



Australian Victim of Terrorism Overseas Payment Secondary victim

(for a child younger than 16 years)
October 7, 2023 Hamas Terrorist 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 following terrorist attacks that occurred in Israel on **7 October 2023** at:

- Be'eri Kibbutz
- Sderot
- The Supernova Sukklot Gathering music festival, in the, Re'im Kibbutz
- Nahal Oz Kibbutz
- The military base adjacent to the Nahal Oz Kibbutz near the northern Gaza Strip
- Kfar Aza Kibbutz
- Nir Oz Kibbutz
- Netiv HaAsara Moshav
- Alumim Kibbutz
- Kissufim Kibbutz
- Nirim Kibbutz
- Zikim Beach
- Holit Kibbutz
- Ein HaShlosha Kibbutz
- Nir Yitzhak Kibbutz.

Who is eligible for assistance?

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

- the child was an Australian resident at the time of the terrorist act
- 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
- whether the person has made a claim as a secondary victim of the terrorist act in relation to another close family member
- if the close family member was 16 years or older:
 - whether the close family member failed to take reasonable steps to avoid harm or acted recklessly when the terrorist act occurred
 - 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
 - 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
- 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.

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/avtop

How will payments be made?

Payments for children younger than 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

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 (for example, 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

If you have any difficulty in obtaining or providing these documents, you should call us 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.

Australian Victim of Terrorism Overseas Payment Secondary victim – for a child younger than 16 years – October 7, 2023 Hamas Terrorist attacks

Filling in this form

You can fill this form digitally in some browsers, or you can open it in Adobe Acrobat Reader. If you do not have Adobe Acrobat Reader, you can print this form and sign it.

If you have a printed form:

- Use black or blue pen.
- Print in BLOCK LETTERS.
- Where you see a box like this ► **Go to 1** skip to the question number shown.

Returning this form

Check that all required questions are answered and that the form is signed and dated.

Make sure any accompanying documentation is clearly identified with your name and the child's name.

You can upload this form, with any supporting documents:

- **online** – For more information about how to access an online account or how to lodge documents online, go to **servicesaustralia.gov.au/centrelinkuploaddocs**

You need a myGov account to link and use your Centrelink online account. If you do not have a myGov account, go to **my.gov.au** and create one. For help, go to **servicesaustralia.gov.au/onlineguides**

- 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
- in person at one of our service centres.

For more Information

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



Information in your language

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

To speak to us in your language, call **131 202**.



Hearing and speech assistance

If you have a hearing or speech impairment, you can use:

- the National Relay Service **1800 555 660**, or
- our TTY service on **1800 810 586**. You need a TTY phone to use this service.

For more information about help with communication, go to **servicesaustralia.gov.au** and search 'other support and advice'.

Family and domestic violence

If you are affected by family and domestic violence, there is help available. Call **132 850** Monday to Friday, 8am to 5pm local time, and ask to speak to a social worker.

Otherwise, you can contact 1800RESPECT (**1800 737 732**), a 24 hour service. If you are in immediate danger, call **000**. For more information, go to

servicesaustralia.gov.au/domesticviolence

Definition of key terms

Australian residence requirements

A person is an Australian resident (as defined by the *Social Security Act 1991*) if they are living in Australia and they are one of the following:

- an Australian citizen
- a permanent residence visa holder
- a protected Special Category visa holder.

For more information, go to servicesaustralia.gov.au/residence-descriptions

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:

Apportioning payments among secondary victims

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

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/avtop

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
- 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' means:

- in close proximity to the place where the terrorist act occurred, and
- experienced 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.

Experienced 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
- induced the terrorist act, whether through threats or promises, or otherwise
- 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

(for a child younger than 16 years)

October 7, 2023 Hamas Terrorist attacks (AV082)

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

Payments for children younger than 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

About you and the child's claim

1 Do you need an interpreter?

Available in international, Indigenous, Auslan and other sign languages.

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 for one of the terrorist attacks that occurred in Israel on 7 October 2023, listed below?

No The child may not be eligible – Go to servicesaustralia.gov.au/avtop for information on the terrorist acts for which you can claim payment.

Yes Indicate below which terrorist act you are applying for.

Be'eri Kibbutz

Sderot

The Supernova Sukklot Gathering music festival, in the Re'im Kibbutz

Nahal Oz Kibbutz

The military base adjacent to the Nahal Oz Kibbutz near the northern Gaza Strip

Kfar Aza Kibbutz

Nir Oz Kibbutz

Netiv HaAsara Moshav

Alumim Kibbutz

Kissufim Kibbutz

Nirim Kibbutz

Zikim Beach

Holit Kibbutz

Ein HaShlosha Kibbutz

Nir Yitzhak Kibbutz

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 – 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 (including area code)

8 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 Customer Reference Number?

No Go to next question

Yes Your Centrelink Customer Reference Number (if known)

10 Your name

Mr Mrs Miss Ms Mx Other

Family name

First given name

Second given name



CLK0AV082 2409

11 Have you been known by any other name(s)?

Include:

- name at birth
- name before marriage
- previous married name
- Aboriginal or skin name
- alias
- adoptive name
- foster name.

No Go to next question

Yes Give details below

Other name

Type of name (for example, name at birth)

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

12 Your gender

Male

Female

Non-binary

13 Date of birth (DD MM YYYY)

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14 How can we contact you?

Residential address

State/Territory	Postcode
Country	

Postal address (if different to above)

State/Territory	Postcode
Country	

Phone number (including area code if in Australia or country and area code if outside of Australia)

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

Mobile phone number (including country and area code if outside of Australia)

Email

Child's details

15 Does the child have a Centrelink Customer Reference Number?

No Go to next question

Yes Child's Centrelink Customer Reference Number (if known)

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16 Child's name

Mr Miss Mx 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, provide a separate sheet with details.

18 Child's gender

Male

Female

Non-binary

19 Child's date of birth (DD MM YYYY)

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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	

Residence details

The answers to the following questions help us to understand the child's residence details to make sure they are eligible to get this payment.

22 At the time of the terrorist act, what country was the child living in **and from what date?**

This is the country where the child normally lived on a long term basis.

Country

Date from (DD MM YYYY)

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23 Has the child **ever** travelled outside Australia, including short trips and holidays?

This question will help us to verify the child's Australian residence.

No Go to next question

Yes Give details below

Year the child last entered Australia

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 (YYYY)

Passport number

Country of issue

24 At the time of the terrorist act, was the child an Australian citizen **who was born in Australia?**

No



If you have not already done so, you will need to provide proof of the child's Australian residence status (for example, citizenship papers, passport or other documentation).

Go to next question

Yes Go to 29

25 What is the child's country of birth?

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

Australia Date citizenship granted (DD MM YYYY)

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▶ **Go to 29**

Other Give details below

Country of citizenship

Date citizenship granted (DD MM YYYY)

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27 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 29**

Not applicable/not sure **Go to 29**

28 At the time of the terrorist act, what were the child's visa details?

Visa subclass Date visa granted (DD MM YYYY)

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29 At the time of the terrorist act, what type of accommodation best described the child's usual living arrangements in Australia?

Tick one only

Own, buying or renting a house, unit or flat

Living with family or friends

Living in a boarding or guest house, hotel, hostel type accommodation, caravan, mobile home or boat

Emergency accommodation or homeless

30 At the time of the terrorist act, tell us where the child's close family members lived?

This is the country where they normally lived on a long term basis.

Tick all that apply

	Australia	Outside Australia
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Partner

Child(ren)

Parent (including legal guardian)

Sibling(s)

Another family member you look after

31 At the time of the terrorist act, tell us about the child's employment and business ties in Australia and outside Australia.

Tick all that apply

Employed or self-employed and the place of employment was **in Australia**

Employed or self-employed and the place of employment was **outside Australia**

Owned or had an interest in a business or company registered **in Australia**

Owned or had an interest in a business or company registered **outside Australia**

Was a student at a school, college or university **in Australia**

Was a student at a school, college or university **outside Australia**

None of the above

32 At the time of the terrorist act, what type of financial interests or assets did the child have in Australia and outside Australia?

Tick all that apply

	Australia	Outside Australia
Real estate (including vacant land)	<input type="checkbox"/>	<input type="checkbox"/>
Accounts held with financial institutions	<input type="checkbox"/>	<input type="checkbox"/>
Shares or bonds	<input type="checkbox"/>	<input type="checkbox"/>
Managed investments	<input type="checkbox"/>	<input type="checkbox"/>
Owner, part-owner or beneficiary of a trust or company	<input type="checkbox"/>	<input type="checkbox"/>
None of the above	<input type="checkbox"/>	<input type="checkbox"/>

About relationship with the deceased person

33 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

34 Details of all close family members of the deceased person

1 Name

Date of birth (DD MM YYYY)

Relationship to the deceased person

2 Name

Date of birth (DD MM YYYY)

Relationship to the deceased person

3 Name

Date of birth (DD MM YYYY)

Relationship to the deceased person

4 Name

Date of birth (DD MM YYYY)

Relationship to the deceased person

If there are more than four close family members, provide a separate sheet with details.

About the deceased person

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

Deceased person's name

Mr Mrs Miss Ms Mx Other

Family name

First given name

Second given name

Deceased person's gender

Male

Female


Non-binary

Deceased person's date of birth (DD MM YYYY)

Deceased person's country of birth

Deceased person's date of death (DD MM YYYY)

Deceased person's place of death

 Provide evidence that the deceased person died as a direct result of the terrorist act. For example, medical report, doctor or specialist report/letter or other.

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

Holiday

Business

Other Give details below

About financial assistance received

- 37** Did the deceased person receive any financial assistance from a foreign country for injuries sustained 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 (DD MM YYYY)

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Who paid it

Name of payment / what it was paid for (for example, funeral, flights)

- 38** Has the child, or any family member, received financial 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 (DD MM YYYY)

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Who paid it


Name of payment / what it was paid for (for example, funeral, flights)

Who received the payment?

- 39** Do you want to authorise a person or organisation to make enquiries, make updates and/or act on your behalf?

No Go to next question

Yes Give details below

 You need to fill in and return an **Authorising a person or organisation to enquire or act on your behalf (SS313)** form. You can also do this online. You and the person or organisation will need a Centrelink online account.

If you want more information or to download the form, go to

servicesaustralia.gov.au/authorisedrepresentative

▶ Go to next question

Checklist

- 40** Which of the following forms and documents are you providing with this form?

Tick which 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**.

Identity documents for the child.
For a list of acceptable documents, go to **servicesaustralia.gov.au/identity**

Documents showing proof of the child's Australian residence
(if you answered No at **question 24**)

Medical evidence confirming that the child's close family member died as a direct result of the terrorist act.
(required at **question 35**)

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

Questions continue ▶

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 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/privacypolicy

Declaration

42 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:

- 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 and Aged Care, 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.
- Services Australia can make relevant enquiries to make sure the child receives the correct entitlement.
- giving false or misleading statements, information or documents are serious offences under the *Criminal Code Act 1995*.

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 (DD MM YYYY)

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Office Use only	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"/>			