

## Factsheet No.9

# Who pays for funeral expenses?



*This factsheet looks at who you can contact to help pay for the cost of a funeral you are organising.*

- Who pays for a funeral?
- Who pays for the funeral when the deceased has no estate?
- Help with funeral costs
- What happens if nobody can afford to pay for a funeral?

### Who pays for the funeral?

The person who organises the funeral is responsible for paying for it. This will usually be the executor if the deceased person had a will, or a relative if there is no will.

Where there is an estate (where the deceased left money and/or assets), the funeral expenses can be paid from the deceased's estate.

Sometimes, banks will allow payment of the funeral expenses from the bank account of the deceased person before the Supreme Court grants probate of the will (or letters of administration where there is no will).

The bank would ask for relevant documents, such as the death certificate, and may require the money to be paid directly to the funeral service provider.

A person who pays for a funeral and then hopes to get the money back from the estate does not always get their money. If you need to arrange a funeral for someone with no will, talk to a lawyer first.

### Who pays for the funeral when the deceased has no estate?

Usually the person who organises the funeral will be responsible for funeral costs. However, there may be some financial assistance available.

### Help with funeral costs

There is a bereavement payment available from Centrelink. This payment can be made to the spouse or de facto partner of the deceased, or a carer who looked after the deceased.

To get a Centrelink bereavement payment, either the deceased person or their spouse or carer must have been getting Centrelink payments before the death of the deceased person. The payment may be either a lump sum or fortnightly instalments depending on the circumstances.

Contact Centrelink on 13 10 21.

If the deceased person was a victim of homicide, an interim award may be made by the Victims Compensation Tribunal to cover the funeral costs. Contact Victims Services on (02) 9374 3111.

If the deceased person was a war veteran or if they were the dependant of a person killed during war service, the Department of Veterans Affairs may be able to pay funeral costs in some circumstances. Contact the Department of Veterans Affairs on 133 254.

Other sources of help for funeral costs may be:

- The deceased's employer or union may have a scheme to assist families of deceased workers
- The deceased's insurer, if the person died of an injury covered by their insurance.

**What happens if nobody can afford to pay for a funeral?**

If you can't afford to pay for a funeral, don't organise it, as you will have to pay. The police can organise a funeral where the deceased did not have anyone able to pay for their funeral. It will be a very simple and cheap funeral and the person will probably be cremated. Usually mourners will be allowed to attend but they will not be able to have an input as to how the funeral is organised. These funerals are called destitute funerals.

*Produced by Redfern Legal Centre.*

*This factsheet is a guide to the law in New South Wales, Australia. It is not a substitute for legal advice. If you have a legal problem seek legal advice from your local community legal centre or legal aid office.*

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