



# Australian Victim of Terrorism Overseas Payment Secondary Victim

(for a child under 16 years)  
April 2019 Sri Lanka attacks

## Purpose of this form

The Australian Victim of Terrorism Overseas Payment provides financial assistance to Australian residents who are a close family member of a person who died as a direct result of the April 2019 Sri Lanka terrorist act.

## Who is eligible for assistance?

A secondary victim under 16 years may be eligible for the Australian Victim of Terrorism Overseas Payment where:

- the child was an Australian resident (as defined in the *Social Security Act 1991*) at the time of the terrorist act; and living in Australia, **and**
- the child and their close family members were not involved in the commission of the terrorist act, **and**
- the child is a close family member of a deceased person who:
  - was in the place where the terrorist act occurred, **and**
  - died before the end of 2 years, starting on the day the terrorist act occurred, as a direct result of the terrorist act.

The principles issued under the legislation set out what share of the Australian Victim of Terrorism Overseas Payment is to be paid to close family members in the event that more than one close family member makes a claim. For more information, see *Definition of key terms – Close Family Member* in the **Notes** (page 4).

## How much will be paid?

Payment up to \$75,000 may be shared among eligible close family members.

## What factors are taken into account when determining the Australian Victim of Terrorism Overseas Payment?

The following factors may be taken into account when determining a secondary victim claim:

- whether there are other persons who have made a claim for an Australian Victim of Terrorism Overseas Payment as a secondary victim in relation to the close family member, **and**
- whether the person has made a claim as a secondary victim of the terrorist act in relation to another close family member, **and**
- if the close family member was 16 years and over:
  - whether the close family member failed to take reasonable steps to avoid harm or acted recklessly when the terrorist act occurred, **and**
  - whether there was travel advice on an Australian Government website advising against travelling to the foreign country, region or place where the terrorist act occurred, **and**
  - whether the close family member was directed by an official of Australia or a foreign country to leave or not go to the place where the terrorist act occurred, **and**
  - whether the close family member was in the place where the terrorist act occurred:
    - for a humanitarian purpose, **or**
    - on official business for the government of the Commonwealth, a state or territory, **and**
- whether the person, other secondary victims or the close family member has received financial assistance from a foreign country, **and**
- whether the close family member received an Australian Victim of Terrorism Overseas Payment as a primary victim.

# Australian Victim of Terrorism Overseas Payment Secondary Victim – for a child under 16 years

## April 2019 Sri Lanka attacks

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### How long do I have to claim?

To receive the Australian Victim of Terrorism Overseas Payment:

- the close family member must have died **within 2 years** from the date of the terrorist act, **and**
- you must lodge the child's claim **within 12 months** of the date of the death of the close family member who has died as a direct result of the declared overseas terrorist act.

For details of closing dates, go to [servicesaustralia.gov.au/disaster](https://servicesaustralia.gov.au/disaster)

### How will payments be made?

Payments for children under 16 years will be made to the Public Trustee and Guardian in the Australian Capital Territory. For more information, visit the Public Trustee and Guardian website [ptg.act.gov.au](https://ptg.act.gov.au)

### What else will I need to provide?

Before the child can get paid, you may need to provide identity documents on behalf of the child:

- one Commencement of identity document (e.g. an Australian passport, birth or citizenship certificate), **or**
- any other documents required to confirm the child's identity.

For a list of acceptable documents, go to [servicesaustralia.gov.au/identity](https://servicesaustralia.gov.au/identity)

If you have any difficulty in obtaining or providing these documents, you should contact Services Australia on **1800 040 226** or if you are outside Australia, call **(+61 3) 9250 5159**, as soon as possible.

You may also be asked to provide other information, but this will be discussed with you as the child's claim is assessed.

### Change of circumstances

If there are any changes in your and/or the child's circumstances, you should call us on **1800 040 226** or if you are outside Australia, call **(+61 3) 9250 5159** **within 14 days** of the change(s) occurring.

### Filling in this form

- **Please use black or blue pen.**
- Print in BLOCK LETTERS.
- Where you see a box like this  ► **Go to 5** skip to the question number shown. You do not need to answer the questions in between.

## **Returning your form**

Check that all required questions are answered and that the form is signed and dated. Please make sure any accompanying documentation is also clearly identified with your name and the child's name.

You can return this form and any supporting documents:

- **online** (excluding identity documents) using your Centrelink online account. For more information, go to [servicesaustralia.gov.au/submitdocumentsonline](https://servicesaustralia.gov.au/submitdocumentsonline)
- **by post**

within Australia by sending them to:

**Services Australia  
Australian Victim of Terrorism Overseas Payment  
Reply Paid 7830  
CANBERRA BC ACT 2610**

from outside Australia by sending them to (costs apply):

**Services Australia  
Australian Victim of Terrorism Overseas Payment  
PO Box 7830  
CANBERRA BC ACT 2610  
Australia**

## **For more Information**

Go to [servicesaustralia.gov.au/disaster](https://servicesaustralia.gov.au/disaster) or call us on **1800 040 226** or if you are outside Australia, call (+61 3) **9250 5159**.

We can translate documents you need for your claim or payments for free.

To speak to us in other languages, call **131 202**.

**Note:** Call charges may apply.

If you have a hearing or speech impairment, you can contact the **TTY service** on Freecall™ **1800 810 586**. A TTY phone is required to use this service.

## **Family and Domestic Violence**

If you are affected by family and domestic violence call us on **132 850** between 8.00 am and 5.00 pm (local time) Monday to Friday and ask to speak to a social worker or for more information go to [servicesaustralia.gov.au/domesticviolence](https://servicesaustralia.gov.au/domesticviolence)

Call **000** if you are in immediate danger.

**Definition of key terms**      **Close Family Member**

The following are a person’s close family member:

- the person’s partner
- the person’s child
- the person’s parent (including legal guardian – see below for definition)
- the person’s sibling.

**Legal Guardian**

Section 4 of the *Family Law Act 1975* provides:

- Guardian, includes a person who has been granted (whether alone or jointly with another person or persons) guardianship of the child under the law of the Commonwealth or of a state or territory.

The principles issued under the legislation set out what share of the Australian Victim of Terrorism Overseas Payment is to be paid to close family members in the event that more than one close family member makes a claim:

- if the deceased person’s partner and/or children claim, they may share the payment
- if no partner or child claims, parents may share the payment
- if no partner, child or parent claims, siblings may share the payment.

The following table shows how the Australian Victim of Terrorism Overseas Payment is apportioned:

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**Apportioning payments among secondary victims**

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Where the secondary victim claimants are:	The portion of total Australian Victim of Terrorism Overseas Payment payable is:
A partner, and no child has made a claim	Partner: 100%
A partner, and a child or children	Partner: 50%  Child or children: 50%, shared equally among the children if more than one child
A child or children, and no partner has made a claim	100%, shared equally among the children if more than one child
A parent or parents, and no partner or child has made a claim	100%, shared equally among the parents if more than one parent
A sibling or siblings, and no partner, parent or child has made a claim	100%, shared equally among the siblings if more than one sibling

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For a set of scenarios showing how Australian Victim of Terrorism Overseas Payment is apportioned for each of the above close family member relationships, go to [servicesaustralia.gov.au/disaster](http://servicesaustralia.gov.au/disaster)

*Continued*

### **Direct Result (Died)**

For the purposes of the assessment of Australian Victim of Terrorism Overseas Payment claims, the following elements are to be considered when assessing whether a person **died as a direct result**:

- the person was killed by the terrorist act, **or**
- the person's death would not have occurred but for the terrorist act including:
  - being unable to seek medical attention due to the terrorist act, **or**
  - the terrorist act aggravated an existing condition which caused death
- on the balance of probability, their death resulted from the terrorist act, **or**
- the person went missing following the terrorist act and is presumed dead as a direct result of the terrorist act.

### **Financial Assistance**

For the purposes of the Australian Victim of Terrorism Overseas Payment, financial assistance refers to:

- the amount of any financial assistance received from a foreign country for the death of the deceased person (other than financial assistance for economic loss resulting from the deceased person's death) by:
  - the secondary victim, **or**
  - any other person who has made a claim as a secondary victim in relation to the deceased person and who is entitled to a share
- the amount of any financial assistance received from a foreign country by the deceased person for injuries suffered by the deceased person as a direct result of the terrorist act (other than financial assistance for economic loss resulting from the injury), **or**
- the amount of any Australian Victim of Terrorism Overseas Payment received by the deceased person as a primary victim.

### **In the place**

For the purposes of this payment, 'in the place where the declared overseas terrorist act occurred' means:

- in close proximity to the place where the terrorist act occurred, **and**
- witnessed the terrorist act first hand.

A person is in close proximity to the place where the terrorist act occurred if they were close enough to be physically injured or killed by that act.

Witnessing the terrorist act first hand means being present, and personally seeing or perceiving the terrorist act direct from the original source.

People who went to the place where the terrorist act occurred immediately following the act to assist victims are considered to be '**in the place**' for the purposes of Australian Victim of Terrorism Overseas Payment. This would include arriving at the scene of the act before the victim was moved to another location.

Being '**in the place**' would not include witnessing or participating in events that might follow a declared overseas terrorist act, such as (**but not limited to**):

- travelling to the place to locate close family members or others, **or**
- seeing debris and property damage resulting from the terrorist act, **or**
- providing first response services in an official capacity, **or**
- dealing with the police, medical authorities or Australian Embassy or Consular officials.

*Continued*

**Involved in the commission of the terrorist act**

For the purposes of the Australian Victim of Terrorism Overseas Payment, a person was involved in the commission of the terrorist act if the person:

- aided, abetted, counselled or procured the terrorist act, **or**
- induced the terrorist act, whether through threats or promises, or otherwise, **or**
- was in any way (directly or indirectly) knowingly concerned in, or a party to, the terrorist act, **or**
- conspired with others to effect the terrorist act.

**Primary carer**

For the purpose of the Australian Victim of Terrorism Overseas Payment, a primary carer is the person who physically cares and meets the needs of the child on a daily basis. Only one person can be the primary carer at one time.

**Terrorist Act**

For the purposes of the Australian Victim of Terrorism Overseas Payment, the terrorist act refers to the overseas terrorist acts declared by the Prime Minister of Australia.



# Australian Victim of Terrorism Overseas Payment Secondary Victim

Australian Government  
Services Australia

(for a child under 16 years)  
April 2019 Sri Lanka attacks

This claim form must be completed by the legal guardian on behalf of the child.

Payments for children under 16 years will be made to the Public Trustee and Guardian in the Australian Capital Territory. For more information, visit the Public Trustee and Guardian website [ptg.act.gov.au](http://ptg.act.gov.au)

1 Do you need an interpreter when dealing with us?

This includes an interpreter for people who have a hearing or speech impairment.

No  Go to 4

Yes  Go to next question

2 What is your preferred spoken language?

3 What is your preferred written language?

4 Are you claiming on behalf of a child for the **April 2019 Sri Lanka attacks** –

The terrorist acts that occurred in Sri Lanka on 21 April 2019, in the following locations:

- St. Anthony's Shrine in Colombo, at approximately 8:45 am (local time)
- Kingsbury Hotel in Colombo, at approximately 8:45 am (local time)
- Cinnamon Grand Hotel in Colombo, at approximately 8:50 am (local time)
- Shangri-La Hotel in Colombo, at approximately 8:57 am (local time)
- St. Sebastian's Church in Negombo, at approximately 8:45 am (local time)
- Zion Church in Batticaloa, at approximately 9:05 am (local time)
- Tropical Inn in Dehiwala, at approximately 1:45 pm (local time), **and**
- a residential complex in Dematagoda, Colombo, at approximately 2:15 pm (local time)?

No  You may not be eligible – go to [servicesaustralia.gov.au/disaster](http://servicesaustralia.gov.au/disaster) for information on the terrorist acts for which you can claim payment.

Yes  Go to next question

5 Is the child a close family member of a person who died as a direct result of the terrorist act?

No  The child may not be eligible – Please see *Definition of key terms – Close Family Member* in the **Notes** (page 4), for more information.

Yes  Go to next question

6 Are you the child's primary carer?

No  Go to next question

Yes  Go to 8

7 Provide the primary carer's details

Name

Contact phone number ( )

8 Please read this before answering the following question.

A terrorist act can impact on you physically and/or emotionally. Our social workers may be able to provide support and/or referral(s) to assist you.

Would you like one of our social workers to contact you?

No

Yes

Legal guardian details

9 Do you have a Centrelink Reference Number?

No  Go to next question

Yes  Your Centrelink Reference Number (if known)

10 Your name

Mr  Mrs  Miss  Ms  Other

Family name

First given name

Second given name



CLK0AV044 2009

**11** Have you ever used or been known by any other name (e.g. name at birth, maiden name, previous married name, Aboriginal or tribal name, alias, adoptive name, foster name)?

No  Go to next question

Yes  Give details below

Other name

Type of name (e.g. name at birth)

If you have more than one other name, please attach a separate sheet with details.

**12** Your gender

Male

Female

**13** Date of birth

**14** How can we contact you?

Residential address

<input type="text"/>	
<input type="text"/>	
<input type="text"/>	
State/Territory	Postcode
Country	

Postal address (if different to above)

<input type="text"/>	
<input type="text"/>	
<input type="text"/>	
State/Territory	Postcode
Country	

Phone number

(    )

**Please read this before answering the following questions.**

If you provide an email address or mobile phone number, you may receive electronic messages (SMS or email) from us. To read the Terms and Conditions, go to [servicesaustralia.gov.au/em](http://servicesaustralia.gov.au/em) or visit one of our service centres.

To help us serve you better, please provide your mobile number

**Note:** If you are lodging this claim from outside of Australia you will need to include the country and area code for the mobile number.

Mobile phone number

Email

Child's details

**15** Does the child have a Centrelink Reference Number?

No  Go to next question

Yes  Child's Centrelink Reference Number (if known)

 -  -  - 

**16** Child's name

Mr

Miss

Other

Child's family name

Child's first given name

Child's second given name



17 Has the child ever used or been known by any other name?

No  Go to next question

Yes  List the other names


If the child has more than one other name, please attach a separate sheet with details.

18 Child's gender

Male

Female

19 Child's date of birth

	/		/	
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20 Does the child live at the same residential address as you?

No  Go to next question

Yes  Go to 22

21 The child's residential address

State/Territory	Postcode
Country	

22 What is the child's country of birth?

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23 Please read this before answering the following question.

**'Permanently'** means the child normally lives in Australia on a long-term basis. Holidays or short trips outside Australia would not affect this.

At the time of the terrorist act, was the child living in Australia **permanently**?

No  The child may not be eligible – Please go to [servicesaustralia.gov.au/disaster](http://servicesaustralia.gov.au/disaster) for more information on eligibility for this payment.

Yes  What date did the child start living in Australia?

	/		/	
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24 At the time of the terrorist act, what was the child's country of citizenship?

Born in Australia  Go to 27

Australia  Date citizenship commenced

	/		/	
--	---	--	---	--

 Go to 27

Other  Country of citizenship

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25 At the time of the terrorist act, what type of Australian visa did the child hold?

Permanent  Go to next question

Temporary  Go to next question

New Zealand passport (Special Category visa)  Go to next question

Unknown (e.g. arrived on parent's passport)  Go to 27

26 The child's visa details on arrival

Visa sub class

Date visa granted

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	/		/	
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27 What was the child's relationship to the deceased person?

For more information, see *Definition of key terms – Close Family Member* in the **Notes** (page 4).

Child

Child under guardianship

Sibling

**28** Details of all close family members of the deceased person

**1** Name

Date of birth

Relationship to the deceased person

**2** Name

Date of birth

Relationship to the deceased person

**3** Name

Date of birth

Relationship to the deceased person

**4** Name

Date of birth

Relationship to the deceased person

**5** Name

Date of birth

Relationship to the deceased person

If there are more than five close family members, please attach a separate sheet with details.

**29** Details of the deceased person who died as a direct result of the terrorist act

Deceased person's name

Mr  Mrs  Miss  Ms  Other

Family name

First given name

Second given name

Deceased person's gender

Male

Female

Deceased person's date of birth

Deceased person's place of birth

Deceased person's date of death

Deceased person's place of death



Please attach evidence that the deceased person died as a direct result of the terrorist act. (For example, Medical Certificate, Death Certificate, Police Report etc)

**30** What was the deceased person's country of citizenship?

**31** Did the deceased person hold a passport?

No  **Go to 33**

Yes  **Go to next question**

32 Give details of all passports the deceased person held (if known)

1 Passport number  
  
Country of issue

2 Passport number  
  
Country of issue

3 Passport number  
  
Country of issue

If you need more space, please attach a separate sheet with details.

33 What was the purpose of the deceased person being in the place where the terrorist act occurred?

Holiday

Business

Other  Give details below

  

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34 Was the deceased person an Australian resident?

No  **Go to 37**

Yes  *Go to next question*

35 When did the deceased person leave Australia to start their travels?

36 When did the deceased person arrive in the place of the terrorist act?

Same as question 35

Other  Date arrived in the place

37 Did the deceased person receive any financial assistance from a foreign country for injuries suffered as a direct result of the terrorist act?

This does not include financial assistance for economic loss resulting from their injury.

No  *Go to next question*

Not sure  *Go to next question*

Yes  Give details below

How much was paid	When was it paid
\$ <input type="text"/>	<input type="text"/>
Who paid it	
<input type="text"/>	
Name of payment / what it was paid for (e.g. funeral, flights)	
<input type="text"/>	

38 Has the child, or any family member, received assistance from a foreign country for the death of the deceased person as a direct result of the terrorist act?

This does not include financial assistance for economic loss resulting from the deceased person's death.

No  *Go to next question*

Not sure  *Go to next question*

Yes  Give details below

How much was paid	When was it paid
\$ <input type="text"/>	<input type="text"/>
Who paid it	
<input type="text"/>	
Name of payment / what it was paid for (e.g. funeral, flights)	
<input type="text"/>	

39 Do you want another person or organisation to enquire or act on your behalf when dealing with us?

No  *Go to next question*

Yes



You will need to complete and attach an **Authorising a person or organisation to enquire or act on your behalf** form (SS313).

If you do not have this form or want more information about nominee arrangements, go to [servicesaustralia.gov.au/nominees](http://servicesaustralia.gov.au/nominees)

**Go to next question**

## 40 Checklist

Please tick what information has been provided with this claim. If verification documentation is not provided with this claim it will need to be provided **within 14 days**.

All questions on this claim have been completed

Identity documents for the child.

For a list of acceptable documents, go to [servicesaustralia.gov.au/identity](http://servicesaustralia.gov.au/identity)

Medical evidence confirming that the child's close family member died as a direct result of the terrorist act.   
(required at **question 29**)

**Authorising a person or organisation to enquire or act on your behalf** form (SS313)   
(if you answered Yes at **question 39**)

### Privacy notice

## 41 You need to read this

### Privacy and your personal information

The privacy and security of your personal information is important to us, and is protected by law. We need to collect this information so we can process and manage your applications and payments, and provide services to you. We only share your information with other parties where you have agreed, or where the law allows or requires it. For more information, go to [servicesaustralia.gov.au/privacy](http://servicesaustralia.gov.au/privacy)

## 42 Declaration

### I declare that:

- I have read the privacy notice on this page.
- the deceased and my close family members were not involved in the commission of the terrorist act.
- the information I have provided in this form is complete and correct.

### I understand that:

- Services Australia can make relevant enquiries to make sure the child receives the correct entitlement.
- information is likely to be collected from, and disclosed to, Australian Government agencies including the Department of Home Affairs, Department of Foreign Affairs and Trade, Australian Federal Police, Department of Health, Australian Taxation Office, other organisations that offer or coordinate assistance overseas.
- Services Australia may request evidence to support any claims made on this form.
- I must tell Services Australia of any changes to this information **within 14 days**.
- any overpayment will be recovered.
- giving false or misleading information is a serious offence.

### Authorisation

#### I authorise:

- Services Australia to collect and use relevant information about the child, on whose behalf I am submitting this claim,
- Services Australia to use and disclose relevant information it currently holds about the child, in customer records,
- the other Australian Government agencies, organisations, and persons referred to above to disclose relevant information about the child to Services Australia,
- Services Australia to disclose relevant information about the child to the Australian Government agencies, organisation and persons referred to above,

for the purposes of assessing their eligibility for the Australian Victim of Terrorism Overseas Payment.

Your signature

Date

/ /

<b>Office Use only</b>	SO Logon ID		
Identity type			
Serial number			
Issue date	/ /	Expiry date	/ /
State of issue		Country of issue	
Original document sighted and returned <input type="checkbox"/>			