## **About this Template**

This Template has been prepared for use by members of the Financial Planning Association (FPA) and the SMSF Association (SMSFA) and members of Chartered Accountants Australia and New Zealand (CA ANZ), CPA Australia and the Institute of Public Accountants (IPA) in public practice in Australia (the professional accounting bodies) who are providing financial advice under an AFSL and seek to rely on the exemption from the obligation to provide a Statement of Advice in connection with the early release of superannuation provided in  [ASIC Corporations (COVID-19—Advice-related Relief) Instrument 2020/355](https://www.legislation.gov.au/Details/F2020L00425).

Further information on the temporary relief measures announced by ASIC to assist industry in providing consumers with affordable and timely advice during the COVID-19 pandemic is outlined in ASIC’smedia release dated 14 April 2020: <https://asic.gov.au/about-asic/news-centre/find-a-media-release/2020-releases/20-085mr-asic-grants-relief-to-industry-to-provide-affordable-and-timely-financial-advice-during-the-covid-19-pandemic/>

This Template includes the information that you must include in your Record of Advice by law (under the Corporations Act as modified by [ASIC Corporations (COVID-19—Advice-related Relief) Instrument 2020/355](https://www.legislation.gov.au/Details/F2020L00425)). If you are a member of a professional body, you must also comply with all applicable professional standards that apply to you as a member for example, members of the professional accounting bodies must comply with all applicable standards issued by the Accounting Professional and Ethical Standards Board).

You can tailor the layout of the Template by inserting your own practice branding and making other formatting changes if you wish.

You must tailor the template to the client’/s’ specific needs and circumstances.

Please note that this Template has been designed to be given to a client who:

* is a citizen or permanent resident of Australia or New Zealand; and
* has had their employment impacted by COVID-19.

You will need to make adjustments to the Template if you are advising a client impacted by COVID-19 whose situation is different (for example, a client who is unemployed, a sole trader and/or a temporary resident).

Prior to sending the final Template to your client, please add the information required where highlighted in yellow in the Template and delete all <instructions provided in red>.

**Disclaimer**

This Template has been prepared for use by members of CA ANZ, CPA Australia and the IPA in public practice in Australia and members of the FPA and the SMSFA. It is not intended for use by any person who is not a member of CA ANZ, CPA Australia, the IPA, the FPA or the SMSFA and/or does not have appropriate expertise in the Template's subject matter.

Before using this Template, you should read it in full, consider its effect and determine whether it is appropriate for your client's needs. This Template was created in April 2020. Laws, practices and regulations may have changed since that time. You should make your own inquiries as to the currency of relevant laws, practices and regulations.

You will need to independently determine whether you are providing advice to each client in circumstances that satisfy all requirements of the SOA exemption contained in [ASIC Corporations (COVID-19—Advice-related Relief) Instrument 2020/355](https://www.legislation.gov.au/Details/F2020L00425) and that you are complying with all other relevant regulatory obligations.

No warranty is given as to the correctness of the information contained in this Template, or of its suitability for use by you. To the fullest extent permitted by law, CA ANZ, CPA Australia, the IPA, the FPA and the SMSFA are not liable for any statement or opinion, or for any error or omission contained in this Template and disclaim all warranties with regard to the content, including, without limitation, all implied warranties of merchantability and fitness for a particular purpose. CA ANZ, CPA Australia, IPA, the FPA and the SMSFA are not liable for any direct, indirect, special or consequential losses or damages of any kind, or loss of profit, loss or corruption of data, business interruption or indirect costs, arising out of or in connection with the use of this Template or the information contained in it, whether such loss or damage arises in contract, negligence, tort, under statute, or otherwise.

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Cover

[Licensee Name]

Record of Advice

Prepared by [Planner Name]

For: [Name1/Name2]

[dd-mm-yyyy]

[Practice]

Phone: [xx xxxx xxxx]

Email: [xxx@xxx.com.au]

Address: [address] [suburb] [state] [postcode]

Australian financial services licence no.: [XXXXXX]

ABN: [XX XXX XXX XXX]

Authorised representative no.: [XXXXX]

Registered Tax (financial) adviser: [XXXXXXXX]

<optional> [Practice] website: [www.XXXX.com.au]

**What this document is about**

This document records our financial advice to you [Name 1 / and Name 2]. It is called a Record of Advice (**ROA**), which we are required to provide to you under the *Corporations Act 2001* (Cth). This advice does not cover all aspects of your financial situation and you have confirmed on [dd-mm-yyyy] <choose appropriate option> [that these are your current financial circumstances, goals and objectives / that there have been no significant changes to your financial circumstances, goals and objectives since the Statement of Advice (**SoA**) (or subsequent RoA) dated [dd-mm-yyyy] apart from those related to the COVID-19 pandemic and economic crisis].

The advice covered by this document is limited to your request for advice on the early release of superannuation for persons affected by COVID-19.

We are required by law to act in your best interests when providing you with financial advice.

<To be included for CA ANZ, CPA Australia and IPA members in public practice>

As a member of a professional accounting body, the provider of this advice must also comply with all applicable standards issued by the Accounting Professional and Ethical Standards Board.

**Attachments**

The Australian Government has made a document available titled ‘Early access to superannuation’, released as part of their Economic Response to COVID-19: <https://treasury.gov.au/sites/default/files/2020-04/Fact_sheet-Early_Access_to_Super.pdf>

To find out more about the financial assistance offered to Australians affected by COVID-19, visit ASIC’s MoneySmart website: <https://moneysmart.gov.au/covid-19>

Additional information is available from the Government via the [ATO information on accessing super](https://www.ato.gov.au/individuals/super/withdrawing-and-using-your-super/early-access-to-your-super/?anchor=Compassionategrounds#Compassionategrounds)annuation and on the website the Government has set up to provide regular updates on the COVID-19 response: <https://www.australia.gov.au/>

# About you

<Where advising one client>

[Name1], from our conversation on [dd-mm-yyyy] [and prior meetings] we understand that you are:

Age: [xx]

Sex: [Male/Female]

Employment: [Status + Job role]

Pre-[status] income: $[XXX,XXX]

[Eligible social security benefit: Jobseeker payment / Parenting payment / Special benefit / Youth allowance / Farm household allowance]

<Include if appropriate>

Spouse: [Name 2]

Spouse’s Employment: [status + job role]

Pre-[status] income: [$XXX,XXX]

[Eligible social security benefit: Jobseeker payment / Parenting payment / Special benefit / Youth allowance / Farm household allowance]

Children / Dependents: [Info]

Current lifestyle requirement: $[XXX,XXX] per [week/month/year]

Financial position: [Property / Assets / Superannuation / etc.]

Super funds and balances: [List all super funds and balances]

You have told us that your employment has been impacted by COVID-19, resulting in you meeting the Government’s criteria to access up to $10,000 of your superannuation in the 2019/2020 financial year and/or 2020/2021 financial year.

Specifically, you have told us that on you <choose appropriate option> [were made redundant since 1 January 2020] / [had your work hours reduced by 20% or more since 1 January 2020] / [are receiving an eligible social security benefit.]

<Where advising a couple>

[Name1] and [Name 2], from our conversation on [dd-mm-yyyy] [and prior meetings] we understand that you are:

Name: [Name 1]

Age: [xx]

Sex: [Male/Female]

Employment: [Status + Job role]

Pre-[status] income: [$XXX,XXX]

[Eligible social security benefit: Jobseeker payment / Parenting payment / Special benefit / Youth allowance / Farm household allowance]

Spouse: [Name 2]

Spouse’s Employment: [status + job role]

Pre-[status] income: [$XXX,XXX]

[Eligible social security benefit: Jobseeker payment / Parenting payment / Special benefit / Youth allowance / Farm household allowance]

Children / Dependents: [Info]

Current lifestyle requirement: $[XXX,XXX] per [week/month/year]

Financial position: [Property / Assets / Superannuation / etc.]

Super funds and balances: [List all super funds and balances]

You have told us that since 1 January 2020, both of your employment arrangements have been impacted by COVID-19, resulting in you both meeting the Government’s criteria to access up to $10,000 each of your superannuation in the 2019/2020 financial year and/or 2020/2021 financial year.

Specifically [Name 1], you have told us that on you <choose appropriate option> [were made redundant since 1 January 2020] / [had your work hours reduced by 20% or more since 1 January 2020] / [are receiving an eligible social security benefit]. [Name 2], you have also told us that on you <choose appropriate option>[were made redundant since 1 January 2020] / [had your work hours reduced by 20% or more since 1 January 2020] / [are receiving an eligible social security benefit].

Neither we nor any person acting on our behalf has made unsolicited contact with you about the early release of your superannuation.

# What you want

You would like to know: <choose applicable options and make sure this is tailored for each client>

* if you can and should access money from superannuation to assist you in meeting day-to-day requirements
* the maximum amount you can access, and when it can be accessed
* how much you should withdraw, having regard to your current financial position
* the tax impact of the withdrawal from superannuation under the Government’s assistance program and
* the impact of the withdrawal(s) on the future balance of your superannuation, insurance and your longer term goals.

Our Advice

<Take $10,000 only pre-July 2020>

[Name1/ and Name2], as your income has been detrimentally impacted by COVID-19, you [both] meet the eligibility criteria that will allow you to apply for a withdrawal of up to $10,000 from superannuation in this financial year, ending 30 June 2020.

As an alternative, we considered your cash savings available, and assessed that this amount will not cover your living expenses in full across the course of the economic downturn due to COVID-19. Further, the early access of superannuation will provide a buffer against unforeseen expenses, and help you meet your ongoing living expenses.

On this basis, we recommend that [you / Name 1] access $[XX],000 from your [super fund] superannuation fund [and Name 2 access $[XX],000 from your [super fund] superannuation fund]. You are required to lodge this application directly with the Australian Taxation Office (ATO), either online via the MyGov portal.

We believe that the advice provided of withdrawing $[XX],000 from your [super fund] superannuation fund [Name 1, and withdrawing $[XX],000 from your [super fund] superannuation fund Name 2] is in your best interests as you have [both] recently <choose appropriate option> [been made redundant / had your work hours reduced by 20% or more / become a recipient of an eligible social security benefit] and this will give you a cash buffer for the immediate future.

Important:

* You will need to confirm that your bank account details recorded with the ATO are correct prior to applying for the withdrawal.
* You are only allowed to make one application, but the $10,000 can be taken in any combination from up to 5 superannuation funds.
* You will need to nominate on which basis you’re eligible for the early access.
* Once your request is lodged, you will receive a printable PDF from the myGov portal confirming the details you have lodged.
* An outcome notice of either acceptance or rejection will be provided in 4 business days from the date of lodgement.
* You will need to confirm with the trustee(s) that the SMSF trust deed allows for a lump sum payment to be made to a member under compassionate grounds
* You should provide a copy of the notice to the fund trustee(s) to request the payment
* Your superannuation fund is expected to honour your redemption request within 5 business days of receipt of notification from the ATO, unless the fund needs to contact you to clarify information.
* Tax will not be payable on your superannuation withdrawal.
* Centrelink or Veterans’ Affairs payments will not be impacted by your superannuation withdrawal.
* Where you make an application to withdraw from your superannuation account and your account balance is insufficient to fulfil the application, you will not be able to make a second application for the balance from another fund/account in that financial year. You should therefore ensure you nominate an account in which you have sufficient funds to make this payment.
* If you withdraw less than the maximum $10,000 amount in this financial year, you will not be able to withdraw more than $10,000 in the 2020/2021 financial year, as unused amounts in the current financial year will not be carried through to the following financial year.

You may also qualify for a further $10,000 withdrawal in the 2020/2021 financial year if your circumstances do not change. The cut-off date for this 2020/2021 payment is currently set for 24 September 2020. If your circumstances have not changed, you may be eligible to withdraw this additional amount capped at $10,000 between 1 July 2020 and 24 September 2020. We have agreed to follow you up in July to consider whether this is in your best interests at that time.

<Take $10,000 only post July 2020>

[Name1/ and Name2], as your income has been detrimentally impacted by COVID-19, you [both] meet the eligibility criteria that will allow you to apply for a withdrawal of up to $10,000 from superannuation next financial year, ending 30 June 2021.

As an alternative, we considered your cash savings available, and we assessed that this amount will not cover your living expenses in full across the course of the economic downturn due to COVID-19. Further, the early access of superannuation will provide a buffer against unforeseen expenses, and help you meet your ongoing living expenses.

On this basis, we recommend that [you / Name 1] access $[XX],000 from your [super fund] superannuation fund [and Name 2 access $[XX],000 from your [super fund] superannuation fund]. You are required to lodge this application directly with the ATO, either online via the myGov portal after 1 July and before 24 September 2020.

We believe that the advice provided of withdrawing $[XX],000 from your [super fund] superannuation fund [Name 1 and withdrawing $[XX],000 from your [super fund] superannuation fund Name 2] is in your best interests as you have [both] recently [<choose appropriate option> been made redundant / had your work hours reduced by 20% or more / become a recipient of an eligible social security benefit] and this will give you a cash buffer for the immediate future.

Important:

* You will need to confirm that your bank account details recorded with the ATO are correct prior to applying for the withdrawal.
* You are only allowed to make one application in each financial year, but up to $10,000 can be taken in any combination from up to 5 superannuation funds.
* You will need to nominate on which basis you’re eligible for the early access.
* Once your request is lodged, you will receive a printable PDF from the myGov portal confirming the details you have lodged.
* An outcome notice of either acceptance or rejection will be provided in 4 business days from the date of lodgement.
* You will need to confirm with the trustee(s) that the SMSF trust deed allows for a lump sum payment to be made to a member under compassionate grounds
* You should provide a copy of the notice to the fund trustee(s) to request the payment
* Your superannuation fund is expected to honour your redemption request within 5 business days of receipt of notification from the ATO, unless the fund needs to contact you to clarify information.
* Tax will not be payable on your superannuation withdrawal.
* Centrelink or Veterans’ Affairs payments will not be impacted by your superannuation withdrawal
* Where you make an application to withdraw from your superannuation account and your account balance is insufficient to fulfil the application, you will not be able to make a second application for the balance from another fund/account in that financial year. You should therefore ensure you nominate an account in which you have sufficient funds to make this payment.
* If you withdraw less than the maximum $10,000 amount in this financial year, you will not be able to withdraw more than $10,000 in the 2020/2021 financial year, as unused amounts in the current financial year will not be carried through to the following financial year.

<Take $10,000 pre and post July 2020>

[Name1/ and Name2], as your income has been detrimentally impacted by COVID-19, you [both] meet the eligibility criteria that will allow you to apply for a withdrawal of up to $10,000 from superannuation in both this (2020/21) and the next (2021/22) financial years.

As an alternative, we considered your cash savings available, and we assessed that this amount will not cover your living expenses in full across the course of the economic downturn due to COVID-19. Further, the early access of superannuation will provide a buffer against unforeseen expenses, and help you meet your ongoing living expenses.

On this basis, we recommend that [you / Name 1] access $[XX],000 from your [super fund] superannuation fund before 30 June 2020 and $[XX],000 from your [super fund] superannuation fund after 1 July 2020 and before 24 September 2020. [Name 2 access $[XX],000 from your [super fund] superannuation fund before 30 June 2020 and $[XX],000 from your [super fund] superannuation fund after 1 July 2020 and before 24 September 2020.] You are required to lodge this application directly with the ATO, either online via the myGov portal.

We believe that the advice provided of withdrawing a total of $[XX],000 from your [super fund] superannuation fund [Name 1 and withdrawing a total of $[XX],000 from your [super fund] superannuation fund Name 2] is in your best interests as you have [both] recently<choose appropriate option> [been made redundant / had your work hours reduced by 20% or more / become a recipient of an eligible social security benefit] and this will give you a cash buffer for the immediate future.

Important:

* You will need to confirm that your bank account details recorded with the ATO are correct prior to applying for the withdrawal.
* You are only allowed to make one application in each financial year, but up to $10,000 can be taken in any combination from up to 5 superannuation funds.
* You will need to nominate on which basis you’re eligible for the early access.
* Once your request is lodged, you will receive a printable PDF from the myGov portal confirming the details you have lodged.
* An outcome notice of either acceptance or rejection will be provided in 4 business days from the date of lodgement.
* You will need to confirm with the trustee(s) that the SMSF trust deed allows for a lump sum payment to be made to a member under compassionate grounds
* You should provide a copy of the notice to the fund trustee(s) to request the payment
* Your superannuation fund is expected to honour your redemption request within 5 business days of receipt of notification from the ATO, unless the fund needs to contact you to clarify information.
* Tax will not be payable on your superannuation withdrawal.
* Centrelink or Veterans’ Affairs payments will not be impacted by your superannuation withdrawal.
* Where you make an application to withdraw from your superannuation account and your account balance is insufficient to fulfil the application, you will not be able to make a second application for the balance from another fund/account in that financial year. You should therefore ensure you nominate an account in which you have sufficient funds to make this payment.
* If you withdraw less than the maximum $10,000 amount in this financial year, you will not be able to withdraw more than $10,000 in the 2020/2021 financial year, as unused amounts in the current financial year will not be carried through to the following financial year.

<Do not take money from super>

[Name1/ and Name2], as your income has been detrimentally impacted by COVID-19, you [both] meet the eligibility criteria that will allow you to apply for a withdrawal of up to $10,000 from superannuation in both this (2019/2020) and next (2020/2021) financial years.

We considered as an alternative option that you have cash savings [and other assets] available to you and whether these would be sufficient for you to not access your superannuation at this time. On the basis of this analysis, we recommend that you do not access the early release of superannuation under hardship provisions at this time. The benefit of not accessing a lump sum from your superannuation now is that you will avoid crystallising capital losses due to the investment market downturn and your account balance[/s] will benefit from the eventual recovery of investment markets.

Should your financial position change prior to 24 September 2020, you will still be eligible to make a withdrawal and we will be able to assist you with this at that time.

<This section may not be appropriate in the context of the client you are providing advice to>

**Continuing review service**

We recommend that your needs and products be reviewed at least once a year to accommodate changes to your personal goals or circumstances, such as births, marital status, employment, debt levels, and tax implications of insurance.

<To confirm that you wish to participate in an ongoing review service, please let us know and we can provide details of services and costs.>

Or

<We recommend that you contact us again to undertake a full review of your situation in the future.>

Or

<We will get in contact with you in 12 months’ time to undertake a full review of your situation unless you contact us before this.>]

# How to follow our advice

The steps you should take to follow our advice are:

|  |  |
| --- | --- |
| **Steps** |  |
| Read RoA and ensure that you understand the recommendations | By reading this RoA, you will understand the implications this advice will have on your financial position.  |
| Complete the application forms | Log onto your [myGov](https://my.gov.au/) Account to complete the intention to access COVID-19– early release of superannuation via the ATO online services by following the instructions. * Note you will need your superannuation fund and bank account details to complete this process.
 |

We can assist you with the completion of the required application to implement my recommendations.

# Our fees

We base all our fees on a fee for service model. Meaning we only charge you for the work that we do for you.

The fees for providing this service to you are:

<Choose one> [$300 / $300 each]

We have agreed that you will pay this by transferring the agreed fee to:

BSB: [XXX-XXX]

Acc: [XXXXXXX]

[Account Name]

## Conflicts of interest

<tailor for your COI>

We do not believe our business has any conflicting interests with your personal ones and as such, only your best interests have been considered.

## Advice limitations

The advice is based on the information that you have given us. If we have misunderstood the information provided by you or your circumstances have changed, you are required to inform us immediately.

As our advice is limited to the areas outlined above, we cannot accept responsibility for other aspects of your financial situation which aren't included in our advice. You should consider our advice with regard to your overall situation. We have not provided advice on other aspects of your financial position at this time as we have agreed your most critical financial need at this time is access to funds to ensure you can meet your living requirements.

The recommendations in this RoA have been prepared for your sole use and are current for a period of 30 days from the date of the RoA. After this time, you should not implement the recommendations without further review from us to ensure they remain appropriate.

### Taxation

<tailor if required>

We provide financial planning advice that includes considering the tax implications relevant to that advice. This service is not intended to be a substitute for specialised taxation advice or a complete assessment of your liabilities, obligations or claim entitlements that arise, or could arise, under taxation law and we recommend you consult with a registered tax agent. Any tax estimates provided by us are intended as a guide only and are based on our general understanding of taxation laws. Where we have used information provided by your tax agent - we are not responsible for the accuracy of that information.

### Credit Advice

<tailor if required>

We are not authorised to advise you on whether any specific credit product is suitable for your needs or assist you to complete an application for credit. You should refer to a lender or Mortgage Broker to review the suitability of any credit products.

### Risks and consequences of our advice

<or insert your own version>

There are a number of consequences in accessing your superannuation prior to retirement. Under normal circumstances, a $10,000 withdrawal from superannuation will have the following effects on your superannuation balance at retirement due to the compounding effect of investment returns:

| **Years to Retirement** | **Effect on Balance\*** |
| --- | --- |
| 5 | $13,489 |
| 10 | $18,194 |
| 15 | $24,541 |
| 20 | $33,102 |
| 25  | $44,650 |
| 30 | $60,226 |

\*Based on a balanced fund netting a 6% return after fees and taxes.

These outcomes may be higher or lower based on investment performance of your superannuation fund and your specific asset allocation over the periods indicated. Specifically, a withdrawal from your superannuation fund at this time may crystallise capital losses you have already suffered due to the current economic crisis and the effect it has had on the assets of your super fund. By making a redemption now, your superannuation balance will not benefit from the potential for future recovery in asset prices.

<Optional>

Based on your current planned retirement age and investment strategy, we estimate this may potentially impact your retirement benefit by: $[XXX,XXX].

[Projections of Super Balance]

To ensure you can continue to retire comfortably, we recommend you come back to rebuild your financial plan.

### Insurance implications

Please note that the withdrawal of $[XX],000 from your superannuation may also impact your ability to continue paying insurance premiums with respect to the life insurance you hold with your superannuation. <Choose the appropriate option> [We have made enquiries with your superannuation fund, and the recommended withdrawal will not impact future insurance premiums as you have a sufficient account balance to fund future insurance premiums.] OR [We have made enquiries with your superannuation fund, and the recommended withdrawal will impact your fund’s ability to pay insurance premiums. Therefore, we have only recommended you apply to withdraw $X,000 from superannuation at this time].

Important: Any decision to apply for additional early release amounts will need to be considered in light of your insurance needs.

Any income protection insurance you hold could also be impacted by you accessing your superannuation early. Please let us know if you would like separate advice about this.

### Minimum account balances <Not required for SMSFs>

Your superannuation fund may require you to have a minimum account balance of $6,000 in order for the account to remain active. We have made enquiries with your superannuation fund, and as a result of the recommended withdrawal, <Choose the appropriate option> [you will still have sufficient funds after the withdrawal to maintain your account / we have recommended you apply to withdraw $X,000 in order to retain a sufficient balance to keep your account active, so that you can make future contributions to your superannuation].

### How will this be monitored by the ATO?

The ATO administers the application process and the application process is mostly self-assessed. It is important to note that there are eligibility criteria with strict guidelines and you are required to accurately assess your eligibility. There are penalties for making false and misleading statements if you inappropriately use these measures.

There are also checks in place to identify and reject duplicate applications and the ATO will be able to undertake post-issue compliance work based on data and other information held in ATO systems.

# Authority to Proceed

Before you sign this authority, we would like you to check that we have:

* given you our Financial Services Guide (FSG)
* talked to you about your personal circumstances, insurance needs and financial goals in a way you understand
* answered your questions and
* discussed the fees we will receive.

If we haven’t done all of these things, do not sign the authority to proceed.

Before you sign this authority, please also make sure that you have:

* checked that your personal information in this document is correct
* understood the advice and recommendations that we have made
* understood the limitations of the advice we have provided you based on the limited scope of this advice
* read all the documents we have given you and
* asked questions about anything that you want clarified.

Signed....................................................................................[Name 1]

<include if advising a couple>

Signed....................................................................................[Name 2]

Date: ....... / ..... / 2020