

# Protected Industrial Action Suspension Form



Member	Member Number: _____
	Member's Full Name: _____
	Member's Address _____ _____ Postcode: _____
	Contact Phone: ( ) _____ Email: _____

## Declaration

1. I wish to make an application for temporary suspension of membership due to Protected Industrial Action.

This is to apply to  \_\_\_\_\_ or  membership.  
Member's Full Name - Member must be noted on the Statutory Declaration

2. I have previously made an application for temporary suspension due to Protected Industrial Action. Yes  No
3. I have attached written confirmation from my union indicating the last day of paid employment is no more than 3 months from the initial date of application for temporary suspension.
4. I have completed the Statutory Declaration overleaf and had it witnessed by an approved person as listed on Page 2 or 3 of the Statutory Declaration.

I declare that the particulars outlined by me or my Spouse/Partner in this application are true and correct in every detail and I acknowledge that Westfund relies upon the truthfulness of the particulars supplied by me in respect of this application.

Signature of Member: ..... Date: .....

I understand the following conditions will apply to my membership:

- a. Any health services received during the suspension period are not eligible to receive benefits.
- b. The suspension period shall not qualify for the purpose of completing any waiting periods.
- c. Suspension of private hospital cover may have Medicare Levy Surcharge implications if my/our income exceeds the relevant Medicare Levy Surcharge threshold. I have sought advice from the Australian Taxation Office or my Tax Agent prior to submitting this application.
- d. Continuity of my policy for the purposes of Lifetime Health Cover are subject to the provisions in Westfund's Fund Rules.
- e. A minimum of six months must elapse from the end of the previous suspension period before the Protected Industrial Action suspension can be applied again.
- f. Application for temporary suspension can only be applied for by the Primary Member or the Spouse/Partner with spousal authority.
- g. If any of the conditions/criteria are not met, Westfund may terminate the membership or member.
- h. The written confirmation is effective for the period of Protected Industrial Action or one week from the date of the written confirmation, whichever is longer. The written confirmation may be renewed, and the suspension may be extended for successive periods of one week to maximum of six consecutive calendar months.

Ambulance, Overseas Top Plus Hospital with Extras, Overseas Top Hospital with Extras and Overseas Hospital are ineligible for temporary suspension.

### Privacy Statement

Westfund Ltd collects and uses your personal information such as your name, address, telephone and other contact details in order to answer your query or to provide our services to you. Westfund also collects sensitive information about you, such as your health information, in order to provide quotations for membership, to establish and maintain your policy and to provide health services to you. Unless it is unreasonable or impractical to do so, Westfund will collect your personal information from you. If you provide Westfund with the personal information of another person (such as about your family member), then you should make them aware of the matters contained in this notice. Not collecting your personal information would mean that Westfund would be unable to provide you with its services, taking into account matters such as government rebate entitlements, dependants, benefit entitlements and the settlement of your claims. Westfund may disclose your personal information to other entities. However, your personal information will only be disclosed to third parties where you would reasonably expect Westfund to in order to provide you with the services associated with your membership. This may include parties transacting business on behalf of Westfund and supporting Westfund's systems and services. Your personal information, including health information, may also be used if you access health services through Westfund's health, dental and optical divisions or to notify you of new products or promotions, or where Westfund develops programs or initiatives to assist with health and wellbeing services. Some organisations to which we disclose personal information may be outside Australia. We will not disclose your personal information to an overseas recipient without taking such steps as are reasonable in the circumstances to ensure that the overseas recipient will not breach the Australian Principles set out in the Privacy Act 1988 (Cth). Westfund's Privacy Policy contains information about how you may access and seek correction of your personal information held by Westfund, and how you may make a complaint in relation to information privacy. Westfund's Privacy Policy is available at our website [www.westfund.com.au](http://www.westfund.com.au) and at any of Westfund's Care Centres. Further details can be obtained by contacting Westfund's Privacy Officer at [privacy@westfund.com.au](mailto:privacy@westfund.com.au)

Commonwealth of Australia  
Statutory Declaration  
Statutory Declarations Act 1959



1 Insert the name, address and occupation of person making the declaration

<sup>1</sup>, \_\_\_\_\_  
\_\_\_\_\_

make the following declaration under the Statutory Declarations Act 1959.

2 Set out matter declared to in numbered paragraphs

- <sup>2</sup>1. My union is currently on strike from (workplace) \_\_\_\_\_  
with my last day of paid work on the \_\_\_\_\_  
and am part of (union) \_\_\_\_\_  
A copy of my industrial action notice/certificate is attached.
2. Prior to my Industrial Action, I have been a member of Westfund and have had a minimum of 3 years continuous membership.
3. I agree that I am only entitled to the Protected Industrial Action suspension for up to six months from the date mentioned in section 1 above OR until such times that I return to work during the six months.
4. I declare that my Spouse/Partner is not in receipt of more than \$1147.64 gross wages per week.
5. If requested by any Westfund employee, I agree to provide a record of my Spouse/Partner's weekly income earned during the period of this Statutory Declaration.
6. I fully understand that this Statutory Declaration is valid only for seven days from the date it has been witnessed.
7. I further understand that should I wish to continue the Protected Industrial Action suspension after the expiration of this Statutory Declaration, that I will be required to complete and submit a new Statutory Declaration.
8. I agree to inform Westfund immediately of any paid employment I undertake or should my Spouse/Partner exceed \$1147.64 gross wages per week.
9. My union has been undertaking Protected Industrial Action for more than 7 consecutive days and is within Australia.
10. If employed on a "contractor" type arrangement, the Protected Industrial Action was not the result of the contract expiring.

I understand that a person who intentionally makes a false statement in a Statutory Declaration is guilty of an offence under section 11 of the Statutory Declarations Act 1959, and I believe that the statements in this declaration are true in every particular.

3 Signature of person making the declaration

<sup>3</sup> \_\_\_\_\_  
\_\_\_\_\_

4 Place  
5 Day  
6 Month and year

Declared at <sup>4</sup> \_\_\_\_\_ on <sup>5</sup> \_\_\_\_\_ of <sup>6</sup> \_\_\_\_\_

Before me,

7 Signature of person before whom the declaration is made (See over)

<sup>7</sup> \_\_\_\_\_

8 Full name/qualification and address of person before whom the declaration is made (in printed letters)

<sup>8</sup> \_\_\_\_\_  
\_\_\_\_\_

Note 1 A person who intentionally makes a false statement in a Statutory Declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years – see section 11 of the Statutory Declarations Act 1959.

Note 2 Chapter 2 of the Criminal Code applies to all offences against the Statutory Declarations Act 1959 – see section 5A of the Statutory Declarations Act 1959.

A Statutory Declaration under the Statutory Declarations Act 1959 may be made before –



(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Architect	Chiropractor	Dentist	Financial Adviser
Financial Planner	Legal practitioner	Medical practitioner	Midwife
Nurse	Occupational Therapist	Optometrist	Patent attorney
Pharmacist	Physiotherapist	Psychologist	Trade marks attorney
Veterinary Surgeon	Migration agent registered under Division 3 of Part 3 of the <i>Migration Act 1958</i> .		

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Accountant who is:

- a) a fellow of the National Tax Accountants' Association; or
- b) a member of any of the following:
  - i. Chartered Accountants Australia and New Zealand;
  - ii. the Association of Taxation and Management Accountants
  - iii. CPA Australia;
  - iv. the Institute of Public Accountants

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public  
APS employee engaged on an ongoing basis with 5 or more years of continuous service who is not specified in another item in this list

Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of a Commonwealth Authority engaged on a permanent basis with 5 or more years of continuous service who is not specified in another item in this list.

Employee of the Australian Trade and Investment Commission who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Employee of the Commonwealth who is:

- (a) at a place outside Australia; and
- (b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
- (c) exercising the employee's function in that place

Engineer who is:

- a) a member of Engineers Australia, other than at the grade of student; or
- b) a Registered Professional Engineer of Professionals Australia; or
- c) registered as an engineer under a law of the Commonwealth, a State or Territory; or
- d) registered on the National Engineering Register by Engineers Australia

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of the Australian Defence Force who is:

- a) an officer
- b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service
- c) a warrant officer within the meaning of that Act

Member of the Australasian Institute of Mining and Metallurgy

Member of the Governance Institute of Australia

Member of:

- (a) the Parliament of the Commonwealth; or
- (b) the Parliament of a State; or
- (c) a Territory legislature; or
- (d) a local government authority

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public, including a notary public

- a) the Commonwealth
- (b) the external Territories of the Commonwealth

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office providing postal services to the public

Permanent employee of

- a) a State or Territory or a State or Territory authority
- b) a local government authority with 5 or more years of continuous service, other than such an employee who is specified in an \_\_\_ other item of this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior executive employee of a Commonwealth authority

Senior executive employee of a State or Territory

SES employee of the Commonwealth

Sheriff

Sheriff's officer

Teacher employed on a permanent full-time or part-time basis at a school or tertiary education institution