



**Tasmania**  
Explore the possibilities

---

## **UNCLAIMED MONEYS GUIDELINES**

**A guide to the *Unclaimed Moneys Act 1918***

---

These Guidelines provide general information on how unclaimed money can be claimed and the procedures businesses must follow when dealing with unclaimed money.

November 2008

**DEPARTMENT OF TREASURY AND FINANCE**

# CONTENTS

<b>WHAT TREASURY DOES WITH UNCLAIMED MONEYS</b>	<b>3</b>
<b>PART 1 - CLAIMING UNCLAIMED MONEYS</b>	<b>4</b>
1. Unclaimed Bank Money	4
2. Unclaimed Superannuation Benefits	4
3. General Unclaimed Money	4
4. Unclaimed Tattersall's Sweeps Pty Ltd Lottery Money	5
<b>PART 2 - A TRUSTEE'S GUIDE TO UNCLAIMED SUPERANNUATION</b>	<b>6</b>
1. How superannuation benefits become unclaimed	6
2. Application of Part 3	6
3. Statement of Unclaimed Superannuation Benefits (Section 14)	6
4. Penalties for Breach of Section 14	6
<b>PART 3 - A COMPANY'S GUIDE TO GENERAL UNCLAIMED MONEYS</b>	<b>7</b>
1. Company includes:	7
2. Procedural Guidelines for a company	7
3. Penalties for Breach of Guidelines	7
<b>PART 4 - CONTACT DETAILS</b>	<b>8</b>
1. Unclaimed Superannuation money and General Unclaimed Money:	8
2. Government Gazette Publishing:	8
<b>ATTACHMENT 1 - Request for Payment of Unclaimed Superannuation Money</b>	<b>10/11</b>
<b>ATTACHMENT 2 - Proof of Identity</b>	<b>12</b>
<b>ATTACHMENT 3 - Request for Payment of Unclaimed General Money</b>	<b>13/14</b>
<b>ATTACHMENT 4 - Statement of Unclaimed Superannuation Money</b>	<b>15</b>
<b>ATTACHMENT 5 - Form I: Register of Unclaimed Moneys held by a Company</b>	<b>16</b>
<b>ATTACHMENT 6 - Form II: Unclaimed Moneys Act 1918 Statutory Declaration</b>	<b>17</b>
<b>ATTACHMENT 7 - Form III: Return of Unclaimed Moneys Held by a Company</b>	<b>18</b>

## **What Treasury does with unclaimed moneys**

- Treasury accepts unclaimed moneys on behalf of the Treasurer.
- When unclaimed moneys are paid to Treasury they are kept in the Special Deposits and Trust Fund within the Public Account.
- No interest is accrued or payable on unclaimed moneys.
- Treasury keeps a record of all moneys received and paid in a Microsoft Access database.
- The database on which unclaimed monies are recorded is not open to public inspection, but the data can be purchased in electronic form. Further details will be provided by Treasury upon request (see contact details).

## Part 1 - Claiming Unclaimed Moneys

### 1. Unclaimed Bank Money

- All unclaimed bank money is held by the Australian Securities and Investments Commission.
- In Tasmania's *Unclaimed Moneys Act 1918*, the provisions dealing with unclaimed banking moneys have been made redundant by Section 69 (11A) of the Australian Government's *Banking Act 1959*. This section of the Act states that a law of a State or Territory has no effect in requiring a bank to pay unclaimed moneys to a State or Territory or an authority of either.
  - Further details on unclaimed bank money can be obtained from:
    - ASIC on 1300 301 198 or on the Internet at <http://www.fido.asic.gov.au/fido/fido.nsf>,
  - the *Banking Act 1959* on the Internet at <http://scaleplus.law.gov.au/>.

### 2. Unclaimed Superannuation Benefits

- Unclaimed superannuation money is held by Treasury (refer to **Part 2** for the definition of an unclaimed superannuation benefit).
- Unclaimed superannuation benefits can be claimed by applying to the Treasurer via a "**Request for Payment of Unclaimed Superannuation Money**" form (refer **Attachment 1**).
- Proof of identity must accompany the application. A successful application will require at least **100 points** of identification according to the schedule shown on the "**Proof of Identity Documents**" form (refer **Attachment 2**).
- General enquiries from claimants can be made to Treasury via phone, fax, e-mail, or mail (see **Part 4** for contact details).
- Further details on unclaimed superannuation benefits can be obtained from:
  - Australian Taxation Office SuperSeeker Self Help, Telephone 13 28 65 and supply Name, Tax File Number and Date of Birth or on the internet [www.ato.gov.au/super/content.asp?doc=/content/33301.htm](http://www.ato.gov.au/super/content.asp?doc=/content/33301.htm).
  - Australian Unclaimed Superannuation Fund, Telephone 1300 361 798 or on the internet [www.unclaimedsuper.com.au](http://www.unclaimedsuper.com.au).

### 3. General Unclaimed Money

- General unclaimed moneys including principal and interest, dividends, profits, bonuses and other sums legally due to the owner are held by Treasury (refer to **Part 3** for further information on general unclaimed moneys).
- General enquiries from claimants can be made to Treasury via phone, fax, e-mail, or mail (see **Part 4** for contact details).
- General Unclaimed Moneys can be claimed by applying to the Treasurer via a "**Request for Payment of General Unclaimed Money**" form (refer **Attachment 3**).
- Any request for unclaimed moneys must be accompanied by sufficient proof of identification in order to validate the claim. The 100-point check is used for General Unclaimed Moneys. The nature of the claim may require further information. For example, if the claim is for unclaimed dividends, then proof of share holdings will be required.

#### **4. Unclaimed Tattersall's Sweeps Pty Ltd Lottery Money**

- For the purposes of these Guidelines, Unclaimed Tatts Lottery Moneys are moneys that remain unclaimed for a period of greater than six months. Lottery results can be obtained by contacting Tatts Customer Service on (03) 8517 7920, or on the internet [www.tattersalls.com.au](http://www.tattersalls.com.au) and selecting the Search for Past Results option.
- All prizes remaining unclaimed for six months or more only may be lodged directly with Treasury.

## **Part 2 - A Trustee's Guide to Unclaimed Superannuation**

Part 3 of the *Unclaimed Moneys Act 1918* deals with Unclaimed Superannuation Benefits.

### **1. How superannuation benefits become unclaimed**

“**Unclaimed superannuation benefit**” means an amount of money that is taken under Part 22 of the *Superannuation Industry (Supervision) Act 1993* (which is now mirrored and incorporated into the *Unclaimed Moneys Act 1918*).

The Superannuation Industry (Supervision) Act states that if:

- a) a beneficiary in a fund has reached the eligibility age for an age pension;
  - b) the trustee determines that, under the governing rules of the fund, a benefit (other than a pension) is immediately payable in respect of the beneficiary;
  - c) the beneficiary has not applied to the trustee to have the amount of his or her benefits in the fund paid to him or her; and
  - d) the trustee is unable to pay those benefits to the beneficiary because the trustee, after making reasonable efforts to find the beneficiary, is unable to do so;
- the amount payable to the beneficiary is taken to be unclaimed money.

### **2. Application of Part 3**

Part 3 applies to a fund and the Trustee of a fund if:

- a) the trustee is a corporation within the meaning of the Corporations Law and its registered office within the meaning of that Law is in Tasmania;
- b) in the case of a trustee who is a natural person, the principal place where the trustee carries on its business as a trustee is in Tasmania;
- c) in the case of an exempt public sector superannuation scheme, the principal place where the fund is administered is in Tasmania; or
- d) where there are two or more trustees of the fund and paragraph (a) or (b) applies to one or more but not all trustees, the principal place where the fund is administered is in Tasmania.

### **3. Statement of Unclaimed Superannuation Benefits (Section 14)**

The trustee of a fund must make a statement (refer **Attachment 4**) of all unclaimed superannuation benefits in the fund as at:

- a) 30 June 1997; and
- b) the end of each subsequent six month period.

The trustee must make the statement :

- a) in relation to a six month period ending on 30 June, on or before the following 31 October; and
- b) in relation to a six month period ending on 31 December, on or before the following 30 April.

Any resulting unclaimed superannuation benefits will be paid to the Treasury.

The Treasurer may approve a date for the statement submission later than that specified above.

### **4. Penalties for Breach of Section 14**

A trustee must not intentionally or recklessly contravene or fail to comply with a provision of this section.

Penalty: Fine not exceeding 20 penalty units.

## Part 3 - A Company's guide to general unclaimed moneys

**Unclaimed Moneys** means all sums of money whatsoever which have become legally payable by a **company** but where circumstances have meant that the person entitled to these moneys have been unable to claim for a period of six (6) years. These moneys include not only all principal and interest but also dividends, profits, bonuses and other sums legally due to the owner.

### 1. Company includes:

- A company within the meaning of the Corporations Law;
- Every person or firm carrying on business as traders in Tasmania, and acting as agents or private bankers for individuals or companies;
- The liquidator of any company;
- Any persons conducting or controlling any lottery authorised by law in Tasmania; and
- Any person carrying on a business in Tasmania.

### 2. Procedural Guidelines for a company

- Each January a Company must prepare a register of retained unclaimed moneys (refer **Attachment 5**), over the value of \$6.00, held for the statutory period of six years.
- The register is to be open for public inspection at the Company's Head Office.
- This register is to be published in the Tasmanian Government Gazette, published by Print Applied Technology Pty Ltd, by 15 February. At the same time, a statutory declaration (refer **Attachment 6**) must be forwarded to Treasury.
- After a period of 12 months, any moneys which are still unclaimed must be paid to the Treasurer. This should be accompanied by a statutory declaration (refer **Attachment 7**). The claimants last known address should also be included on this or a separate schedule. If the register for unclaimed money for a particular company exceeds 10 entries the company is required to provide Treasury with an electronic version compatible with an Access database (ie excel spreadsheet, comma separated file).
- The company is entitled to deduct any expenses relating to the publishing of the register from the moneys paid to the Treasurer.
- Moneys are receipted to the Public Account and the particulars held in a database.

### 3. Penalties for Breach of Guidelines

The following omissions will give rise to a penalty under the Act:

- Failure to compile a register of unclaimed moneys.
- Refusing a public request to inspect the register of unclaimed monies.
- Not publishing the register in the Tasmanian Government Gazette by February 15.
- Not filing a Statutory Declaration with the Department of Treasury and Finance.

## Part 4 - Contact Details

### 1. Unclaimed Superannuation money and General Unclaimed Money:

Department of Treasury and Finance (Treasury)

**Mail:**

The Secretary  
Department of Treasury and Finance  
GPO Box 147  
HOBART Tas 7001

**Fax:**

(03) 6233 3697

**Phone:**

(03) 6233 2948

**E-Mail:**

unclaimed.money@treasury.tas.gov.au

The *Unclaimed Moneys Act 1918* is also available on the internet at <http://www.thelaw.tas.gov.au>

### 2. Government Gazette Publishing:

Print Applied Technology Pty Ltd

**Mail:**

Print Applied Technology Pty Ltd  
123 Collins Street Hobart  
GPO Box 307  
HOBART Tas 7001

**Fax:**

(03) 6216 4294

**Phone:**

(03) 6233 3289

**E-Mail:**

govt.gazette@thepat.com.au



**Tasmania**  
Explore the possibilities

# Request for Payment of Unclaimed Superannuation Money

Department of Treasury and Finance  
21 Murray Street  
GPO Box 147  
HOBART Tas 7001  
Telephone (03) 6233 2948  
Email: unclaimed.money@treasury.tas.gov.au

## Member Details

<b>Tax File Number</b> (if quoted to Superannuation Fund)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Title</b>	Mr / Mrs / Miss / Ms														
<b>Family name</b>	<input type="text"/>																		
<b>Given names</b>	<input type="text"/>																		
<b>Date of birth</b>	<input type="text"/> / <input type="text"/> / <input type="text"/>																		
<b>Current address</b>	<input type="text"/>																		
	<b>Postcode</b>																		
<b>Previous addresses</b>	<input type="text"/>																		
	<input type="text"/>																		
<b>EFT payment details</b>	<b>BSB</b>	<input type="text"/>	—	<input type="text"/>	<b>Account No</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
	<b>Name of Financial Institution</b>					<input type="text"/>													
	<b>Account Name</b>					<input type="text"/>													

Please give details of previous names or any other names you are or were commonly known by.

Surname	Given Names	Date of Change	Evidence of change (to be supplied)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## Superannuation Fund Membership Details

Superannuation Fund Name	Superannuation Fund Account No.
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

**Note:**

- 1 - You must provide proof of identity documents with this Form. Details of proof of identity requirements are attached.
- 2 - Please ensure that the Declaration on Page 2 of this Form is signed to validate your claim.

## Your Details, If You are Claiming on Behalf of a Member

<b>Title</b>	Mr / Mrs / Miss / Ms		
<b>Family name</b>			
<b>Given names</b>			
<b>Date of birth</b>	/ /	<b>Daytime Telephone No.</b>	
<b>Current address</b>			
	<b>Postcode</b>		
<b>In what capacity are you authorised to claim?</b>			

eg. Power of Attorney, Trustee etc (Please provide a certified copy).

## Declaration

I .....

*(name)*

do solemnly and sincerely declare that the details provided in this form are true and correct.  
I make this solemn declaration under the *Oaths Act 2001*.

**Declared at**.....

*(place)*

**on**.....

*(date)*

.....

*Signature*

**Before me,**

.....

*(Justice, commissioner for declarations or authorised person)*

.....

*(Name, print)*

## Checklist

- If any fields have not been completed, an explanation has been provided within the text box on the Form.
- Documentary proof of identity has been included with this Form.
- Certified copy of Power of Attorney, Trust Deed etc. included if appropriate.
- Evidence of change of name has been included, if appropriate.
- The declaration on this Form has been signed.
- If there is not sufficient space on the above Form to include all details as required, please attach a supplementary sheet.

## Contact Details

### Mailing Address

Department of Treasury and Finance  
GPO Box 147  
HOBART Tas 7001

### Fax Number

(03) 6233 3697

### Email

unclaimed.money@treasury.tas.gov.au

## ATTACHMENT 2 - Proof of Identity



# Proof of Identity Documents

Department of Treasury and Finance  
21 Murray Street  
GPO Box 147  
HOBART Tas 7001  
Telephone (03) 6233 2948  
Email: [unclaimed.money@treasury.tas.gov.au](mailto:unclaimed.money@treasury.tas.gov.au)

When you lodge your Request for Payment of Unclaimed Superannuation Money or General Unclaimed Money form you must provide documents (Total value equal to 100 points) from the following list that proves your identity.

IDENTIFICATION		POINTS
Birth Certificate		70
Passport		70
Citizenship Certificate		70
(Only one document from this group is allowed)		
Name of signatory verified from the following, but only where they contain a photograph or signature that can be matched to the signatory:	<ul style="list-style-type: none"><li>• An identification card issued by the Australian Government or a State/Territory government as evidence of the signatory's entitlement to a financial benefit</li><li>• A licence issued under law (eg a driver's licence)</li><li>• A public sector employee identification card</li><li>• An identification card issued by a tertiary institution</li><li>• Marriage Certificate</li><li>• Divorce papers</li><li>• Title or deed to Australian real estate, or registered mortgage papers on an Australian home or property</li><li>• Maintenance Agreement registered with the Australian Family Court or Magistrates Court</li></ul>	40 40 40 40 40 40 40
Name and address of signatory verified from:	<ul style="list-style-type: none"><li>• A current employer, or an employer within the past two years</li><li>• A rating authority (eg land rates)</li><li>• The Credit Reference Association of Australia (subject to <i>Privacy Act 1988</i>)</li><li>• Land Titles Office records</li></ul>	35 35 35 35
Name and address of signatory verified from: (Only one document from this group is allowed)	<ul style="list-style-type: none"><li>• A current life insurance policy</li><li>• A current home contents or property insurance policy</li><li>• A current car insurance policy</li></ul>	35 35 35
Name and address of signatory verified from: (Only one document from this group is allowed)	<ul style="list-style-type: none"><li>• A bank account statement</li><li>• A credit union account statement</li><li>• A building society account statement</li><li>• A finance company account statement</li></ul>	35 35 35 35



# Request for Payment of General Unclaimed Money

Department of Treasury and Finance  
 21 Murray Street  
 GPO Box 147  
 HOBART Tas 7001  
 Telephone (03) 6233 2948  
 Email: unclaimed.money@treasury.tas.gov.au

## Claimant Details

Title	<input type="text" value="Mr / Mrs / Miss / Ms"/>		
Family name	<input type="text"/>		
Given names	<input type="text"/>		
Date of birth	<input type="text" value="/ /"/>		
Current address	<input type="text"/>		
	Postcode		
Previous addresses	<input type="text"/>		
	<input type="text"/>		
EFT payment details	BSB	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	Account No
	Name of Financial Institution		<input type="text"/>
	Account Name		<input type="text"/>

Please give details of previous names or any other names you are or were commonly known by.

Surname	Given Names	Date of Change	Evidence of change (to be supplied)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## Unclaimed Money Details

Please provide sufficient evidence to substantiate your claim including; details of unclaimed money, company or firm paying money, account reference, date, amount, etc.

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

**Note:**

- 1 – You must provide proof of identity documents with this Form. Details of proof of identity requirements are attached.
- 2 - Please Ensure the Declaration on Page 2 of this Form is completed to validate your claim.

## Your Details, If You are Claiming on Behalf of a Claimant

Title	Mr / Mrs / Miss / Ms	
Family name		
Given names		
Date of birth	/ /	Daytime Telephone No. <input type="text"/>
Current address		
	Postcode	
In what capacity are you authorised to claim?		

eg. Power of Attorney, Trustee etc (Please provide a certified copy).

## Declaration

I .....

(name)

Do solemnly and sincerely declare that the details provided in this form are true and correct.  
I make this solemn declaration under the *Oaths Act 2001*.

**Declared at**.....

(place)

**on**.....

(date)

.....

Signature

**Before me,**

.....

(Justice, commissioner for declarations or authorised person)

.....

(Name, print)

## Checklist

- If any fields have not been completed, an explanation has been provided within the text box on the Form.
- Documentary proof of identity has been included with this Form.
- Certified copy of Power of Attorney, Trust Deed etc included, if appropriate.
- Evidence of change of name has been included, if appropriate.
- The declaration on this Form has been signed.
- If there is not sufficient space on the above Form to include all details as required, please attach a supplementary sheet.

## Contact Details

### Mailing Address

Department of Treasury and Finance  
GPO Box 147  
HOBART Tas 7001

### Fax Number

(03) 6233 3697

### Email

unclaimed.money@treasury.tas.gov.au

**ATTACHMENT 4 - Statement of Unclaimed Superannuation Money**



**Tasmania**  
Explore the possibilities

# Statement of Unclaimed Superannuation Money

Department of Treasury and Finance  
21 Murray Street  
GPO Box 147  
HOBART Tas 7001  
Telephone (03) 6233 2948  
unclaimed.money@treasury.tas.gov.au

## Member Details

<b>Member Account No.</b>	<input type="text"/>		
<b>Tax File Number</b> (if quoted to trustee)	<input type="text"/>	<input type="text"/>	<input type="text"/>
	<b>Title</b>		<input type="text" value="Mr / Mrs / Miss / Ms"/>
<b>Family name</b>	<input type="text"/>		
<b>Given names</b>	<input type="text"/>		
<b>Date of birth</b>	<input type="text" value="/ /"/>	<b>Telephone No. (if known)</b>	<input type="text"/>
<b>Current address</b>	<input type="text"/>		
			<b>Postcode</b>

Please provide details of previous names and addresses you have in relation to the member.

Surname	Given Names	Address
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

## Breakdown of Contributions

<b>Eligible Service Period Start Date</b>	<input type="text" value="/ /"/>
<b>Member Undeducted Contributions</b>	<input type="text" value="\$"/>
<b>Member Pre 1 July '83 component</b>	<input type="text" value="\$"/>
<b>Member Post 30 June '83 Untaxed component</b>	<input type="text" value="\$"/>
<b>Member Post 30 June '83 Taxed component</b>	<input type="text" value="\$"/>
<b>Member Concessional component</b>	<input type="text" value="\$"/>
<b>Member Post 30 June '94 component</b>	<input type="text" value="\$"/>
<b>TOTAL MEMBER AMOUNT TRANSFERRED</b>	<input type="text" value="\$"/>

**Superannuation Fund Name**

**ATTACHMENT 5 - Form I: Register of Unclaimed Moneys held by a Company**

**Form I**

**Register of Unclaimed Money Held by the Company**

*“XYZ Company”*

Name of owner on books	Total amount due to owner	Description of Unclaimed Money	Date of last claim

**ATTACHMENT 6 - Form II: *Unclaimed Moneys Act 1918* Statutory Declaration  
Form II**

**Unclaimed Moneys Act 1918**

I, <<NAME>>, <<ADDRESS>>, <<OCCUPATION>>  
do solemnly and sincerely declare:

THAT I am an officer of “XYZ Company”, hereinafter referred to as the  
said Company.

THAT in accordance with the provisions of the *Unclaimed Moneys Act 1918*, the said Company has duly entered all unclaimed moneys in the register kept by the said Company at its head or principal office in Tasmania.

THAT a copy of the said register was published on the <<XX>> day of the month of 20XX.

THAT the said register correctly and completely sets forth particulars of all unclaimed moneys within the meaning of the said Act of the said Company of not less the six (6) dollars in any one account.

I make this solemn declaration under the *Oaths Act 2001*.

**Declared at**.....

*(place)*

**on**.....

*(date)*

.....

*Signature*

**Before me,**

.....

*(Justice, commissioner for declarations or authorised person)*

.....

*(Name, print)*

**ATTACHMENT 7 - Form III: Return of Unclaimed Moneys Held by a Company**

**FORM III**

**Return of Unclaimed Moneys held by the “XYZ Company” on 31 December 20XX, with the Particulars of any such Moneys since paid to Claimants.**

Name of owner on books	Total amount due to owner	Description of Unclaimed Money	Amount paid to claimant since 31 December 20XX <b>Less</b> cost of advertising (If Applicable.)

I, <<NAME>>, <<ADDRESS>>, <<OCCUPATION>>  
do solemnly and sincerely declare:

THAT I am an officer of “XYZ Company”, hereinafter referred to as the said Company.

THAT the particulars contained in the above return are true and correct in every particular.

I make this solemn declaration under the *Oaths Act 2001*.

**Declared at**.....  
(place)

**on**.....  
(date)

.....  
*Signature*

**Before me,**  
.....  
(Justice, commissioner for declarations or authorised person)

.....  
(Name, print)