



Death of a Partner

A PRACTICAL GUIDE FOR PARTNERS AND FAMILY

Acknowledgements

The Council on the Ageing (COTA) Victoria would like to thank and acknowledge our volunteers Anita Smith and Anne MacBean. From concept to its final form, this booklet is a product of their dedication and hard work.

We thank:

- Anita Smith – Retired Financial Counsellor – Volunteer COTA Victoria
- Anne MacBean – Retired Financial Counsellor – Volunteer COTA Victoria

We thank the **Victoria Law Foundation** who funded this project and provided support throughout its duration.

We are grateful to the organisations and people who contributed their expertise, knowledge and support for the project. They include:

- Stefan Manche, Russell Kennedy Lawyers
- Cynthia Gebert, Energy and Water Ombudsman, Victoria
- Dwight Smith – Volunteer COTA Victoria

Members of the **Steering Committee:**

- Bernadette Pasco - Financial and Consumer Rights Council, Victoria
- Helena Cairney - Advance Care Planning, Alfred Health
- Janet Campbell - community member (ex-Welfare Worker for South East Palliative Care)
- Matt Helme - EWOV Research and Communication Manager
- Riaza Rigby - Russell Kennedy Lawyers
- Tanja Bahro – Southern Metropolitan Region Palliative Care Consortium
- William Babbington - Southern Metropolitan Cemeteries Trust
- Arati Vidyasagar- COTA Victoria

COTA Victoria acknowledges and pays respect to the Wurundjeri people of the Kulin nation, on whose land this publication was written. Aboriginal sovereignty was never ceded. We pay our respects to Aboriginal and Torres Strait Islander peoples, their ancestors and elders, both past and present and acknowledge their continuing connection to land, sea and community.

Disclaimer

The information contained in this booklet is of a general nature only, and relates to the jurisdiction of Victoria. The contents of this booklet do not constitute legal advice, are not intended to be a substitute for legal advice and should not be relied upon as such. You should seek legal advice or other professional advice in relation to any particular matters you may have.

Contents

Timeline of things to do after the death of a partner	4
What to do immediately, and the first few days, after the death	7
Funeral, burial or cremation: your choices	11
Settling your partner's estate	16
Finances after the death of a partner	19
Providing notification of a death and getting help	21
Accessing and closing online accounts	25
Looking after yourself after a death	27
Sample letter for notification of death	30

1

Timeline of things to do after the death of a partner

1. Immediately following the death		
Action	How long will it take?	Further details
Inform family and friends	Immediate	Section 2
Contact your doctor, ambulance or police	Immediate	
Keeping the body at home with a cooling bed or blanket?	Immediate plus delivery time	
Keeping the body in with the funeral director?	Immediate	
Inform Centrelink	Immediate	Sections 2, 5, 6
2. After you have organised the care of the body		
Action	How long will it take?	Further details
Use this booklet to make a list of things to do	Consider planning one month at a time	All
3. The first two days		
Action	How long will it take?	Further details
Take care of yourself		Section 8
Discuss your plans for the funeral, burial or cremation, including how these will be paid for	You can contact most funeral directors 24 hours, seven days a week. If making the arrangements yourself, choose a cemetery and contact them directly during business hours.	Section 3
Inform care givers, service providers and cancel appointments	Immediate	

Ask the bank if they will release money to pay for the funeral	Money will be paid when you provide them with the funeral invoice	Section 3
Secure the deceased's house or other property	Immediate	
4. The first week		
Action	How long will it take?	Further details
Register the death	About five days after Births Deaths and Marriages receive all the relevant information.	Section 3
Apply for a Death Certificate	Between five and 10 days (plus postal delivery time).	
Provide beneficiaries with a copy of the Will	In a timely manner.	
5. The first month		
Action	How long will it take?	Further details
Inform the ATO, other government agencies	Time taken varies between government departments. For example, the ATO takes up to 28 days to update their records.	Sections 5, 6
Consider your finances		Section 5
Contact banks , insurers and provide notification of death	Deceased's records will be updated when you notify	Sections 5, 6 Section 9
Check if you are eligible for any Centrelink benefits	If eligible, payments start as soon as your application is processed	Section 5
Contact the Probate Office or a solicitor to find out your legal requirements	You can settle the estate immediately after getting Probate, but some Executors wait six months in case there is a challenge to the Will.	Sections 4, 5

6. The first two to four months

Action	How long will it take?	Further details
Identify and record all personal items and secure valuables Collect all information required for Probate	If the deceased's affairs were simple, this may not take long	Section 4
Retain a solicitor to apply for Probate	The application will take three to four weeks to process. The entire procedure can be eight to 12 weeks. Longer for complicated estates.	
Cancel vehicle licence and registration Cancel insurance and memberships	Some of these tasks can be done before Probate is granted	Section 9
Manage the deceased's online / digital estate		Section 7

7. Six months after getting Probate

Action	How long will it take?	Further details
Collect any sums or reimbursements owed to the deceased Pay debts, liabilities and expenses Prepare estate accounts	Start this process as soon as possible.	Sections 4, 5

8. The First Year

Action	How long will it take?	Further details
Receiving your inheritance	Be prepared to wait about 12 months to receive your inheritance (early distribution may leave the executor liable)	
Making decisions about downsizing	When you are ready	

2

Immediately, and the first few days after the death

Despite the grief after a death, some immediate arrangements need to be made.

Step 1. What do you do when someone dies?

If your partner **died at home** and the death was expected, for example if they had been very ill or were receiving palliative care, call their doctor.


If the death was **unexpected, accidental or suicide, you must call 000. Do not move the body.** The Coroner may need to become involved or investigate the death. If that happens, the police will take charge of the body. You will receive an Interim Death Certificate, but the final Death Certificate will be delayed. The funeral may also be delayed until the Coroner releases the body.

If the death happened in a **hospital or nursing home**, the staff there will help you. You will need to decide on a **funeral director**, who will then work with you and the staff to transfer the body. If you plan to make your own arrangements, you can keep the body at home (see **Caring for your partner's body**, Step 3).

If the death happened **interstate, call emergency 000.**

If the death happened **overseas**, you will need to contact the Australian **24-hour Consular Emergency Centre**. They will explain what needs to be done.

24-hour Consular Emergency Centre

 +61 2 6261 3305 (from anywhere in the world)

 1300 555 135 (local call cost within Australia).

Important:

Contact Centrelink immediately and inform them of the death if your partner was receiving any benefits.

Centrelink

 132 300

It can be difficult to get through to this number. It may be best to go to a Centrelink Office. Take a support person with you.

Step 2. Medical Certificate

The doctor who examines the body will complete a **Medical Certificate of the Cause of Death**. They will send this certificate to the Registrar of Births, Deaths and Marriages (BDM). Once this certificate is completed, you can contact a funeral director (if you are using one), as they require this certificate before they can proceed.

If you think your partner may be an **organ donor**, check their paperwork or ask the doctor to check the Australian Organ Donor Register.

Step 3. Caring for your partner's body

Care for the body at home

You may want to keep your partner's body at home for a few days. This time could help you to come to terms with the death, help with the grieving process, after-death care such as washing and clothing the body, holding a vigil, or waiting for family or friends to arrive.

You can keep the your partner's body at home for a few days provided it is kept cool; i.e. below 5 degrees centigrade.

Some funeral directors can deliver cooling blankets to your home. Find out what is available in your area.

Some options:

- Air-condition the room
- Use dry ice for the body
- Use a cooling blanket or a cold bed.

To learn more about these options contact:

Natural Death Advocacy Network

 <http://ndan.com.au>

Palliative Care Victoria

 (03) 9662 9644

 www.pallcarevic.asn.au

Care for the body by a funeral director

If you prefer, a funeral director will remove the body from the home and care for it until the funeral, burial or cremation. Most funeral directors are available 24 hours, seven days a week.

If you would like to make the funeral and other arrangements yourself, ask the funeral director if they will simply store the body and transport it to the burial or cremation location.

Step 4. Transporting your partner's body or ashes

Transporting the body to the funeral, burial or cremation


The body must be transported in a coffin or similar container, which can be as simple or elaborate as you like. The coffin can be the most expensive part of a funeral so consider all the options. The minimum requirements are that a coffin be clean; have a flat base; be made of wood or other combustible substance; and must not leak.

Transporting the body or ashes from interstate or overseas

If you need the body to be brought to Victoria **from overseas**, there are services that will transport the body by road, air or sea. This is expensive and complicated.

Contact the **24-hour Australian Consular Emergency Centre**. They will explain what needs to be done.

24-hour Consular Emergency Centre

 +61 2 6261 3305 (from anywhere in the world)

 1300 555 135 (local call cost within Australia).

To transport the body from **interstate**, contact **Seniors Information Victoria** for contact details of funeral transfer services.

Seniors Information Victoria

 1300 13 50 90

To transport ashes after cremation, speak to the cemetery or funeral director and the airline for guidance.

Step 5. Registering the death and getting the Death Certificate

When a person dies you will need to register the death with the **Registry of Births Deaths and Marriages** Victoria and apply for a Death Certificate.

This is usually part of a funeral director's services but you can do it yourself.

Once the death has been registered you can apply for the Death Certificate.

Note: You can apply for the Death Certificate on the phone or online, see contact details below.

You will need to have this information available:

- Your late partner's full name, address and occupation or former occupation
- Their birth certificate and any marriage certificate(s) or change of name certificate
- Their date of arrival in Australia - if born overseas
- The names and occupations of their parents (including their mother's maiden name)
- The names and ages of their children (including any deceased children)
- 100 points of your own identification.


Registering the death will cost around **\$50**.

Victorian Registry of Births, Deaths and Marriages

 1300 369 367

 www.bdm.vic.gov.au/deaths/register-a-death

You will receive the death certificate in about **five to ten working days**. You can collect it in person or have it posted to you. If it is posted, allow extra time for delivery. You can check the turnaround times by contacting the Registry.

 www.bdm.vic.gov.au/contact-us/certificate-turnaround-times

Important:

The person who notifies the funeral director of a death is known as the informant. It is best if the informant is a close family member or the executor.

3

Funeral, burial or cremation: your choices

When planning a funeral and burial or cremation, you will need to hire a funeral director or make arrangements yourself.

Funerals, memorials and wakes


There are many events where family and friends pay their respects and farewell the deceased.

- A **funeral** is held any time before the burial / cremation where family and friends gather to offer prayers or other rituals for the person who has died.
- A **memorial service** is a similar event, held at any time after the burial / cremation.
- A **wake** is held immediately after the burial / cremation.

You can hold these events anywhere, at a church, chapel, at home or other venue.

Burial and cremation

Burial and cremation are the different ways of disposing the body. In Victoria, there are rules about cremation, and about burial in a public cemetery. Contact a local cemetery to find out about these rules or visit the Health.Vic website.

 www2.health.vic.gov.au/public-health/cemeteries-and-crematoria/funeral-directors-stonemasons-and-private-burials/private-cemeteries-and-burials

When does burial or cremation happen?

Burials and cremations usually happen **five to ten days after death**. However, you can do it sooner (for example, for religious reasons) or later (for example, to allow time for people to travel from overseas). If you wish to keep the body at home for a day or two, you may need to hire a cold bed which will keep the body cool.


What is a natural burial?

A 'green' or 'natural' burial makes as little impact upon the environment as possible.

It may include:

- burying the body at a green burial site
- dressing the body in a biodegradable shroud or casket
- burying the body without a grave liner or burial vault
- using a specialist 'green' funeral director.

Read more in *Gathered Here's Guide to Green Funerals in Australia*:


 www.gatheredhere.com.au/green-funerals-australia

Costs: funeral, burial and cremation

- The cost of a basic **funeral** starts from about \$4,000. This amount will increase depending on how elaborate the casket, flowers, burial and other arrangements are.
- A basic **cremation** costs about \$4,000.
- A basic **burial** costs about \$5,000; and in addition you will need to pay for the burial plot which costs from \$2,600 to \$15,500.

Funeral Directors also offer more elaborate arrangements, for example including a celebrant (civil or religious), flowers, music, videos, newspaper notices and a wake. You may like to include any or all of these. The choice is yours, they are not mandatory.

In Victoria, a funeral director must give you a **copy of their price list**.

 www.consumer.vic.gov.au/licensing-and-registration/funeral-providers/running-your-business/price-list-requirements

Typical items that a funeral director can charge for are:

- funeral directors' fees
- transport for the body and the family
- coffin
- obtaining the death certificate
- obtaining any permits
- burial or cremation costs
- the cost of the cemetery plot

Many funeral directors are part of the same group. When you are comparing prices, make sure that you are getting a real comparison between different companies.

Take your time

Do not feel pressured into making decisions about what type of items to include. It is **your choice** as to what you want to have. You do not need to have expensive videos, elaborate death notices or expensive car hire.

If you are too upset to contact funeral directors and compare prices, ask a friend or family member to do this for you. The costs vary dramatically and it is worth taking time to look at the costs. You do not have to make an immediate decision. Ask the funeral director if you can have some time to think about what you want. Do not hesitate to ask them to clarify costs and charges.

Your late partner's wishes

Your partner may have had specific thoughts about what they wanted included in their funeral and what kind of burial or cremation they preferred. They may have included this information in their Will or may have shared their wishes with family members.

Low-cost funeral services

For information about low-cost funeral services contact:

Bereavement Assistance Funeral Services

 (03) 9564 7778

 www.bereavementassistance.org.au

Hiring a funeral director

If you hire a funeral director, they will register the death, do the paperwork, and make all the arrangements for the funeral and burial or cremation.

Choosing a funeral director

To choose a funeral director, you may want to ask family and friends for recommendations. Many funeral directors are members of a funeral directors' association with a code of ethics, such as:

Australian Funeral Directors Association

 (03) 9859 9966

 www.afda.org.au


Independent Funeral Directors Association of Australia

 1300 323 311

 www.ifdaa.org

Consumer Affairs Victoria have a list of registered funeral directors in Victoria on their website.

Consumer Affairs Victoria

 www.consumer.vic.gov.au/licensing-and-registration/funeral-providers/public-register


You can also ask the cemetery you have chosen for help in choosing a funeral director. Contact the cemetery and ask them to give you a list of local funeral directors.

Arranging the funeral, burial or cremation yourself

If you decide to arrange the funeral yourself, contact the cemetery of your choice and ask them what their requirements are. Staff working at cemeteries are generally very helpful.

Finding a cemetery

Check the Department of Health's online directory of cemeteries:

 www2.health.vic.gov.au/public-health/cemeteries-and-crematoria/cemetery-and-fee-search

Purchasing a coffin

You may be able to save money by buying a coffin yourself.

Coffin World

Available 24 hrs, seven days. Delivery between 24-48 hrs.

 1300 750 317

 <https://coffinworld.com.au>

Costco

Delivery in 48 hrs.

 (03) 8602 0300

Scientia

Delivery in 48 hrs.

 1300 998 228

 <https://scientia.com.au>

Finding a celebrant


You can find a celebrant by emailing:

 info@funeralcelebrants.org.au

Planning a cremation yourself

Rather than having a burial, you can choose to have your late partner cremated.

In Victoria, cremations can only be done in public cemeteries. For more information on cemeteries and cemetery fees:

 www2.health.vic.gov.au/public-health/cemeteries-and-crematoria/cemetery-and-fee-search

 1800 034 280

Cost

'Direct cremations' – cremations with no funeral service – are cheapest.


You can hold a memorial service elsewhere and on another day.

Doing the paperwork

To arrange the cremation you will need:

- **Certificates from two doctors** (the doctor who signed the certificate of death and another doctor) saying that the body can be cremated.

- **An application for cremation authorisation** is available from the cemetery or online at:


 www2.health.vic.gov.au/about/publications/formsandtemplates/form-3-application-for-cremation-authorisation

After the cremation, the cemetery will give you a **Certificate of Cremation**.


Collecting the ashes

The cemetery will contact you when the ashes are ready to be collected (you will have to pay a fee for this). If you want to scatter the ashes in a public place, contact your local council to check whether you need permission first.

If you want to bury the ashes, an **application for approval to inter cremated remains**, is available from the cemetery or online at:

 www2.health.vic.gov.au/public-health/cemeteries-and-crematoria

For information on how to fill out the forms see DHHS's guide 'How to complete prescribed forms' at

 www2.health.vic.gov.au/about/publications/FormsAndTemplates/2/F/A/5/0/how-to-complete-prescribed-forms

Getting help to pay funeral costs

You may have access to money to help pay for the costs of a funeral.

Find out if your late partner registered a pre-paid funeral by phoning Consumer Affairs Victoria.

Consumer Affairs Victoria


 1300 55 81 81

Some other things worth investigating include:

- Check your late partner's papers to see if they have made any other arrangements to pay for their funeral.
- Ask your late partner's bank if they will release money for the funeral from the deceased's account.

- Check whether your late partner's superannuation fund or trade union will pay some of the funeral costs.
- If your partner was an ex-service person, ask the Department of Veterans' Affairs how it can help.

Department of Veterans' Affairs

 13 32 54

 1800 555 254 (regional areas)

Find out whether you can get a Centrelink bereavement payment. Call or visit a Customer Service Centre.

Centrelink

 13 23 00 (1800 810 586 for TTY)

More information

For more information, contact:


The cemetery of your choice

 <http://australiancemeteries.com.au/vic/index.htm>


The funeral director of your choice

 www.consumer.vic.gov.au/licensing-and-registration/funeral-providers/public-register

DHHS Cemeteries and Crematoria Regulation Unit


 1800 034 280

 cemeteries@dhhs.vic.gov.au

 www2.health.vic.gov.au/public-health/cemeteries-and-crematoria/cemetery-and-fee-search

Victorian Registry of Births, Deaths and Marriages

 1300 369 367

 www.bdm.vic.gov.au/deaths

4

Settling your partner's estate

Before settling the estate, you may need to follow certain legal procedures.

Settling the estate

Soon after the death, you and the family will need to deal with your late partner's estate. You will need to:

- Find out whether there is a Will or not
- Identify and gather all of the deceased's property and other assets
- Pay any outstanding debts
- Distribute the remaining assets to the people who are entitled to them
- Complete a final tax return

This process is called **settling the estate**.

Who is responsible for doing this?

If your late partner left a Will, the person that they named as **Executor** is responsible for settling the estate.

If there is no Will, your late partner's next-of-kin (aged 18 or over) is responsible.

What is the first step?

Is the Court's permission required to settle the estate?

If the assets are worth **more than \$104,870**, it is likely that the Supreme Court's permission will be required:

- If there **is a Will**, the process of getting the Court's permission is called 'applying for **Probate**'. Probate is an order in which the Court confirms that the Will is valid and names a person/s as having the legal authority to do things like accessing the deceased's bank accounts and selling or transferring property.
- If there is **no Will**, the process of getting the Court's permission is called 'applying for **Letters of Administration**'. A grant of Letters of Administration confirms who is the appropriate next of kin (according to the laws of intestacy) and provides that person with the legal authority to deal with the deceased's assets and liabilities.

If the assets are worth **less than \$104,870**, you may not need to apply for Probate or Letters of Administration. The Probate Office may be able to do the paperwork for you for a small fee. For more information contact the Probate Office. If you would like private assistance with the process of administering the estate you can also contact a lawyer who has experience in deceased estate administration.

Important:

Even if you do not have to apply for Probate, it can be a prudent thing to do. It will ensure that the deceased's legal affairs are officially finalised. This reduces the chances of disputes. Be aware this will add to your costs.

Who can help me?

Most people hire a **solicitor** to help with the court process. The Law Institute of Victoria can help you find an expert on Wills and estates. You can ask for a solicitor who speaks your language.

Law Institute of Victoria

 (03) 9607 9311

 www.liv.asn.au/find-a-lawyer

The public trustee of Victoria, the State Trustees

 (03) 9667 6444 (metro)

1300 138 672 (regional)

 www.statetrustees.com.au

You could also call a friendly society. For details call:


Seniors Information Victoria

 1300 13 50 90

For information relating to probate and wills, contact the Probate Office.


Probate Office

 (03) 9603 9300

 www.supremecourt.vic.gov.au/forms-fees-and-services/wills-and-probate/applying-for-a-grant-of-probate-or-administration

What does it cost?

Supreme Court fees are **about \$400**.

 <https://www.supremecourt.vic.gov.au/forms-fees-and-services/fees/probate-fees-0>

Solicitor's fees depend on the size of the estate; fees are usually higher the more the estate is worth. For a \$100,000 estate, the fee is around **\$680 plus expenses**. If you would like to pay a flat rate or a per-hour rate, discuss this with the solicitor. These legal costs are considered to be a cost of the estate and are often paid from estate funds once the administration of the estate is nearing completion.

The standard probate application fees, charged by a **trustee company or friendly society**, start from about **\$2,200**. These fees are also payable from estate funds.

How long does it take?

To start the process of applying for Probate or Letters of Administration, you will first need the Death Certificate, which can take two to six weeks from the death.

Once the Death Certificate is received, you will need to make an **Advertisement of Intentions to Apply for Probate/ Administration**. This application must be made via the Supreme Court website.

 <http://assets.justice.vic.gov.au/supreme/poas-home>

The Advertisement must be up on the website for 14 days. You can apply for Probate / Administration once this 14 day period is over.

A simple application will take about **three to four weeks** after you submit the application. The overall process takes approximately eight to 12 weeks after the date of death.

You may choose to wait for **six months** after you are granted Probate / Letters of Administration before you can distribute the property. This gives any claimants time to make their claim on the estate.

More information

For more information about probate, letters of administration and fees, contact the Probate Office, which is part of the Supreme Court of Victoria.

If you need information in another language, ask for an interpreter.

Probate Office

Level 2, 436 Lonsdale Street
Melbourne VIC 3000

 (03) 9603 9300

 www.supremecourt.vic.gov.au

For help finding a solicitor, contact the Law Institute of Victoria.

Law Institute of Victoria

 www.liv.asn.au/find-a-lawyer

 (03) 9607 9550

 referrals@liv.asn.au

5

Finances after the death of a partner

After the death of a partner, your financial position may change. Following these steps will help you to assess and manage your finances

Step 1. Find and access your money

After your partner has died, you may be entitled to money from various sources.

Here are the things you should check:

Government payments

Can you get the Centrelink bereavement allowance? If you don't have access to any money, you may be eligible for this allowance.


What other government pensions and entitlements are you eligible for? Contact Centrelink's Financial Information Service (FIS) for advice about what you can get.

Centrelink's Financial Information Service

 132 300

Are you eligible for any foreign pensions? Contact Centrelink's International Services to check.

Centrelink's International Services

 131 673

Bank accounts


Can you access money immediately from your late partner's bank accounts? Contact their bank – most banks have bereavement teams that will help you. If you had a joint account, all the money automatically transfers to you.

Insurance and superannuation

What insurance policies did your partner have? These policies may include 'death benefits' – amounts that need to be paid to you or to your late partner's estate. Contact the insurer to find out what you need to do.

Are you entitled to a death benefit through your partner's superannuation? Contact your partner's superannuation fund. Ask if there is a death benefit to be paid to you and what you need to do to receive it.


Did your partner have any other superannuation? Check the lost superannuation register for any other funds.

 www.ato.gov.au/Forms/Searching-for-lost-super

Other unclaimed money

Did your partner have any other unclaimed money? Check for money from bank accounts, lost shares and life insurance.

The MoneySmart search tool

 www.moneysmart.gov.au/tools-and-resources/find-unclaimed-money.


Step 2. Notify government

You may need to notify government agencies about your partner's death.

Notify Centrelink as soon as possible if you or your partner were receiving any pensions or other payments. Centrelink will update its records and inform Medicare and Child Support.

Centrelink

 132 300

 www.humanservices.gov.au/individuals/forms/sa116a

Visit your local Centrelink service centre and return the form:

- In person
- Fax: 1300 786 102, or
- Post to: Department of Human Services
PO Box 7800
Canberra BC ACT 2610


Step 3. Understand and manage your household budget

If you managed the household finances you may already know what you need to do to keep the household running and maintain your financial independence.

However, if your partner managed the finances, you will need to understand and take control of your finances.


- **Find out about what assets you have**, including bank accounts, investments, insurances, superannuation.
- **Learn what debts you have.**
- **Calculate your net worth.**

MoneySmart's net worth calculator

 www.moneysmart.gov.au/tools-and-resources/calculators-and-apps/your-net-worth-calculator

- **Take control of household accounts** and bills, including electricity, gas and water.
- **Make a budget** to manage your day-to-day finances. The Australian Government has a helpful tool you can use:

The MoneySmart budget planner

 www.moneysmart.gov.au/tools-and-resources/calculators-and-apps/budget-planner

Step 4. Distribution of assets

It may take up to 12 months or longer for the estate to be distributed. Early distribution may leave the executor liable if someone makes a claim on the estate.

Use this time to plan for what you will do with any assets you receive. It is best to get legal and financial advice.

Getting help

There are many ways to get help to understand and manage your finances after the death of a partner. Your friends or family may be able to assist you. You can also get professional help:

- **A solicitor** can help you apply for probate, change names on accounts, sell assets, negotiate debts and distribute the estate.
- **An accountant** can manage your finances and negotiate on your behalf.
- **A taxation agent** or the Australian Taxation Office can advise and help you with your late partner's tax obligations.

6

Providing notification of a death and getting help

Following a death, there are a number of government agencies and other organisations that you may need to notify or contact for information and assistance.

Notifying government and service providers

After someone has died, there are a number of government bodies and other service providers to notify in order to:

- close accounts and cancel services
- ensure no further fees, direct debits or subscriptions are charged
- check whether money is owed
- seek refunds

Some key organisations to contact are:

Australian Taxation Office (ATO)

You need to notify them if the deceased person:

- had a tax file number (TFN)
- has ever lodged a tax return
- should have lodged a tax return

You can notify them by telephone to make an “unofficial” notification of death – this will stop mail being issued until the official notification of death is received.

You will then need to complete the official notification by completing a *Notification of a Deceased Person* form (NAT 74279) either online or on paper.


If you lodge **online**, you have to:

- provide a contact phone number
- attend an interview at a participating Australia Post outlet
- take the death certificate (or a certified copy) to the interview


If you complete a **paper form**:

- You have to include a certified copy of the death certificate
- Post it to the address on the form or lodge it in person

Australian Taxation Office (ATO)

 132 861

To download a *Notification of a Deceased Person* form:


 www.ato.gov.au/forms/notification-of-a-deceased-person/

To find your nearest ATO office:

 www.ato.gov.au/About-ATO/About-us/Contact-us/Visit-us/

Centrelink and Medicare

Notify Centrelink and Medicare of the death using the *Advice of death* form.

 www.humanservices.gov.au/individuals/forms/sa116a

Local government

Contact your local council to:


- cancel services and any direct debits

check whether any money is still owed for council services such as home help, home maintenance or aged care services

Australian Electoral Commission (AEC)

The AEC automatically removes names from the electoral roll when it is notified of deaths by the Registry of Births, Deaths and Marriages. This happens on a monthly basis.

You can also tell the AEC by filling out the online notification form at:

 https://www.aec.gov.au/FAQs/Electoral_Roll.htm#relative

Victorian Electoral Commission (VEC)

The VEC automatically removes names from the electoral roll when it is notified of a death by the Registry of Births, Deaths and Marriages.

You only need to notify the VEC and provide a copy of the death certificate if the person died outside Victoria.

Tolls

Close your partner's toll accounts by contacting:

CityLink

 132 629

 www.citylink.com.au

Eastlink

 (03) 9955 1400


 www.eastlink.com.au

VicRoads

Phone or visit VicRoads to cancel the deceased person's driver licence and cancel or transfer their vehicle registrations. The VicRoads 'Deceased Estate Pack' explains this process:

VicRoads

 131 171

 <https://www.vicroads.vic.gov.au/registration/buy-sell-or-transfer-a-vehicle/transfer-a-vehicle/transfer-from-a-deceased-estate>

Public Transport Victoria (PTV)

Contact PTV to close your late partner's Myki and obtain a refund of any money left on the card.

Public Transport Victoria (PTV)

 1800 800 007

Australia Post

Ask Australia Post to redirect the deceased person's mail to whoever is responsible for the estate. To arrange this, fill in a redirection form online or in an Australia Post shop. Mail redirection is free for 12 months.

 <https://auspost.com.au/receiving/manage-your-mail/redirect-hold-mail>

Library

Contact your local library to:

- check for any outstanding books or fines in your late partner's name
- cancel their membership


Community clubs and groups

Contact the convenor to cancel reminders, invoices or subscriptions.

Ambulance Victoria

Contact Ambulance Victoria to:

- change a joint or family account into a single account
- check the annual payment amount
- check whether any direct debit is being charged to your late partner's account

 www.membership.ambulance.vic.gov.au/app/answers/detail/a_id/69/~/_/how-do-i-notify-ambulance-victoria-of-the-death-of-a-member

 1300 366 141

Shopping


Check for any **online shopping** or **food delivery services** that may need to be cancelled.

Also notify any **reward schemes** – you may have to search the person's paperwork to find these.


Pets

For information about what to do with a partner's pet you can get assistance from:


RSPCA

 (03) 9224 2222

Lort Smith Animal Hospital

 (03) 9328 3021.

Lost Dogs' Home

 (03) 93292755

Most areas also have local animal shelters that would also be able to assist.

Unwanted mail and phone calls

Register to stop receiving addressed and unsolicited mail.

Australian Association for Data-driven Marketing and Advertising (ADMA)

 (02) 9277 5400

 www.adma.com.au/do-not-mail

Even if you cancel or transfer landlines and mobile phones you may still receive unwanted phone calls asking to speak to your partner, especially if you retain the phone numbers. You can register to have these calls stopped.

Do Not Call Register

 1300 792 958

 www.donotcall.gov.au

Organisations that can help

General information and referral

Seniors Information Victoria provides free information to older Victorians and can direct you to relevant information and services.

Seniors Information Victoria

Level 4, 533 Little Lonsdale Street (Close to Flagstaff Station) Melbourne VIC 3000

 1300 13 50 90

 askcota@cotavic.org.au

Legal information

Legal Aid Victoria may be able to answer questions about legal requirements after death or direct you to other services.

Legal Aid Victoria

 1300 792 387

(Weekdays from 8.45 am to 5.15 pm)


 www.legalaid.vic.gov.au

Consumer and tenancy information and help

Consumer Affairs Victoria has information on funeral providers.

Consumer Affairs Victoria

 1300 55 81 81

 www.consumer.vic.gov.au/licensing-and-registration/funeral-providers/public-register

Tenants Victoria inform, educate and assist individuals to use their tenancy rights.


Tenants Victoria

 (03) 9416 2577

 www.tuv.org.au

Financial information and assistance


The Australian Securities and Investments Commission's (ASIC) MoneySmart website has information about calculating your financial situation and benefits after a partner has died.

 www.moneysmart.gov.au/life-events-and-you/life-events/losing-your-partner

Financial counsellors provide information, support and advocacy to assist people in financial difficulty. Find a financial counsellor on the FCA website.

Financial Counselling Australia

 1800 007 007


 www.financialcounsellingaustralia.org.au/Corporate/Find-a-Counsellor


Partners of veterans

The Department of Veterans' Affairs (DVA) can advise you on pensions and allowances you may receive. Their booklet *Planning Ahead* is also a useful guide to putting your affairs in order.

Legacy is a charity whose specially trained volunteers help partners and families after the death of someone who is or was in the defence forces.

Department of Veterans' Affairs (DVA)

 13 32 54

 www.dva.gov.au/about-dva/publications/health-publications/planning-ahead-kit

Legacy

 (03) 8626 0500

 www.legacy.com.au/Victoria

7

Accessing and closing online accounts

After your partner's death, you may want to access or close their online accounts and services – sometimes known as their 'digital assets' or 'digital estate'

Your partner may have had information stored on a computer, laptop, tablet or phone containing details of accounts, payments, subscriptions and direct debits.

Here are some possibilities:

Email

- Google
- Hotmail
- Yahoo
- Windows Live

Voice calls and texts

- Skype

Household accounts

- Online banking
- Payment systems (eg PayPal)
- Telecommunication accounts (mobiles, landline and internet)
- Electricity and gas accounts
- Council rates
- Water rates
- Insurances (health, house, life)
- Car registration
- RACV membership
- Toll debits
- Public transport – Myki
- PayTV

Shopping

- Etsy
- Ebay

Subscriptions

- Charities
- Newspapers/magazines (online and print)
- Gambling
- Genealogy sites

Computer Subscriptions

- Anti-virus
- Microsoft products
- Dropbox
- OneDrive
- Google Drive
- iCloud
- Mega
- Jumpshare

Social Media Sites

- Facebook
- Google
- LinkedIn
- MySpace
- Twitter
- Windows Live
- Hotmail
- Yahoo

Can I access my late partner's accounts?

After a partner's death, you may want to access information they stored online, such as photos, emails and other documents. You may also want to close accounts no longer needed.

Each service has different rules for the accounts of a deceased person. These rules outline whether family or executors can access or close accounts and remove online information, as well as any evidence that may be required.


- Some services simply terminate the account upon death.
- Others may allow you to access, backup or remove your late partner's content.
- Facebook allows relatives of a deceased person to "memorialise" an account so people can still see it, but it can't be logged into.

Check the policies or terms or conditions of the relevant services.

The Away for a Bit website has a useful summary of policies for some of the most popular social media sites:

 <https://awayforabit.com/vendor-directory>

Everplans offers instructions on how to cancel accounts with more than 230 different online services:


 <https://www.everplans.com/articles/how-to-close-online-accounts-and-services-when-someone-dies>

Resources


Palliative Care Australia
A Guide to Social Media Afterlife.

 <http://palliativecare.org.au>

The Australian Communications Consumer Action Network (ACCAN) *Managing your digital legacy.*

 <http://accan.org.au>

Watch a free webinar on digital assets created by the NSW government

 www.youtube.com/watch?v=OultPpUbKGk

8

Looking after yourself after a death

After the death of a partner, getting through the red tape can be challenging – so it's important to look after yourself

There is a lot to do after a partner has passed away. It's a good idea to speak to professionals about the more complex part of this process, like applying for probate or finalising your late partner's taxes. But with persistence and patience, you can do a lot by yourself.

Protecting yourself from unscrupulous businesses

After the death of a partner, people are vulnerable. Unfortunately, some people and businesses take advantage of this. Be wary.

To protect yourself, follow these tips:

Make notes about your phone calls – the time and date, who you talked to and what they said. Ask for a receipt number for the conversation.

Ask questions if you don't understand something. There is no such thing as a silly question. Information gives you confidence and knowledge.

Never be pressured into making a decision when you haven't had time to consider it.

Remember that it's ok to say no. Other things you can say are:

- "I need to talk to my family about that"
- "I'll get back to you"
- "I don't do business over the phone"
- "Please don't pressure me, I need time to think".

Don't be put off if someone doesn't listen or answer your questions. Try contacting them at a different time of day. You may get different answers to the same question.

Ask for help. There's a lot of helpful information for you online. If you're not comfortable using a computer, ask someone to help you get this information.

Taking care of yourself emotionally

It can be hard to make sense of the things you need to do after a partner have passed away. Here are some ideas about how to take care of yourself during this time:

Accept how you feel, both physically and emotionally – this is part of the grieving process.

Let yourself **grieve at your own pace.**

Talk to your family and friends and let them help when, and if, you need it.


Make sure you get enough rest.

Try not to make any major decisions, as your grief might make it difficult to make the best choices.

Talk to a support service. There are a number of free services to support you through the grieving process.


For anonymous and confidential telephone support:

Griefline

 1300 845 745

For online and telephone helpline for people with depression, anxiety or other mental health issues:

Beyond Blue

 1300 224 636

For telephone support during a personal crisis:

Lifeline

 131 114

Where to go for assistance or lodge a complaint


If you have problems with organisations when you try to change an account or services into your name, or you feel that you have been treated unfairly you can contact the relevant Ombudsman scheme and talk to them and, if necessary, lodge a complaint.

Commonwealth Departments

To complain about unfair or unreasonable treatment by an Australian Government department, agency or prescribed private sector organisation, including Australia Post, Centrelink, Child Support (DHS) and Department of Immigration and Border Protection.

Commonwealth Ombudsman

 1300 362 072

 www.ombudsman.gov.au

State Departments

For problems with Victorian Government departments and agencies as well as local government.

Victorian Ombudsman

 (03) 9613 6222 or

regional areas 1800 806 314 (Free Call)

 www.ombudsman.vic.gov.au

Utilities

For problems with gas, electricity and water providers.

Energy and Water Ombudsman Victoria

 1800 500 509 (Free Call)

 www.ewov.com.au

Telecommunications

For landline, mobiles and internet problems

Telecommunications Industry Ombudsman


 1800 062 058 (Free Call)

 www.tio.com.au

Financial Services

For problems with banks, insurers, credit providers, financial advisers and planners, debt collection agencies and other businesses that provide financial products and services


Financial Services Ombudsman

 1800 367 287 (Free Call)

 <http://fos.org.au>

For problems with credit unions, building societies, non-bank lenders, mortgage brokers, financial planners, debt purchasers and collectors and time share operators

Credit and Investments Ombudsman

 1800 138 422 (Free Call)


 www.cio.org.au

Road Tolls

For problems with CityLink, EastLink, E-Way, M5 South-West Motorway and Transurban Link (previously known as Roam)

Tolling Customer Ombudsman

 1800 145 009 (Free Call)


 <http://tollingombudsman.com.au>

Other Organisations

Commissioner for Senior Victorians

 (03) 9096 1052 (metro)

1300 253 942 (regional)

 www.seniorsonline.vic.gov.au/services-information/commissioner-for-senior-victorians

Sample letter for notification of death

Date <Today's date>

Company/Organisation <eg. Aardvark Utilities>

Address <eg. Aardvark Utilities Head Office
1 Sample Street
Placetown VIC 3000 >

To whom it may concern,

Reference Number/Account No: <insert relevant number>.

I am the Executor of the Estate/or partner of the late <insert deceased's name>.

I wish to advise that <insert deceased's name>. recently passed away.

DETAILS

Title: <Mr/Mrs/Ms/Miss/Other>

First Name: <Deceased's first name>

Middle Name: <...etc>

Last Name:

Date of Birth:

Date of Death:

Postal Address:

Street Name:

Suburb:

Postcode:

Email Address:

Online Numbers/s:

It is my understanding that the deceased, **<insert deceased's name>**, had a **<select appropriate: account / subscription / membership (ie, gym membership) / reward card / direct debit card / online account / online delivery service / other (please specify)>** with your organisation.

Please find attached a certified **<full or abridged>** copy of the Death Certificate.

Please amend your records and notify me of any amounts owing or refundable.

Could you please confirm in writing that this has been completed and ensure that any future direct debits, subscriptions or other amounts are cancelled effective immediately.

Yours faithfully,

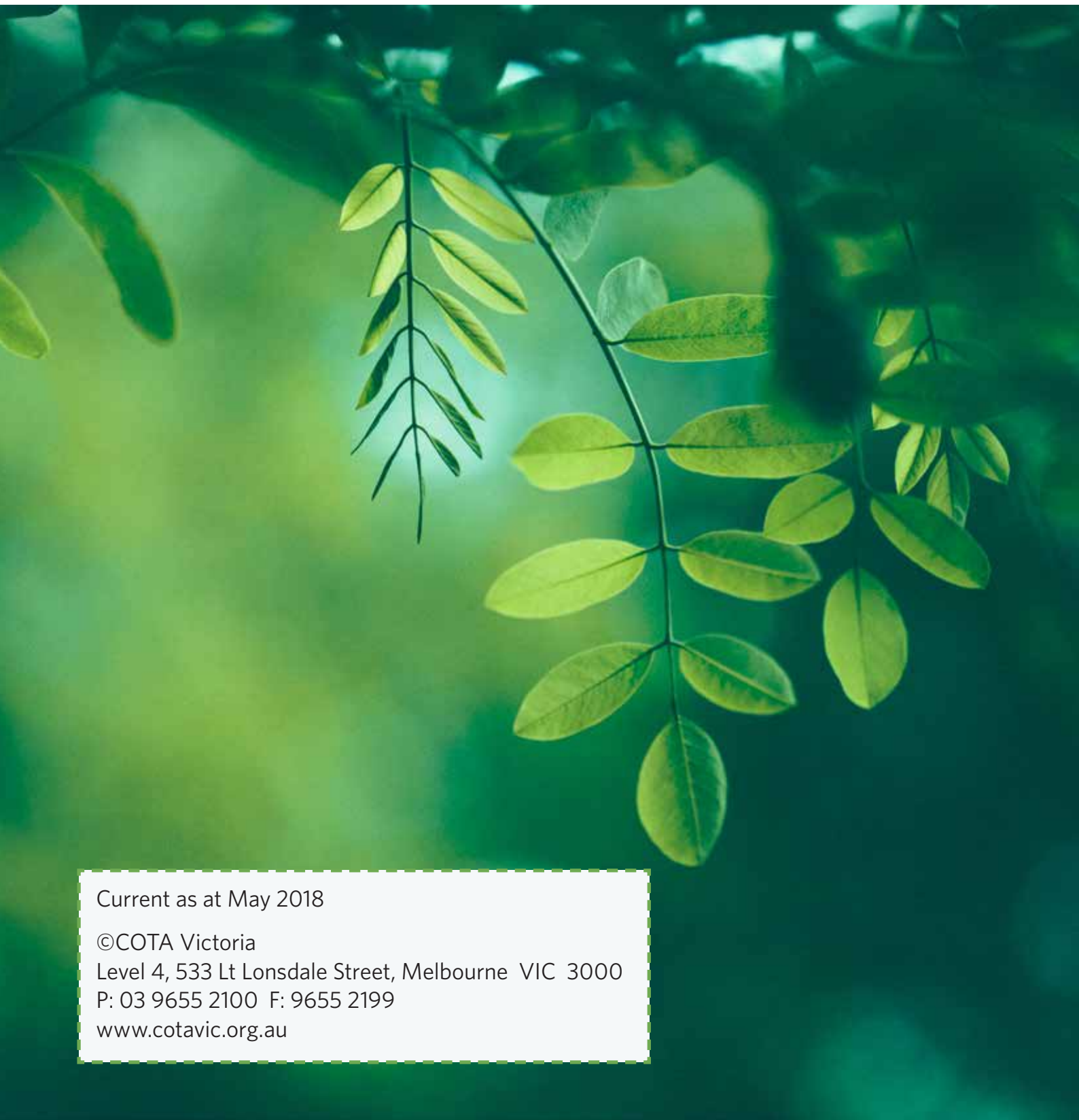
<insert your full name>

Signature:

Address: **<Your Address>**

Phone: **<...etc>**

Email:



Current as at May 2018

©COTA Victoria

Level 4, 533 Lt Lonsdale Street, Melbourne VIC 3000

P: 03 9655 2100 F: 9655 2199

www.cotavic.org.au

Funded by
a grant from
Victoria Law
Foundation

COTA 
For older Australians