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## LawTalk Blog



# Am I eligible to receive payments from my superannuation policy if I suffer a temporary injury or illness?

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Many people will experience some illness or injury throughout their working life which will render them incapable of undertaking their usual duties for a period of time.

A catastrophic injury or illness might render someone totally incapacitated for employment, possibly for the rest of their life, but many other injuries or illnesses are not as severe and might only incapacitate someone temporarily.

### Examples of potentially temporary illnesses/injuries include:

- Being in a car accident and needing a few months off work to recover;
- Having a heart attack and heart surgery and the doctor recommends having a period of time off work to recover;
- Suffering from a condition like multiple sclerosis which might have long periods of remission with few symptoms followed by lengthy periods of relapse, rendering someone unable to perform their work.

### Income Protection Insurance

Some superannuation policies provide the policy-holder with Income Protection insurance, which is designed to support workers for periods of illness or injury which renders them incapacitated for work. If you have this insurance with your superannuation policy, the cause of the injury or illness is generally irrelevant, unlike a worker's compensation claim which requires that the injury arose out of employment.

## How to qualify for Income Protection?

To qualify for Income Protection, a policy-holder will likely need to obtain medical evidence to substantiate the injury or illness and this medical evidence should confirm that the injury or illness is resulting in the policy-holder's incapacity for work.

This type of cover provides valuable protection to workers, particularly if they have exhausted all of their statutory leave entitlements, including sick leave and annual leave.

The individual policy will likely have its own terms and conditions, as well as exclusions, and it is important that you seek legal advice about your potential entitlements as soon as possible. Waiting periods may also apply before an Income Protection payment can be processed.

If you have suffered an injury or illness and wish to explore the protections that you may have under your superannuation policy, [please get in touch with us.](#)

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