



DEFENCE FORCE WELFARE ASSOCIATION

September 2016

WHEN A RECIPIENT OF A COMSUPER OR DVA PENSION DIES AND THERE IS A SURVIVING PARTNER

COMSUPER and/or the Department of Veterans' Affairs should be advised of the death immediately.

COMSUPER

When the deceased was in receipt of a COMSUPER pension there will be a Widow's entitlement provided certain conditions are met.

If the deceased was in receipt of a DRDB pension

Generally, the surviving partner will be eligible for a benefit if he or she has been living in a marital relationship as husband or wife for a period of at least three years. A marital relationship, for the purposes of the Scheme, is a permanent and bona fide domestic relationship between a Scheme Member and another person of the opposite sex. A spouse may still be eligible for a spouse's benefit if the marital relationship had existed for less than three years, at the discretion of the DFRDB Authority.

The entitlement is a lump sum equal to seven pays (14 weeks) of the difference between your late partner's (old) and your (new) pension, plus the commencement of a fully CPI indexed pension (being five eighths of the deceased old pension) paid fortnightly.

If the deceased was in receipt of a MSBS pension

As with DFRDB there are eligibility criteria for spouse/dependant benefits. For more information see the Board's website or speak to a customer service officer on 1300 006 727.

These benefits are calculated quite differently from DFRDB and are provided on an individual basis upon application.

Policy Authority:

www.dfrdb.gov.au

www.militarysuper.gov.au

Both schemes are administered by ComSuper which provides a client service for information on both schemes and can be contacted on 1300 001 877.

Department of Veterans' Affairs.

If a person dies as a result of a service related cause then there may be an entitlement to make a claim on DVA. Either DVA or an appropriately qualified Ex Service Organisation (eg Legacy or RSL) member should be consulted.

If the deceased held a Gold Card, it is not necessarily transferable. Check with DVA to determine entitlements. The Department of Veterans' Affairs can be contacted on 133254 or visit their website at www.dva.gov.au .

Ex Service Organisations

A member of an ESO appropriately trained will be able to give advice with regard to DVA entitlements. This advice is provided free of charge. They can also assist with the completion of an application.

Department of Veterans' Affairs Fact sheets

There are a number of fact sheets available on the Department of Veteran Affairs website: <http://factsheets.dva.gov.au/factsheets/> The following ones are listed as useful ones to get you started.

BR04 Bereavement Information

MRC01 Overview of the Military Rehabilitation and Compensation Act 2004 - Provides information about who is covered under the Military Rehabilitation and Compensation Act 2004 (MRCA).

MRC18 Bereavement Payments - Explains the circumstances in which a bereavement payment can be awarded under MRCA.

The Car

The deceased car can be transferred to a partner if they are the sole beneficiary of the Will. Ideally, the family car should have been registered in both names. The deceased driving licence may be eligible for a refund of the remaining valid period. Copies of the car registration papers, the surviving partner's driving licence as well as the Marriage Certificate, Death Certificate and Will may be required. Insurance companies will need to be advised of any change of car ownership.

Tax Returns

A (final) tax return will need to be lodged with the Australian Taxation Office on behalf of the deceased estate. Upon Probate, the estate can be distributed to any beneficiaries and sufficient money needs to be set aside to meet any final tax obligations. The executor will usually arrange this. Other related matters to note include possible Capital Gains Tax for shares purchased after 1985 or other assets, stamp duty and other fees.

Private Health Insurance

Benefits may be payable from private health insurers. Future premiums may be reduced, particularly if the family rate reduces to a single rate, so the health fund must be informed of the death.

Pension Entitlements

If the surviving partner's total income is below a certain amount, a Centrelink pension, either full or part, may be payable. Bridging finance prior to the start of the ComSuper pension may be provided. Copies of the Marriage Certificate, Will and Death Certificate will be needed

Children

If there are dependent children and/or full time students, additional pension benefits may be payable. Documents required will include copies of the Marriage Certificate and the Death Certificate (though a copy of a newspaper notification of death may be accepted until the Death Certificate is available).

Martial Separation

For a variety of reasons including dementia or invalidity, it may have been necessary for a couple to live separately for a period. Written advice or a certificate from a doctor advising that the separation was for medical reasons may be required before ComSuper will commence pension payment.

The House

After a required period of time (usually 28 days) a house in joint names should be transferred to the surviving partner. Application to the relevant Titles Office should be made and documentation required may include copies of the Marriage Certificate, Death Certificate, the Will and Title documents. The relevant financial institution (eg Westpac) will need to be advised regarding Defence Service Home Loans. The house and contents insurance notices will need to be transferred to a single name.

Club and Association Membership

Organisations of which the deceased was a member should be contacted and membership cancelled or transferred. Refunds may be payable.

Contracts

The current trend towards contracts for mobile phones, Internet, security systems and the like can cause problems. These may have to be paid out in full. Some contracts may need to be re-negotiated or transferred to the surviving partner. If it is not possible to access all relevant account details, passwords etc contact the companies as soon as possible to be able to avoid running up further bills.

Routine Household Bills

Make a list of regular accounts and direct debits (eg. rates, security systems, home and content insurances, vehicle insurance, health insurance, phone and mobile providers, internet service providers, water, gas, electricity etc). Make a note of how and when they are usually paid and the approximate amounts.

If the deceased normally accessed such accounts either over the phone or via the Internet it will be necessary to locate the logins (user names and passwords). If they are not available, contact the businesses or services involved and find out what needs to be done and what documentation is required to allow access to the accounts etc.

Contact any creditors if bills cannot be paid on time, explain the circumstances and seek an extension if necessary.

Memorials

The deceased could be eligible for official commemoration in a general cemetery or crematorium or in an Office of War Graves Garden of Remembrance. If this is the case, the surviving partner will be contacted by the Office of Australian War Graves. However, all veterans who served in the Australian forces are entitled to use the relevant Service badge/insignia on their private memorial. A request in writing to the Office of Australian War Graves is required in order to obtain permission to do this.

Legacy

A surviving partner may be eligible for assistance from Legacy due to the deceased service in a War Zone, Operational Service or training for operations. Contact Legacy for further details.

www.legacy.com.au/

Centrelink

You may be entitled to some Centrelink assistance if your income is below certain levels.
www.centrelink.gov.au

Finally

It is recommended that the surviving partner keeps an exercise book next to their phone to record all business phone calls etc made after the death. In the fog of grief, memory can be faulty and a record of calls and decisions made will be very useful. There will no doubt be calls from friends and family and it can be very helpful to also make a note of these. Relatives and friends may make decisions and arrangements on the bereaved behalf and trying to remember the details will be difficult. A copy of all correspondence and forms completed should be kept in a central file/tray. This will save a lot of wasted time spent looking for that important piece of paper!