



**Australian Government**  
**Department of Employment**

Dear

**Fair Entitlements Guarantee**

,

**Claim reference number:**

I am writing to acknowledge receipt of your claim for assistance under the Fair Entitlements Guarantee (FEG). The Department of Employment received your claim on .

All decisions about eligibility for FEG assistance are made by the department in accordance with the *Fair Entitlements Guarantee Act 2012* (the FEG Act). A copy of the FEG Act is available at [www.comlaw.gov.au/Details/C2012A00159](http://www.comlaw.gov.au/Details/C2012A00159).

**How we assess your claim**

The first thing we do is check that your claim is effective. This includes checking that you have completed the required FEG claim form correctly and included all mandatory information and documentation. We will also verify that your claim was made no more than 12 months after the end of your employment or the insolvency event\* (whichever is later), and before the discharge of your former employer's bankruptcy (if your former employer was a bankrupt).

If your claim is effective, the next thing we do is perform a basic eligibility check. If we are satisfied that you are likely to be eligible for FEG assistance we will then usually ask the insolvency practitioner managing the affairs of your former employer for information about your outstanding employment entitlements. We do this because they should have access to your former employer's records. In the event that the insolvency practitioner is unable to provide this information, we may request further information from you or ask an independent contractor to investigate what you may be owed.

**How long will the assessment process take?**

The department aims to process claims as quickly as possible. How long it takes to do so will depend on a number of factors. These include:

- whether we can get sufficient information to calculate your outstanding employment entitlements
- the quality of your former employer's books and records

## Document 1

- the complexity of your former employer's business structure, and
- the number of other claims we are working on at the time your claim is received.

You can check where your claim is up to by accessing FEG Online Services using your claim reference number. You can register for FEG Online Services at [www.employment.gov.au/FEGonline](http://www.employment.gov.au/FEGonline).

### Employment services

If you have been made redundant from your job you could be eligible to receive help from jobactive. jobactive is the Australian Government's employment service, designed to meet the needs of job seekers and employers and improve job outcomes.

jobactive can provide you with tailored help to find a job and is delivered by jobactive providers located around Australia.

To find out what assistance is available through jobactive call the Employment Services Information Line on 13 62 68 or you can contact the Department of Human Services on 13 28 50. They will assess your circumstances and eligibility for jobactive and refer you to a jobactive provider.

### Tax File Number Declaration

Please note based on your answer to question A10 *Will you provide your Tax File Number?* you indicated that you would be providing a completed TFN declaration, however you have not provided a valid TFN declaration.

The easiest and quickest way for you to provide the required information is to use [FEG Online Services \(www.employment.gov.au/fegonline\)](http://www.employment.gov.au/fegonline). When you login simply click on the 'Add TFN declaration' link displayed on your homepage to complete and submit. If you have not already registered with FEG Online Services you are encouraged to do so. Using FEG Online Services allows you to submit a TFN declaration quickly online, as well as track the status of your claim. Information provided by using FEG Online Services will be received by the Department as soon as it is submitted. If you are unable to complete a TFN declaration online, you will need to contact the ATO on 1300 720 092 to obtain a paper form and return to the address below no later than 28 days after the date of this letter to:

Address: Fair Entitlements Guarantee Branch  
Department of Employment  
GPO Box 9880  
CANBERRA ACT 2601

**While you are not required to provide your TFN; if you do not return a completed TFN declaration, the Department must withhold tax from your FEG assistance at the top marginal rate (currently 47 percent).**

If this information is not provided, the Department will be required to withhold tax at the top marginal rate (currently 47 percent) from any FEG payment you may be eligible for.

### No Tax File Number Provided

Please note based on your answer to question A10 *Will you provide your Tax File Number?* you indicated that you will not be providing a completed TFN declaration. **While you are not required to provide your TFN; because you have not returned a completed TFN declaration, the Department must withhold tax from your FEG assistance at the top marginal rate (currently 47 percent).**

### Invalid Tax File Number

Please note the Tax File Number (TFN) you have provided is invalid.

The easiest and quickest way for you to provide valid information is to use [FEG Online Services \(www.employment.gov.au/fegonline\)](http://www.employment.gov.au/fegonline). When you login simply click on the 'Add TFN declaration' link

## Document 1

displayed on your homepage to complete and submit. If you have not already registered with FEG Online Services you are encouraged to do so. Using FEG Online Services allows you to submit a TFN declaration quickly online, as well as track the status of your claim. Information provided by using FEG Online Services will be received by the Department as soon as it is submitted. If you are unable to complete a TFN declaration online and you will need to contact the ATO on 1300 720 092 to obtain a paper form and return to the address below no later than 28 days after the date of this letter to:

Address: Fair Entitlements Guarantee Branch  
Department of Employment  
GPO Box 9880  
CANBERRA ACT 2601

**While you are not required to provide your TFN; if you do not return a completed TFN declaration with a valid TFN, the Department must withhold tax from your FEG assistance at the top marginal rate (currently 47 percent) from any FEG payment you may be eligible for.**

### Invalid Tax File Number

Please note the Tax File Number (TFN) you have provided is invalid.

The easiest and quickest way for you to provide valid information is to use [FEG Online Services \(www.employment.gov.au/fegonline\)](http://www.employment.gov.au/fegonline). When you login simply click on the 'Add TFN declaration' link displayed on your homepage to complete and submit. If you have not already registered with FEG Online Services you are encouraged to do so. Using FEG Online Services allows you to submit a TFN declaration quickly online, as well as track the status of your claim. Information provided by using FEG Online Services will be received by the Department as soon as it is submitted. If you are unable to complete a TFN declaration online and you will need to contact the ATO on 1300 720 092 to obtain a paper form and return to the address below no later than 28 days after the date of this letter to:

Address: Fair Entitlements Guarantee Branch  
Department of Employment  
GPO Box 9880  
CANBERRA ACT 2601

**While you are not required to provide your TFN; if you do not return a completed TFN declaration with a valid TFN, the Department must withhold tax from your FEG assistance at the top marginal rate (currently 47 percent) from any FEG payment you may be eligible for.**

I am writing to advise that on **[INSERT DATE]**, the Department of Employment received your application for an internal review of your Fair Entitlement Guarantee (FEG) claim decision.

All decisions about eligibility for FEG assistance are made by the department in accordance with the *Fair Entitlements Guarantee Act 2012* (the FEG Act). The internal review of your claim will be conducted in accordance with section 38 of the FEG Act and assessed by a senior departmental officer who has not previously been involved with your claim.

In conducting the review, the review officer will consider the information you included in your review application as well as the information already provided during the initial assessment of your claim. Once the department has considered all the information relating to your review we will advise you in writing of the outcome. The letter will outline the terms of the decision, the reasons for the decision and your rights to have the decision further reviewed.

### How long will the review take?

The department aims to complete reviews as quickly as possible. The time taken to do so will depend on the complexity of the matter and our ability to obtain sufficient information. For

example, the department may need to request additional information from you, the insolvency practitioner managing your former employer's affairs or other third parties.

You can check where your claim is up to using FEG Online Services. You can register for [FEG Online Services](http://www.employment.gov.au/FEGOnline) at [www.employment.gov.au/FEGOnline](http://www.employment.gov.au/FEGOnline).

### **Tax File Number Declaration**

From 1 July 2016, the Department commenced paying approved FEG assistance directly into the bank account nominated by the claimant. The Department is responsible for withholding tax from FEG Advances paid in accordance with the variation order provided by the Australian Taxation Office. Our records indicate that we have not received a Tax File Number (TFN) declaration from you. In the event that you are found eligible for FEG assistance (or an additional FEG assistance) at the completion of the review, you need to advise the Department whether you wish to provide your Tax File Number (TFN) or claim an exemption from providing your TFN and, if so, provide a TFN declaration.

**Please note failure to provide a TFN declaration will not delay the assessment of your review. If you are eligible for FEG assistance (or further FEG assistance) and you have not provided the Department with a completed TFN declaration at the time your FEG payment is approved, the Department will withhold tax at the top marginal rate (currently 47 percent).**

The easiest and quickest way for you to provide the required information is to use [FEG Online Services](http://www.employment.gov.au/fegonline) ([www.employment.gov.au/fegonline](http://www.employment.gov.au/fegonline)). When you login simply click on the 'Add TFN declaration' link displayed on your homepage to complete and submit. If you have not already registered with FEG Online Services you are encouraged to do so. If you are unable to complete a TFN declaration online, you will need to contact the ATO on 1300 720 092 to obtain a paper form and return to the address below no later than 28 days after the date of this letter to:

Address: Fair Entitlements Guarantee Branch  
Department of Employment  
GPO Box 9880  
CANBERRA ACT 2601

If your information is not provided, the Department will be required to withhold tax at the top marginal rate (currently 47 percent) from any FEG payment you may be eligible for.

### **Payment information required**

From 1 July 2016, the Department commenced paying approved FEG assistance directly into the bank account nominated by the claimant. In the event you are found eligible for FEG assistance (or additional FEG assistance) at the completion of your review you need to provide the Department with the details of the bank account into which you want your FEG payment made.

The easiest and quickest way for you to provide this information is to use [FEG Online Services](http://www.employment.gov.au/fegonline) ([www.employment.gov.au/fegonline](http://www.employment.gov.au/fegonline)). When you login simply click on the 'Add bank account' link displayed on your homepage to complete and submit your details. If you have not already registered with FEG Online Services you are encouraged to do so. If you are unable to provide your payment information online, please complete and return the 'FEG Payment Information' form at

### **Attachment A.**

Please provide the required information no later than 28 days after the date of this letter. Information provided by using FEG Online Services will be received by the Department as soon as it is submitted. Paper based forms must be returned to:

Address: Fair Entitlements Guarantee Branch  
Department of Employment  
GPO Box 9880  
CANBERRA ACT 2601

Fax: (02) 6276 8717  
Email: [FEG@employment.gov.au](mailto:FEG@employment.gov.au)

If your information is not provided, any FEG payment you may be eligible for may be paid by cheque and sent to your nominated address (currently the address this letter is addressed to).

#### **No Tax File Number Provided**

Please note based on your answer to question A10 *Will you provide your Tax File Number?* you indicated that you will not be providing a completed TFN declaration. **While you are not required to provide your TFN; if you do not return a completed TFN declaration, the Department must withhold tax from your FEG assistance at the top marginal rate (currently 47 percent).**

#### **Invalid Tax File Number**

Please note the Tax File Number (TFN) you have provided is invalid.

The easiest and quickest way for you to provide the required information is to use [FEG Online Services \(www.employment.gov.au/fegonline\)](http://www.employment.gov.au/fegonline). When you login simply click on the 'Add TFN declaration' link displayed on your homepage to complete and submit. If you have not already registered with FEG Online Services you are encouraged to do so. Using FEG Online Services allows you to submit a TFN declaration quickly online, as well as track the status of your claim. Information provided by using FEG Online Services will be received by the Department as soon as it is submitted. If you are unable to complete a TFN declaration online, you will need to contact the ATO on 1300 720 092 to obtain a paper form and return to the address below no later than 28 days after the date of this letter to:

Address: Fair Entitlements Guarantee Branch  
Department of Employment  
GPO Box 9880  
CANBERRA ACT 2601

**While you are not required to provide your TFN; if you do not return a completed TFN declaration, the Department must withhold tax from your FEG assistance at the top marginal rate (currently 47 percent) from any FEG payment you may be eligible for on completion of your review.**

#### **Invalid Tax File Number**

Please note the Tax File Number (TFN) you have provided is invalid.

The easiest and quickest way for you to provide the required information is to use [FEG Online Services \(www.employment.gov.au/fegonline\)](http://www.employment.gov.au/fegonline). When you login simply click on the 'Add TFN declaration' link displayed on your homepage to complete and submit. If you have not already registered with FEG Online Services you are encouraged to do so. Using FEG Online Services allows you to submit a TFN declaration quickly online, as well as track the status of your claim. Information provided by using FEG Online Services will be received by the Department as soon as it is submitted. If you are unable to complete a TFN declaration online, you will need to contact the ATO on 1300 720 092 to obtain a paper form and return to the address below no later than 28 days after the date of this letter to:

Address: Fair Entitlements Guarantee Branch  
Department of Employment  
GPO Box 9880  
CANBERRA ACT 2601

**While you are not required to provide your TFN; if you do not return a completed TFN declaration, the Department must withhold tax from your FEG assistance at the top marginal rate (currently 47 percent) from any FEG payment you may be eligible for on completion of your review.**

**Want more information**

For more information, you can:

- Access our website – [www.employment.gov.au/FEG](http://www.employment.gov.au/FEG)
- Phone the FEG Hotline – 1300 135 040
- Email the FEG Hotline – <mailto:FEG@employment.gov.au>

Yours sincerely

s 22(1)

Case Management  
Review Team  
Fair Entitlements Guarantee Branch



**Australian Government**  
**Department of Jobs and Small Business**

Dear

**RE: IMPORTANT – YOUR FEG CLAIM IS NOT EFFECTIVE**

I refer to your claim for assistance under the Fair Entitlements Guarantee (FEG) in relation to your employment at . The Department of Jobs and Small Business received your claim on .

In order for the department to progress assessment of your claim further information is required from you to make your claim effective under the *Fair Entitlements Guarantee Act 2012* (the FEG Act). A copy of the [FEG Act](#) is available at [www.comlaw.gov.au/Details/C2012A00159](http://www.comlaw.gov.au/Details/C2012A00159).

Your claim is not effective for the following reason:

s 22(1)





### No proof of citizenship

You have not provided the mandatory required evidence in relation to your claim to be an Australian citizen of the holder of a permanent or special category visa under the Migration Act 1958, at the time your employment ended.

It is **mandatory** that you provide documentary evidence to support your claim. Acceptable evidence to prove citizenship includes a copy of **at least one** of the following documents:

- An Australian passport current at the time your employment ended, or **expired within two years** of the end of your employment.
- A full Australian birth certificate. **Extracts of birth certificate are insufficient.**
- An Australian citizenship certificate issued prior to the end of your employment. **Including both side if there is anything on the reverse.**
- Where appropriate, for the purpose of proving you hold a permanent visa, a copy of the passport you used to apply for that visa; or a copy of the visa label from your passport **(passport details must be visible)**; or a copy of the Visa Grant Notice that includes the details of your passport you used to apply for that visa.
- ImmiCard issued prior to the end of your employment.
- Registration by Descent document.
- Where appropriate, for the purpose of proving you held a Special Category visa at the end of your employment, the New Zealand passport that was current at the end of your employment or, if your passport had expired, the most recent expired New Zealand passport that you held at the time you entered Australia prior to working for the employer.
- Confirmation of Identity and Citizenship for Aboriginal and Torres Strait Islander people where other documentation is not available. Available on the FEG Website at [www.jobs.gov.au/FEG](http://www.jobs.gov.au/FEG).

Please note your driver's licence is not evidence of citizenship. Additionally, if you were known by a previous name on the supporting documentation, you must provide evidence of your name change (i.e. marriage certificate).

### No proof of residency

You have not provided the mandatory required evidence in relation to your claim to be the holder of a permanent visa or special category visa issued under the *Migration Act 1958* at the time your employment ended.

It is **mandatory** that you provide documentary evidence to support your claim. Acceptable evidence of your residency status includes a copy of **at least one** of the following categories of documents:

## Document 2

- An appropriate Australian visa issued prior to the end of your employment which may be recorded in your passport.
- A certificate of evidence of resident status issued by the Department of Immigration and Border Protection prior to the end of your employment (or confirming from what date the person held the resident status).
- Where appropriate, for the purpose of proving you hold a special category visa, a New Zealand passport.

Please note your driver's licence is not evidence to show you are the holder of a permanent or special category visa. Additionally, if you were known by a previous name on the supporting documentation, it is in your interest to provide evidence of your name change (i.e. marriage certificate).

You should provide the above information to make your claim effective [no later than **28 days after the date of this letter or earlier if the end of your 12 month application period occurs before that date OR –no later than the end of your 12 month application period (if the 12 month anniversary occurs before the 28 day deadline)**]. Strict time limits apply to make an effective claim under FEG. Under these requirements, to be considered eligible for assistance an effective claim must be received within the department **within 12 months** of the date your employment ended or the date of the liquidation/bankruptcy of your employer (whichever is later).

Required documentation can be sent electronically to [FEG@jobs.gov.au](mailto:FEG@jobs.gov.au) or by post to the following address (remember the documents must be received in the department by the required dates so allow time for postage):

Address: Fair Entitlements Guarantee Branch  
Department of Jobs and Small Business  
GPO Box 9880  
CANBERRA ACT 2601  
Fax: **(02) 6276 8717**  
Email: [FEG@jobs.gov.au](mailto:FEG@jobs.gov.au)

Giving false or misleading information is a serious offence.

### Further information

Further information about FEG including the 'How do I apply for FEG assistance' is available at [www.jobs.gov.au/FEG](http://www.jobs.gov.au/FEG).

Yours sincerely

s 22(1)

Fair Entitlements Guarantee Branch

Dear

**RE: IMPORTANT – YOUR FEG CLAIM IS NOT EFFECTIVE**

I refer to your claim for assistance under the Fair Entitlements Guarantee (FEG) in relation to your employment at .

The Department of Jobs and Small Business received your claim on . In order for the department to progress assessment of your claim, further information is required from you to make your claim effective under the *Fair Entitlements Guarantee Act 2012* (the FEG Act). A copy of the [FEG Act](#) is available at [www.comlaw.gov.au/Details/C2012A00159](http://www.comlaw.gov.au/Details/C2012A00159).

Your FEG claim is not currently effective for one or more of the following reasons:

**Proof of citizenship or permanent residency is not certified**

The evidence you have provided in relation to your claim to be an Australian citizen or permanent resident of Australia at the time your employment ended has not been appropriately certified as a true copy of the original document.

**No proof of citizenship or permanent residency**

You have not provided the required evidence in relation to your claim to be an Australian citizen or permanent resident of Australia at the time your employment ended. Please ensure that you send us a certified copy of a document that meets the requirements set out in the FEG claim form

s 22(1)

**HOW TO CERTIFY ORIGINAL DOCUMENTS**

You need to photocopy your document, ensuring any writing and photographs are clear and identifiable. Take that copy, and your original document, to a person authorised to certify documents. A list of professions or occupations that may certify original documents is provided in the attached list.

The certified copy must be signed by the certifier (and stamped, if a stamp is available). The stamp should show the certifier's contact details including telephone number and reference number. If the certifier does not use a stamp, or the stamp does not include their name, they should print their name underneath their signature. All pages (front and back) should be initialled by the certifier.

A certifier should never witness documents for their family, business, clients, employer or any other person where it could create a real or perceived conflict of interest for them. A certifier should never witness documents connected with matters in which they have an actual or perceived personal or pecuniary interest. The certifying officer must be currently employed in one of the profession or occupation groups listed and be contactable by telephone during normal business hours.

The certifying officer should:

- write on the copy, words to the effect 'this is a true copy of the original documents sighted by me'
- sign and print their name
- provide a daytime contact telephone number
- state their profession or occupation group (as below)
- write on the copy the date that the document was certified
- affix the official stamp (if available) or seal of the certifier's organisation on the copy.

Example of an authorised statement:

"This is a true copy of the original documents sighted by me  
Jane Smith  
Signature  
01-2345-6789  
Lawyer  
01.07.2013"

Please provide the information requested above as soon as possible to enable assessment of your claim. Please note that all the required information and documentation **must be received within 12 months** of the end of your employment or the date of the liquidation or bankruptcy of your employer (whichever date is later).

If this information is not provided by this date **your claim may be assessed as ineligible** for FEG assistance. Required documentation can be sent to:

Address: Employee Entitlements Branch  
Department of Jobs and Small Business  
GPO Box 9880  
CANBERRA ACT 2601

Fax: **(02) 6276 8717**

Email: [FEG@jobs.gov.au](mailto:FEG@jobs.gov.au)

### FURTHER INFORMATION

Further information about FEG including the 'How do I apply for FEG assistance' and 'How do I certify documents' fact sheets is also available at [www.jobs.gov.au/FEG](http://www.jobs.gov.au/FEG).

Yours sincerely

s 22(1)

Employee Entitlements Branch

## LIST OF PERSONS AUTHORISED TO CERTIFY DOCUMENTS

- A person who is currently licensed or registered under a law to practise in one of the following occupations:
 

chiropractor	patent attorney
dentist	pharmacist
legal practitioner	physiotherapist
medical practitioner	psychologist
nurse	veterinary surgeon
optometrist	
- 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).
- A person who is on the following list:
  - (a) agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
  - (b) Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
  - (c) Bailiff
  - (d) bank officer with 5+ years of continuous years of service
  - (e) building society officer with 5+ years of continuous service
  - (f) Chief executive officer of a Commonwealth court
  - (g) Clerk of a court
  - (h) Commissioner for Affidavits
  - (i) Commissioner for Declarations
  - (j) credit union officer with 5+ years of continuous service
  - (k) employee of the Australian Trade Commission who is in a country or place outside Australia and authorised under the *Consular Fees Act 1955* and exercising his or her function in that place
  - (l) employee of the Commonwealth who is in a country or place outside Australia and authorised under the *Consular Fees Act 1955* and exercising his or her function in that place
  - (m) Fellow of the National Tax Accountants' Association
  - (n) finance company officer with 5+ years of continuous service
  - (o) holder of a statutory office not specified in another item in this list
  - (p) Judge of a court
  - (q) Justice of the Peace
  - (r) Magistrate
  - (s) Marriage celebrant registered under the *Marriage Act 1961*
  - (t) Master of a court
  - (u) Member of Chartered Secretaries Australia
  - (v) Member of Engineers Australia, other than at the grade of student
  - (w) Member of the Association of Taxation and Management Accountants
  - (x) Member of the Australasian Institute of Mining and Metallurgy
  - (y) Member of the Australian Defence Force who is an officer, a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5+ years of continuous service or a warrant officer within the meaning of that Act
  - (z) member of CPA Australia
  - (aa) Member of the Parliament of the Commonwealth or the Parliament of a state or territory legislature, or a local government authority of a state or territory
  - (bb) Minister of religion registered under the *Marriage Act 1961*
  - (cc) Notary public
  - (dd) Permanent employee of the Australian Postal Corporation with 5+ years of continuous service who is employed in an office supplying postal services to the public

- (ee) Permanent employee of the Commonwealth or a Commonwealth authority, a state or territory authority or a local government authority with 5+ years of continuous service who is not specified in another item in this list
- (ff) person before whom a statutory declaration may be made under the law of the state or territory in which the declaration is made
- (gg) Police officer
- (hh) Registrar, or Deputy Registrar, of a court
- (ii) Senior Executive Service employee of the Commonwealth or a Commonwealth authority, or a state or territory or a state or territory authority
- (jj) Sheriff or Sheriff's officer
- (kk) Teacher employed on a full-time basis at a school or tertiary education institution.