

Miss TV Hoolachan

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To: superannuation@treasury.gov.au

Dear Sir/Madam,

Re: Re: Early release of superannuation benefits -Under compassionate and financial hardship grounds and for victims of crime compensation [December 2017](#)

Herewith responses to questions

RESPONSES TO “APPENDIX A: CONSOLIDATED LIST OF QUESTIONS”

Principles underpinning early release

Question 0.1 *Do these proposed principles provide an appropriate guide to determine the grounds for early release under compassionate and financial hardship grounds, and for victims of crime compensation? If not, what should these principles be?*

Response 0.1 Currently the Early Release of Superannuation Department now a big buddy of Centrelink (share the same facsimile number) don't approve anything anyway. As a recent above knee amputee (July 2017) wheelchair bound for life, I had two (2) doctors sign for a necessary move to a wheelchair friendly house and a medical bed. Thanks to the incompetence of the Department of Human Services, I have involved the Ombudsman's office just before you announced your review and I am preparing as we speak an Administrative Appeals Tribunal (AAT) case on exactly this topic. It's the second of two (2) I lodged yesterday one for NDIS another useless non-payer section of Dept of Human Services. The public should know exactly what the innovation nation that is guaranteed under LNP for NDIS before they make comment. This new amputee a manual wheelchair only like they had in 1800's. It is Respondent's opinion that before it talks about principles it should be reading NDIS objectives and start paying up. LNP wouldn't know principles if they fell over them. To that end this AAT Applicant is going very public.

Question 0.2 *Having regard to these principles, should early release of superannuation benefits generally be more or less difficult to obtain?*

Response 0.2 It should be easier. If I hadn't had to put up with an incompetent department that gave me three (3) different form numbers (I believe that breaches the

Disability Discrimination Act) I wouldn't have been knocked back for an obviously essential move as I'm in a wheelchair for life. I also wouldn't have had to make a claim to the equally useless NDIS. That whether it likes or not has less legal legs than I've got when it comes to the medical bed. Over \$3,500 out of the Treasury instead of my super that I can collect in full in three(3) years – yahoo.

Part 1: Compassionate grounds

Question 1.1 *Should the assessment of financial capacity be made more prescriptive and/or objective? If so, how? What information might applicants need to provide?*

Response 1.1 **Most of the people are either going bankrupt because of the LNP's failure to address the housing issues. Those on medical grounds are stuck on sickness benefits (like I was) the same rate as the grossly below the poverty line Newstart for over four (4) months in the hope my leg would grow back. Accordingly, this Respondent thinks LNP has got a nerve to ask for anything!**

Question 1.2 *What factors might be driving the increase in the amount of superannuation released on medical grounds and are these factors any cause for concern?*

Response 1.2 **Poor policies like trickle down embraced by the LNP sucking dry the rainy day money of ordinary Australians. Oh yes, and let's not forget the National Welfare Fund that thanks to Liberals was absorbed into Consolidated Revenue Fund. We had a future health fund that was spent on roads to nowhere. Health Care is hopelessly underfunded with large waiting lists that people in pain don't want to sit on.**

Question 1.3 *Do the current provisions for early release on medical grounds strike the appropriate balance between preserving income for retirement and providing assistance in times of genuine hardship? If no, what are the alternatives?*

Response 1.3 **If LNP wanted a balance it would not have given a pseudo Centrelink the job to administer it. Labor increased the retirement age to 67. LNP straight after tried to up it to 70. People are broke now. They can't wait until the twelfth of never. Preventing people accessing their money will hurt the economy even more. Nobody is spending.**

Question 1.4 *Should there be a limit on the number of releases permitted within a certain timeframe (for example, 12 months) and/or should there be cashing restrictions on the amount released? If so, should there be different restrictions for different medical conditions?*

Response 1.4 **Absolutely not. People get charged a fee for each withdrawal from their superfunds which is enough of an incentive to not repeatedly withdraw. People will withdraw larger amounts to cover all scenarios.**

Question 1.5 *Have you observed any trends in the types of treatments that are being funded by superannuation benefits and are these trends any cause for concern?*

Response 1.5 Yes. There is a decreased trend in funding items on medical grounds, because it's now under the Department of Human Services banner. I have told everyone that's asked me why I've had problems with getting my super to be told they had no problems. When I asked how they found Centrelink oops Early Release of Superannuation they told they didn't have to go through Centrelink.

Question 1.6 *Are there certain treatments for which early release of superannuation should not be permitted? If so, what is the basis upon which these treatments should be excluded?*

Response 1.6 Cosmetic surgery unless it is for health or psychiatric reasons.

Question 1.7 *When might ART (IVF) be necessary to treat a life threatening illness or alleviate acute or chronic pain or mental disturbance (in general – noting that this will depend upon the specific circumstances of each case)?*

Response 1.7 That is a determination a doctor should make not a politician. Australian licenced doctors will not do unnecessary surgery unless it's categorised as such. People are trying to get their super because Mediscare was not a myth! As someone that has recently spent over three (3) months in hospital and come out to NDIS better known as No Damn Insurance Scheme I've already offered to help at my local polling booth come election day.

Question 1.8 *When might bariatric surgery be genuinely necessary to treat a life-threatening illness or alleviate acute or chronic pain or mental disturbance (in general – noting that this will depend upon the specific circumstances of each case)?*

Response 1.8 That is a determination a doctor should make not a politician. Their money their choice.

Question 1.9 *Should the rules explicitly require that the Regulator be satisfied that the amount claimed for a particular treatment is reasonable? If so, what evidence might be relevant to that determination?*

Response 1.9 It's their money if they want to pay for a doctors reputation like any other private patient they should have that privilege.

Question 1.10 *Should there be an additional category of early release in respect of dental treatment? If so, under what circumstances should early release be available and should there be any limits or restrictions?*

Response 1.10 No. Dental should be covered under the Constitution Part V. Neither Labor or LNP have provided everyone's constitutional right. We'll file that Clause with the dual citizenship section shall we.

Question 1.11 *Should SIS Regulation 6.19A(a)(ii) and (iii) be amended to refer to 'treatment' rather than 'alleviation' of acute or chronic pain? Alternatively, should those provisions be removed entirely (so that early access is only available where the individual's condition is life-threatening)? What would be the consequences of this approach?*

Response 1.12 No. I've watched the PBS whittled and everything else whittled you are not doing it to our super. Funding for treatment has already been whittled so that there are ridiculous waiting lists. Health care should be covered in full by either a Health Card, a Medicare Card or Private Insurance.

Question 1.12 Should the reference to a medical specialist in SIS Regulation 6.19A(3) be clarified to ensure that the practitioner is a specialist in the field most relevant to the proposed condition being treated?

Response 1.12 No. I've watched the PBS whittled and everything else whittled. You are not doing it to our super. Funding for treatment has already been whittled so that there are ridiculous waiting lists. Health care should be covered in full by either a Health Card, a Medicare Card or Private Insurance.

Question 1.13 Should the Regulator be entitled to seek a second opinion from an approved medical practitioner/s, or should the individual be required to receive a reference from a list of approved medical practitioners, to ensure the objectiveness of the assessment?

Response 1.13 It is their money why should they have their medical privacy breached by a strange doctor they haven't chosen.

Question 1.14 Should early access to superannuation benefits to meet expenses associated with palliative care, death, funeral or burial be limited to where there is a dependency relationship? Why/why not? Could there be any unintended consequences from expanding this provision?

Response 1.14 No. For a long-time same sex couples have kept relationships underground. I do not think they will all come out of the "closet" quickly.

Question 1.15 Should there be a maximum amount that can be released to meet a funeral expense? (For example, the amount that the Regulator considers reasonable.)

Response 1.15 No. Not everyone wants to be cremated at a bargain basement rate. Councils have difference burial plot charges. Different religions have different customs like the Irish wake that are part of the traditional send off.

Question 1.16 Should early release of superannuation benefits be available to meet mortgage payments regardless of whether a person's name is on the mortgage title for their principal place of residence? What might be the implications of broadening the provisions in this way and what additional limitations might be required? For example, should release be limited to dependants or spouses or partners?

Response 1.17 Yes. Many women in their fifties and early sixties had male chauvinist husbands who put the mortgages in their names only. Where there's proof of relationship and payment an entitled claim is already there if there is no

proof of another debt. I would restrict it to Australian based properties only so the money stays in the country.

Question 1.18 *Are the current disability grounds fit for purpose, or should early release be extended to disability aids? If the latter, which expenses should be included, what evidence should be required, and should there be a cap on funds released?*

Response 1.18 **They are totally inadequate. The NDIS is totally useless and incompetent. Look for my name at AAT (already lodged) I'm not repeating myself.**

Question 1.19 *Should individuals for early release of superannuation under disability grounds be required to demonstrate that they have sought assistance from other Government or non-Government programs prior to being approved? If so, how would this requirement be administered?*

Response 1.19 **By all means lets have a Nazi style play games with the invalids shall we. Let's see how many hoops you can give this wheelie to jump through to get her own money. This Respondent had nothing but games out of the new Centrelink Early Release of Superannuation Section. Three (3) applications for the one (1) thing. Two doctors signed and you even turned that down. LNP has shut down charities, shut down all other funding for programs and left this new wheelie with no alternative but to apply for useless, incompetent, negligent, non-payer of subbies NDIS because until there is a Great Britain style march for health it won't get the message we're angry. Under the Constitution the health Australian invalids is the Commonwealths responsibility - read it. People are drawing on their super when they should suing you.**

Question 1.20 *Should the Regulator's residual discretion in SIS Regulation 6.19A(1)(f) be removed? What would be the consequence of doing so?*

Response 1.20 **Response 1.13 This new wheelie is sat in a manual wheelchair that she's renting on a cushion she's had to make herself and has at the side of her a letter from NDIS (AAT already lodged) knocking back an electric scooter to boost the Victorian invention of manual wheelchair. When you consider NDIS objectives are the provision of innovative technology its just one more Innovation Nation joke on me.**

Question 1.21 *Are there situations outside of the current compassionate grounds which may justify inclusion in the early release of superannuation provisions, balanced against the need to preserve superannuation benefits to provide income in retirement?*

Response 1.2.1 **Yes. Education. LNP's dropped the level of funding students can access. The retirement age has been extended. If people want to do more study than levels allow they should be encouraged.**

Question 1.22 *Should access to superannuation benefits be available to assist victims of domestic violence? Why / why not? If yes, under what particular grounds (for example, financial hardship, homelessness, victims of crime), which expenses should be included, and what evidence should be required?*

Response 1.22 Yes, but difficult. It's mostly female victims and they are more than likely without any super of their own, but with a valid claim to a share of their partners.

Yours faithfully,

T.V. Hoolachan

Tracey Hoolachan