



Meeting the Challenge

HELPFUL ADVICE FOR THE NEWLY-BEREAVED

The ACT Defence Widows' Group (DWG) provides support to Defence widows and widowers, particularly the newly bereaved. The Group contacts the surviving partner within a few weeks of the funeral. Experience has shown that the same problems seem to surface repeatedly and it is hoped that the following suggestions will relieve some of your burden and distress. The information is not definitive but is intended as a guide. Further details should be sought from your solicitor, your advocate or the relevant Government Departments.

SOME ISSUES YOU SHOULD CONSIDER

FINANCIAL MATTERS

For all financial matters seek advice from your bank/s or financial institutions as soon as possible. Banks require notification of a death as soon as possible but you should be aware that accounts and credit cards in the sole name of the deceased will probably be frozen, even if you are a signatory or are an additional card holder.

Some bank loans may be written off if an insurance fee has been paid. Discuss with the bank if it is wise to keep any loans rather than pay them off as you may find it difficult to raise a new loan at a later date.

You should also check who has access to any bank security boxes.

DFRB/DFRDB/MSBS BENEFIT

Upon notification of the death of the original recipient of a DFRB/DFRDB benefit, ComSuper will cease payment until the necessary forms, correctly filled out, are submitted. Only then will you receive your entitlements, paid into an account IN YOUR OWN NAME. These entitlements generally are:-

DFRB: 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's old pension) paid fortnightly.

DFRDB: A lump sum equal to seven pays of the difference between the deceased's (old) and your (new) pension, plus the commencement of a partially CPI indexed pension. In outline, the new pension is five eighths of the deceased's full old pension as if he/she had not commuted his/her benefit when leaving the Service. The value of that additional part is 'frozen' and the part relating to the deceased's previous fortnightly pension is CPI indexed. The pension is paid fortnightly.

MSBS: These benefits are quite different from DFRB/DFRDB and are calculated on an individual basis upon application.

VETERAN ENTITLEMENTS

You may be entitled to benefits from the Department of Veteran Affairs (DVA) but to apply you will need documentation and proof of your partner's Defence Service. You and your partner might have already established your possible entitlements prior to your partner's death. If so then gathering that information

together now and having it on hand will greatly assist in any applications to DVA. Note that if your partner had a Gold Card it is not transferable. If you are the widow of a TPI pensioner you will automatically be entitled to a Gold Card. If you believe you are eligible for a War Widow's Pension, contact DVA and, if your application is successful, you will also be entitled to a Gold Card. Contact Legacy if you need assistance with completing the application.

If your partner's death was caused by a Service related injury (or the deceased was already in receipt of a DVA pension) you may be entitled to a DVA pension. Contact the DVA, DFWA, Legacy, Vietnam Veterans' Association of Australia, Vietnam Veterans' Federation of Australia or other ex-Service agencies for further information. If there are entitlements to any other compensation payments these need to be submitted as soon as possible. Entitlements for dependent children may also be payable.

PENSION ENTITLEMENTS

If your 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 you have 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).

MARITAL SEPARATION

For a variety of reasons including dementia or invalidity, you and your late partner may have needed to live separately for a period. You should check with both DVA and ComSuper what is required to prove a marital relationship.

MEMORIALS

Your partner 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, you 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

You may be eligible for assistance from Legacy due to your partner's service in a War Zone, Operation Service or training for operations. Contact Legacy for further details.

DOCUMENTS

Locate your partner's Will, Service Record (including medical and psychiatric records) and Death Certificate. You may need to carry a certified copy of the Death Certificate in order to conduct or finalise some financial matters. It is a good idea to get 10 certified copies. Other documents often needed in the coming months include Marriage Certificate and Title Documents for your home.

THE HOUSE

After a required period of time (usually 28 days) a house in joint names should be transferred to the surviving joint owner upon application to the relevant Titles Office. 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.

THE CAR

A car can be transferred to you if you are the sole beneficiary of the Will. Ideally, the family car should have been registered in both names. The deceased's driving licence may be eligible for a refund of the remaining valid period. Copies of the car registration papers and your 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's 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.

WILL, POWER OF ATTORNEY & ENDURING POWER OF ATTORNEY

The continuing validity of these may vary between States and Territories. In general, you, as a surviving partner, should have a new Will and Power of Attorney drawn up. After all you have just lost your partner, who was probably central to your previous Will and Power of Attorney. A solicitor should be contacted to assist in the revision of your Will and the raising of a new Power of Attorney/Enduring Power of Attorney.

There is also a trend towards drawing up an "End of Life Care Plan" which should be kept with these documents.

CLUB AND ASSOCIATION MEMBERSHIP

Make a list of organizations of which your partner was a member, along with the membership numbers, phone numbers and addresses and contact them when you are able. You may also need, or wish, to become a member of some of them. All the deceased's memberships will need to be cancelled. 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 you are unable 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 your partner normally accessed such accounts either over the phone or via the Internet you will need the log-ins (user names and passwords). If they are not available to you contact the businesses or services involved and find out what you will need to do and what documentation they require to allow you to access the accounts etc.

Contact any creditors if you are unable to pay on time, explain the circumstances and seek an extension if necessary.

FINALLY

Keep an exercise book next to your phone to record all business phone calls etc made after your partner's 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 your 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!

For more information or assistance contact:

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More information can be found on the DFWA website: www.dfwa.org.au. Look for the *About Us* link and then *Supporting Partners and Bereavement*