

# 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.



Note: Where we can we'll provide your documents, including statements and notices of changes to your account, electronically. We'll email or SMS you when information is ready to view in Member Online. If you would prefer information is posted to you, change your preferences in Member Online, the Australian Retirement Trust app, or by contacting us.

## Details of your occupation

2

Are you at work?	Your occupation			Degree/trade qualification
<b>ZA</b> Note: This means you must be performing your normal paid duties for your employer.				YES NO
Industry (e.g. mining, manufacturing, construction, agr	iculture, retail) Name of your employer		our annual Ilary	Refer to your Super Savings – Corporate
	Virgin Australia		\$	Insurance Guide for the definition of 'salary'.
List the principal duties of your occupation and the	e percentage of time at work spent doing	each (e.g. office work 20%, si	te inspection 80%)	,
1	6 2	% 3		%
List the primary locations of your occupation and t	he percentage of time at each location (e	.g. office 20%, home 30%, sub	ourban driving 50%	)
1 9	6 2	% 3		%
2B Employment status: Permane full time	1	sual		
<b>2C</b> Hours that you work a week (on average):	hours			
			Please con	ntinue over page

## 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 at **art.com.au/virginaustralia01**. 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 w	ould you like to	change your le	vel of Standard Death	and Total & Perma	nent Disability (TP	PD) cover?	
Level (10%		Level 2 (17.5%)	Level 3 (22.5%)				
If you'd like m	ore than Level 3	(22.5%) cover, ple	ease complete section 3	B to apply for Addition	nal cover.		
	e increasing your ox above and sign			loyer, or reducing you	r cover, you do not no	eed to complete th	ne entire form; simply tick the
				AND/OR			
3B w	ould you like to	apply for Addit	ional Death and Tota	& Permanent Disa	bility (TPD) cover?		
I would like	to apply for the	following amou	nt of fixed cover <sup>1</sup> :				
Death cover	\$		TPD cove	\$			
The amount y	ou specify will be	e in addition to yo	ur Standard cover, if an	у.			
1 Fixed cover mean	ns your amount of insura	ance stays the same but	your premiums will generally incr	ease as you get older.			
				AND/OR			
3C w	ould you like to	apply for Incor	ne Protection cover?				
Are you app	lying for Income	Protection?	YES NO Month	ly benefit required	\$		
Note: To be e	ligible for Income	Protection you m	ust be employed on a fu	ll-time or part-time pe	ermanent basis, or or	n a fixed term cont	ract of six months or more,
							ere 75% is paid as income ng period'. You can elect to
			section 3D below. Refer				
				AND/OR			
<b>3D</b> w	ould you like to	change your Ir	come Protection cove	er waiting period?			
Waiting peri	od required:	30 days	60 days	90	days		
		-					
section 4. Electin		aiting period' will be	e effective from the date we				ox and sign and date the form in l evidence will be required and
If you are applying to increase your cover outside of 120 days of joining your employer (3A), or applying to increase your cover (3B), applying for Income Protection cover (3C), or reducing your 'waiting period' (3D), you must also complete the attached insurer form.							



Page 3 of 3

#### Your privacy - Personal information collection notice

We are collecting your personal information to set up and/or to administer your superannuation account. We may also disclose this information to third parties such as our Insurer, medical and health professionals, if we need to, if you have given consent to the disclosure, or if we are required to by law. If you want to know more about our privacy policy, including how we collect, hold, use and disclose personal information, or how individuals can access or correct their information, visit **art.com.au/privacy** or call us to request a copy.

#### I declare that:

- I acknowledge and have read my Duty to Take Reasonable Care Not to Make a Misrepresentation and understand its contents and what is meant by my Duty to Take Reasonable Care Not to Make a Misrepresentation.
- I have received, read and understood the Super Savings Corporate Product Disclosure Statement for Accumulation Account (PDS) and Super Savings – Corporate Insurance Guide.
- I understand the Super Savings Corporate Insurance Guide sets out the conditions for insurance cover, including eligibility and that cover will not commence until my application for insurance 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 my 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 acknowledge the collection and disclosure of information about me for the purposes shown above.
- I confirm the information I have given is true and correct.

#### Member to sign here\*

X

Full name (print in BLOCK letters)\*

Date (DD/MM/YYY)\*

Please return the form to Australian Retirement Trust Reply Paid 2924 Brisbane Qld 4001 OR via art.com.au/contact-us

We are committed to respecting your privacy and take protecting the privacy of personal information seriously. Our Privacy Policy sets out how we do this including how we collect, hold and disclose personal information. For a copy of the Privacy Policy, please visit **art.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



# **Application for Insurance**

- MetLife will be treating this contract as a 'consumer insurance contract'.
- Please answer all the questions accurately and provide additional information wherever requested.
- The person to be insured must complete this application and initial any changes.
- As part of your application, you may be required to undergo additional medical tests.
- As part of the overall assessment process MetLife will contact you if further information is required.

## Privacy - Use and disclosure of personal information

#### Your privacy with MetLife Insurance Limited ABN 75 004 274 882 AFSL 238096 ('MetLife' or the 'Insurer')

The personal information you provide in the form is necessary for MetLife to provide you with the products and services you have requested from MetLife. You do not have to provide MetLife with your personal information, but if you do not do so MetLife may not be able to provide you with the products or services. MetLife complies with the Privacy Act 1988 and the principles laid out in its Privacy Policy which details information about the entities that MetLife usually discloses personal information to (including overseas recipients), how you may access or seek correction of your personal information, how we manage that information and our complaints process. MetLife's Privacy Policy is readily available and can be viewed at www.metlife.com.au/privacy.

# Duty to take reasonable care not to make a misrepresentation - Important information before commencing this application

There is a duty to take reasonable care not to make a misrepresentation when applying for insurance. Before answering the questions in this application form it is important that the person answering the questions carefully reads the 'Duty to take reasonable care not to make a misrepresentation' section on page 8 of this form which explains the duty, the consequences of not complying with the duty, and guidance for answering the questions. If the duty is not complied with, MetLife may be able to avoid or change cover; this means a benefit may not be able to be claimed or the amount we pay may be reduced.

#### Name of policy Member number Title Surname Given name(s) Date of birth (dd/mm/yyyy) Gender Email address Male Female Residential address Suburb Postcode State Postal address Suburb State Postcode Preferred time of contact Preferred contact number Morning (9am-12pm) Afternoon (12pm-6pm) Any time Are you currently living in Australia? Are you a citizen or permanent resident of Australia? Yes No Yes No

## Section 1. Your details

### **Section 2. Your insurance needs**

Total cover required.

	Life Cover	Total & Permanent Disability (TPD) Cover	Income Protection (IP) Cover		
			\$	per month	
Existing Policy Cover (if known)	\$	\$	Wait period:		
			Benefit period:		
Additional Policy Cover Requested	\$	\$	\$	per month	
			Wait period:		
			Benefit period:		
			\$	per month	
Total Cover Requested (= Existing + Additional Policy Cover Requested)	\$	\$	Wait period:		
			Benefit period:		

When assessing your application, we underwrite you to accommodate future increases in your salary without the need for further underwriting. This may mean that we ask for additional medical evidence that may not have been required for the amount of cover you have applied for.

I would like to be underwritten to the maximum allowable and acknowledge that additional evidence may	Yes	Na
be required.		

Se	ection 3. Your occupation			
1.	What industry do you work in? e.g. finance, agriculture, education	2.	What is your current occupation?	
3.	Do you work at least <b>15 hours</b> per week?	4.	What is your annual income before tax?	
	Yes No		\$	
5.	In the last 6 months have you been stood down, placed on unpa been any changes to your occupation duties, hours worked or ir			Yes No
	If Yes, please provide details.			
6.	Have you been made aware of any changes to your employmen or income that may occur within the next 6 months?	t stat	us, usual occupation duties, hours worked	Yes No
	If Yes, please provide details.			

Se	ction 4. Your insurance history							
7.	Has an application for Life, Trauma, Total & Perm Insurance on your life ever been declined, deferr special terms or conditions?				Yes N	0		
	If Yes, please provide details.							
8.	Have you ever claimed, or are you considering cl benefits, worker's compensation, or any other be			ability or life insurance	Yes N	0		
	If Yes, please provide details.							
9.	Do you currently have, or are you applying for, any other insurance cover with MetLife or any other life Yes No insurance company or superannuation fund?							
	If Yes, please give details.							
	Product/Type	Total amount	of cover	To be replaced by	this cover?			
	Life cover	\$		Yes	No			
	Total & Permanent Disability (TPD) cover	\$		Yes	No			
	Trauma cover	\$		Yes	No			
		\$	per month	Yes	No			
	Income Protection (IP) cover	Wait period:						
		Benefit period	3:					
						_		
Section 5. Your lifestyle								
10.	. Do you intend to travel to any country outside Australia in the next 12 months? If Yes, please give details.					0		
	Country		Intended dates	of travel				

## Section 5. Your lifestyle (continued)

11. Do you regularly engage in, or intend to engage in, any of the following hazardous sports or activities? Please tick all boxes that apply.

Water sports or activities e.g. snorkelling, scuba diving, free diving	Motor sports or activities e.g. motorcycle, motorcar, motor boat	Snow/winter sports or activities e.g. skiing, snowboarding, ice skating, ice hockey
Aerial sports or activities or aviation e.g. skydiving, hang gliding, parachuting, ballooning	Combat sports or martial arts e.g. taekwondo, boxing, fencing	Field sports or team sports e.g. hockey, football including touch or soccer, roller derby
Horse riding or equestrian activities e.g. polo, rodeo , dressage, jumping	Rock climbing, abseiling or other adventure sports or activities e.g. mountain biking, parkour	Any other hazardous sport or activity not mentioned

None of these activities

If Yes to any of the above sports or activities, please provide details.

Activity	Details

12. Have you smoked tobacco or any other substance within the last 12 months?

Yes No

/ week

No

Yes

If Yes, please provide details.

13. Have you within the last 5 years used any drug(s) that were not prescribed to you (other than over-the-counter medication), or have you exceeded the recommended dosage of any medication? If Yes, please provide details.

Drug/Medicine	Frequency of use

14. On average, how many standard alcoholic drinks do you consume each week? Note: A standard drink is equivalent to either a schooner of light beer, a middy/pot of full-strength beer, a shot of spirits or a standard serve of wine.

15. Have you ever:

- · required treatment, advice or counselling for alcohol or substance misuse,
- attended an alcohol or drug support group, or
- been told to reduce or stop drinking alcohol or using drugs?
- If Yes, please provide details.

Se	ction 6. Your family history							
16.	Has any immediate family member (your mother, father, any brother or sister) been diagnosed							
	under the age of 60 with any of the following conditions?• Parkinson's Disease• Hungtington's Disease• Familial Polyposis (FA• Cancer• Motor Neurone Disease• Heart Disease or Stro• Multiple Sclerosis• Dementia (including Alzheimer's Disease)• Diabetes• Muscular Dystrophy• Cardiomyopathy• Alzheimer's Disease or Stro				Unknown			
	If Yes, please provide details.							
	Relationship to you	Age at d	iagnosis	Specific condition(s)				
17.	<ul> <li>than any of the following amounts?</li> <li>\$500,000 of Life cover,</li> <li>\$500,000 of Total &amp; Permanent Disability (TPD) cover,</li> </ul>							
	<ul><li>\$200,000 of Trauma cover, or</li><li>\$4,000 per month of Income Protection</li></ul>	\$4,000 per month of Income Protection (IP) cover.						
	If Yes, have you ever had, or are you awaiting the results of, a genetic test?							
	Please provide details.							
	Condition		Test resu	ılts (e.g. positive, negative, carrier, unknown)				
		I						
Se	ction 7. Your health							
18.	What is your height (cm)?			20. What is your weight (kg)?				
19.	Has your weight changed by more than 1	IOka in the las	st 12 mont	hs?	Yes No			
	If Yes, please provide details, including f	-						
20.	Females only: Are you currently pregna	nt?			Yes No			
	If Yes, please provide details.							
	a) How many weeks pregnant are you?			b) Is the pregnancy progressing normally with	no complications?			
				Yes No				
_								

## Section 7. Your health (continued)

21. In the last **3 years** have you experienced symptoms of, sought medical advice, investigations or treatment for, or been diagnosed with any of the following?

Headache e.g. tension or cluster headaches, migraines	Ear or hearing condition e.g. partial or total deafness, tinnitus, Meniere's disease, vertigo	Eye or eyesight condition (not corrected by glasses or contact lenses) e.g. partial or total blindness, glaucoma, keratoconus
<ul> <li>Infectious diseases (excluding ordinary cold and flu)</li> <li>e.g. tuberculosis, glandular fever, malaria, Ross River fever</li> </ul>	Sexually transmitted infection e.g. syphilis, chlamydia, gonorrhoea	Lung, respiratory or sleep condition e.g. asthma, bronchitis, pneumonia, emphysema, insomnia, sleep apnoea
Trapped or injured nerve e.g. carpal tunnel syndrome, tennis elbow, pins and needles, numbness, repetitive strain injury (RSI)	None of these conditions	
If you have selected any of the above con	ditions, please provide details (including	dates, symptoms, treatment).
Have you <b>ever</b> experienced symptoms of the following? Please tick all boxes that apply. Back, neck or spine condition e.g. pain or injury, scoliosis, disc disorder, arthritis, sciatica	, sought medical advice, investigations or Bone, joint, ligament or any other musculoskeletal condition e.g. pain or injury, gout, arthritis, bone density disorder	<ul> <li>treatment for, or been diagnosed with any of</li> <li>Mental or behavioural condition</li> <li>e.g. anxiety, depression, stress,</li> <li>attention-deficit disorder (ADD/ADHD),</li> <li>eating disorder, bipolar disorder</li> </ul>
Chronic pain or fatigue e.g. myalgic encephalomyelitis, fibromyalgia	Cancer (including pre-cancerous changes), tumour, cyst, lump, or growth of any kind e.g. breast lump, melanoma, leukemia, lipoma	Diabetes, impaired fasting glucose, gestational diabetes or abnormal blood sugar
High blood pressure or high cholesterol	Heart or vascular condition e.g. heart attack, irregular heartbeat, angina, heart murmur, heart valve condition, varicose ve	Brain or head condition e.g. stroke, aneurysm, head injury, fainting, epilepsy, seizures, dementia
Neurological condition e.g. multiple sclerosis (MS), Parkinson's, muscular dystrophy, motor neurone disease, optic neuritis	Gland or hormone condition e.g. thyroid conditions, polycystic ovarian syndrome (PCOS), pituitan adenoma	Blood condition e.g. anaemia, deep vein thrombosis (DVT), haemochromatosis, blood clotting disorder
Stomach, bowel or digestive condition e.g. Crohn's, ulcerative colitis, reflux, polyps, diverticular disease	Kidney, urinary or genital condition e.g. kidney stones, cystitis, endometriosis, abnormal cervical screening or prostate screening te	e.g. fatty liver, hepatitis, pancreatitis, ga stones
Skin condition e.g. dermatitis, psoriasis, eczema, sunspots, skin lesions	Autoimmune or inflammatory condition e.g. rheumatoid arthritis, immunodeficiency, lupus	None of these conditions

If you have selected any of the above conditions, please provide details (including dates, symptoms, treatment) on the next page.

an HIV test?   Yes   Yes   No   25. Have you tested positive for or are you waiting on the results of a COVID-19 test?    Yes   Yes   No   26. Have you been exposed to COVID-19, or have you been in close contact with anyone who has been diagnosed with, quarantined for, or is suspected to have COVID-19?    Yes No   27. Apart from what you've already told us, are you considering, or have you been told to have any investigations, reatment, or ongoing prescribed medication? Note: You do not need to tell us about oral contraceptives or over-the-counter medications. If Yes, please provide details.   28. Apart from what you've already told us, have you had any surgery in the last 5 years, or are you awaiting surgery?   If Yes, please provide details.	Section 7. Your health (continued)			
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Name Contact number	If Yes, please provide details.			
Name Contact number				
	29. What is the name of your usual doctor/medical centre?			
Address Suburb State Postcode	Name	Contact number		
	Address	Suburb	State	Postcode

## Section 8. The duty to take reasonable care not to make a misrepresentation

When you apply for life insurance, we will ask you a number of questions.

Our questions will be clear and specific. They will be about things such as your health and medical history, occupation, income, lifestyle, pastimes, and other insurance.

The answers given in response to our questions are very important. We use them to decide if we can provide cover to you and, if we can, the terms of the cover and the premium we will charge. Care must be taken to answer all questions we ask as part of your insurance application honestly and accurately.

Otherwise, you may not be able to rely on your insurance when it's needed the most.

#### The duty to take reasonable care

When applying for insurance, there is a duty to take reasonable care not to make a misrepresentation.

A misrepresentation could be made if an answer is given that is false, only partially true, or that does not fairly reflect the truth. This means when answering our questions, you should respond fully, honestly and accurately.

The duty to take reasonable care not to make a misrepresentation applies any time you answer our questions as part of an initial application for insurance, an application to extend or make changes to existing insurance, or an application to reinstate insurance.

You are responsible for all answers given, even if someone assists you with your application.

We may later investigate the answers given in your application, including at the time of a claim.

#### Consequences of not complying with the duty

If there is a failure to comply with the duty to take reasonable care not to make a misrepresentation, it can have serious consequences for your insurance, such as those explained below:

Potential consequences	Additional explanation	Impact on claims
Your cover being avoided	This means your cover will be treated as if it never existed	Any claim that has been made will not be payable
The amount of your cover being changed	Your cover level could be reduced	If a claim has been made, a lower benefit may be payable
The terms of your cover being changed	We could, for example, add an exclusion to your cover meaning claims for certain events will not be payable	If a claim has been made for an event that is now excluded, it will not be payable

If we believe there has been a breach of the duty to take reasonable care not to make a misrepresentation, we will let you know our reasons and the information we rely on and give you an opportunity to provide an explanation.

In determining if there has been a breach of the duty, we will consider all relevant circumstances.

The rights we have if there has been a failure to comply with the duty will depend on factors such as what we would have done had a misrepresentation not been made during your application process and whether or not the misrepresentation was fraudulently made.

If we decide to take some action on your cover, we will advise you of our decision and the process to have this reviewed or make a complaint if you disagree with our decision.

#### Guidance for answering our questions

When answering our 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 that we ask you.
- Do not assume that we will contact your doctor for any medical information.
- Answer truthfully, accurately and completely. If you are unsure about whether you should include information, please include it or check with us.
- Review your application carefully. If someone else helped prepare your application (for example, your adviser), please check every answer (and make corrections if needed) before the application is submitted.

#### Other important information

Your application for cover will be treated as if you are applying for an individual 'consumer insurance contract'. For this reason, the duty to take reasonable care not to make a misrepresentation applies.

Before your cover starts, we may ask about any changes that mean you would now answer our questions differently. As any changes might require further assessment or investigation, it could save time if you let us know about any changes when they happen.

If after the cover starts, you think you may not have met your duty, please contact us immediately and we'll let you know whether it has any impact on the cover.

It's important that you understand this information and the questions we ask, so if you have any queries please contact your representative or MetLife on 1300 555 625.

## Section 9. Declaration

- I have read and understand the Duty to take reasonable care on page 8 and understand that this duty applies any time I answer MetLife's questions as part of an application for insurance.
- I declare the answers to the questions are true, complete and accurate, and I have not deliberately withheld any information relevant to this application.
- I agree to be bound by the terms and conditions set out in the MetLife Group Insurance Policy.
- I have read and understood the Privacy Disclosure Statement entitled 'Privacy Use and Disclosure of personal information'. I consent to the collection, use and disclosure of my personal (including sensitive) information in accordance with these terms.
- I understand that cover under a policy does not begin until acceptance by the insurer, of which I will be notified in writing.
- · I have read the insurance section of the current Product Disclosure Statement.

## Signature

Signature of applicant

Full name

Please return the completed form to MetLife Insurance Limited, GPO Box 3319, Sydney NSW 2001 or auservices@metlife.com

metlife.com.au



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Date (dd/mm/yyyy)