



Superannuation: early access or access after a worker passes away

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This information sheet summarises details about Australia's superannuation (or 'super') laws. It explains how Pacific Australia Labour Mobility (PALM) scheme workers can claim their super after they leave Australia, and what happens to a worker's super if they pass away.

It adds to information available on the ATO website and the PALM scheme website. These websites include resources in different languages and explain how PALM workers can get help with their super.

Background

Australia's superannuation system helps Australians save for their retirement. It is a long-term investment that grows over time with contributions made during their working life.

Most Australian residents can only get their super when they reach a certain age and retire. But PALM scheme workers (and other temporary residents) who return to their home country don't have to wait until retirement to access their super. They can apply online, or by paper, to get their super as a Departing Australia Superannuation Payment (DASP).

PALM scheme workers can usually claim their DASP if:

- they have left Australia
- their visa has expired or been cancelled

- they are not an Australian or New Zealand citizen or permanent resident.

If a PALM scheme worker passes away, their super can also be paid to a nominated beneficiary.

Can PALM scheme workers access their super early for compassionate reasons?

No. PALM scheme workers, like other temporary residents, cannot access their super early for compassionate reasons (such as medical costs or financial hardship). Early access to super on compassionate grounds is only available to people who are or have been Australian or New Zealand citizens or permanent residents, and who meet strict eligibility rules.

PALM scheme workers can only access their super after they leave Australia, their visa has expired or been cancelled, and they no longer hold any type of Australian visa.

PALM scheme workers cannot access super that belongs to someone else, unless they are the nominated beneficiary for a PALM scheme worker that has died.

Accessing super if a PALM scheme worker passes away

If a PALM scheme worker dies, their super can be paid to their family or someone close to them. This payment is called a super death benefit.

How can a PALM scheme worker choose who gets their super?

PALM scheme workers can tell their super fund who should get their super if they die. This is called a nomination. There are two types:

- Binding nomination – This is a legal document. The super fund must follow it.
- Non-binding nomination – The super fund will consider it, but they can decide differently.

PALM scheme workers can nominate:

- their husband or wife (including de facto partners)
- their children
- someone they live with and care for (interdependency relationship)
- their legal personal representative (the person managing their will).

Keeping your nomination up to date

It's important to keep your nomination up to date, particularly after major life events like marriage, divorce, or the birth of children. Some binding nominations may expire after a certain period of time (generally around three years) and must be renewed. Having a valid beneficiary nomination in place can give you peace of mind, knowing that your loved ones will be provided for according to your wishes.

Keeping your beneficiaries informed

It's also important to make sure your beneficiaries are aware of your super fund and any insurance policies within it. Provide them with:

- the contact details of your super fund
- details of any nominations
- copies of relevant documents.

This will help them understand your plans and navigate the process in the event of your death. This can reduce confusion and delays, and ensure your wishes are followed.

A PALM scheme worker's super fund may not know that the worker has died, so it is important for the worker's loved ones to notify the super fund if the worker has died.

If a super fund doesn't know a PALM scheme worker has died, the fund may be required to pay that super to the Australian Tax Office (ATO).

How to make a binding nomination

Not all super funds offer binding nominations. PALM scheme workers should ask their super fund if this option is available and follow the instructions provided by the super fund.

What happens if there is a binding nomination?

If the PALM scheme worker dies and has a valid binding nomination:

- The super fund must pay the super to the people listed in the nomination.

What happens if there is no binding nomination?

If there is no binding nomination:

- The super fund decides who gets the super.
- They may give it to the worker's family or to the person managing the worker's will.

If the super is held by the ATO

Sometimes, a PALM scheme worker's super is held by the ATO. If this happens:

- The family or next of kin can apply to get the super.
- They must fill out a paper form ([NAT 74880](#) and [NAT 75530](#)) from the ATO website.
- They must show proof of their relationship to the worker.

Where can workers get more help or information?

Workers and their families can learn more about super death benefits by:

- visiting the [ATO website](#)
- contacting the super fund of the deceased worker directly.

The ATO website also explains how tax may apply to super death benefits.

Please remember: This factsheet is intended to summarise key information for PALM scheme workers. We encourage you to read further resources available online and contact your super fund to find out more.