica or any other disorder of joints (excluding arthritis), bones or muscles	YES	NO
	ix)	Psoriasis or eczema, skin disorder, defect in hearing or sight	YES	NO
	x)	Cancer, cyst, mole or tumour of any kind	YES	NO
	xi)	Liver, kidney or bladder disorder, renal colic or stone	YES	NO
	xii)	Blood disorder, anaemia, haemochromatosis, haemophilia or leukaemia	YES	NO
	xiii)	Hepatitis B or C or are a hepatitis B or C carrier, acquired immune deficiency syndrome (AIDS) sufferer or infected with the HIV virus	YES	NO
	For	completion by females only		
	Hav	e you ever had or been advised to have treatment for:		
	xiv)	Any breast lump (even if you have not seen a doctor) or any abnormal mammogram or breast ultrasound?	YES	NO
	xv)	An abnormal cervical smear (pap smear) test including the detection of human papilloma virus (HPV) or any abnormality of the ovaries?	YES	NO
	xvi)	Abnormal vaginal bleeding within the last 12 months?	YES	NO
n	· ·	y other illness, disease or disorder: (do not include: colds, flu, hay fever, dental related matters, uncomplicated pregnancies cluding caesarean sections, miscarriage], abortions and menopause.)	YES	NO
n		e you had any medical examinations, consultations, x-rays, pathology tests or procedures in the last 5 years relating to a ter not previously disclosed in this application?	YES	NO
0	·	ot previously disclosed in this application, have you occasionally or regularly taken any stimulants, sedatives, medications	YES	NO

or presented anagement and the four formation of presented and the state of an age sate of a national state of the state o			
p) If not previously disclosed in this application, are you currently considering or have you been advised/referred to	VEC		
undergo further treatment, investigation or procedure?	YES	NO	

### For every "Yes" answer in questions I to p above, please provide full details in the table below.

Question number	Illness, injury or tests	Date of injury/ illness	Date of last symptoms	Time off work	Degree of recovery (%)	What treatment did you receive? (e.g. medication, operation)	Name and address of doctor, physiotherapist, chiropractor or hospital

## Medical practitioner details

Name of doctor										
Street add	ress/PO Box					Suburl	o/Town			
State	Postcode	Phone numb	er Fax r	number	Email address					
What was the date of your last consultation?         (DD/MM/YYYY)         How long have you been attending this practice?										
I authorise any medical practitioner, hospital, clinic or other person (including any life insurance company or underwriter), to disclose to AIA Australia Limited, full details of my health and medical history. I agree that a photocopy or facsimile of this authority should be considered as effective and valid as the original.										
6 External insurance Write the details of your existing policy										
Do you have any existing insurance, or applications in progress (with any insurer) including life, disability or trauma insurance.										
Existing p	Existing policy number Year of commencement Policy owner Insurer									

Income

cover

If yes, please provide benefit type and reason

If yes, please provide type of cover and reason for decision

Protection

Business

expenses

### 8 Authorisation and declaration Sign this application form and return to Australian Retirement Trust:

YES

YES

Type of

**Insurance:** 

By completing this form you consent to the collection, use and disclosure of any personal information, including information that may be of a sensitive nature we or AIA Australia may collect about you and exchange with third parties located in Australia and overseas, in the manner outlined in our and AIA Australia's respective privacy policies as updated from time to time. Policies are available by visiting **australianretirementtrust.com.au/ privacy** and aia.com.au.

Death

cover

Have you ever been declined, deferred or accepted on

special terms for life, disability or trauma insurance? Have you ever claimed benefits from any source

(excluding unemployment), e.g. accident, sickness, workers compensation, social security, disability

**Insurance history** 

insurance or disability pension?

Trauma

These policies are consistent with the requirements of the Privacy Act 1988.

### I declare that:

Total &

Permanent

NO

NO

**Disability (TPD)** 

- I acknowledge and have read my Duty to Take Reasonable Care Not to Make a Misrepresentation and all of my details on this Change of Insurance Cover form are correct.
- I have received and read the Super Savings Corporate Product Disclosure Statement for Accumulation Account (PDS) and Super Savings – Corporate Insurance Guide.
- I understand all the conditions I must meet to be eligible to obtain Additional cover, I agree that my Additional cover will not commence until my application for Additional cover has been accepted by the insurer. I acknowledge insurance cover is provided by an external insurance company.
- I understand the cost of cover will be based on the applicable premium rates applying under the relevant membership division of Australian Retirement Trust and will reflect your occupation category, any employer funded arrangements (if applicable), and any premium loadings or exclusions that may apply.
- By signing this Change of Insurance Cover form, I consent to the collection and disclosure of information about me for the purposes shown above.

We are committed to respecting the privacy of personal information you give us. If you would like a copy of Australian Retirement Trust's Privacy Policy, visit **australianretirementtrust.com.au/privacy** or call **13 11 84**. Australian Retirement Trust Pty Ltd ABN 88 010 720 840 AFSL No. 228975 Trustee of Australian Retirement Trust ABN 60 905 115 063

Date (DD/MM/YYYY)\* Please return the form to
Australian Retirement Trust
Reply Paid 2924 Brisbane Qld 4001 OR
via australianretirementtrust.com.au

Full name (print in BLOCK letters)\*

Member to sign here\*

/contact-us

Will you be

retaining your

existing policies?

YES

NO