

# Practical matters

**Arranging a funeral, legal matters,  
ashes and belongings**



## What is a funeral?

A funeral provides you with an opportunity to gather with family and friends to mourn and celebrate the life of the person who died. A funeral can assist grieving family and friends to accept the reality of the death, to express their emotions with others and to confirm beliefs about life and death. It is important to plan a funeral that meets your needs.

## What do I do after the death?

The time immediately after a death can be a very precious time to sit with family and friends to give yourself time to say goodbye. In the normal course of events, when someone dies, a Medical Certificate is signed at the hospital or by your local doctor if the death has occurred at home (this is not the Death Certificate – see ‘How to register a death’ below). The doctor also signs a Cremation Certificate if this is the preferred option of the family. If your family member died in a hospital, they will be cared for there until they are transferred by the Funeral Director to their premises.

If you haven't already done so, you will need to choose a Funeral Director. This choice is usually based on practical matters such as cost and location. Reputation, previous experiences and recommendations of other people are also useful guides. Consider delegating the task of finding out information about Funeral Directors to a family member or friend if that feels helpful. The Palliative Care Team can provide information about how to find a Funeral Director. Remember that there is often no need to have a funeral quickly.

## When should arrangements for the funeral be made?

Most funeral arrangements are made after the person has died. However this can be a stressful time, so it can be helpful to begin planning earlier. Beginning to plan before someone dies provides an opportunity for them to talk about their wishes and preferences. Funerals can be pre-arranged with a Funeral Director who can also give details about pre-payment plans.

## What is there to plan?

Families often welcome an opportunity to come together and decide what sort of funeral best suits their needs. The following questions may assist you in thinking through these decisions:

- What were the known preferences of the person who died (is there any information about their wishes for a funeral in their will)?

- Would you and your family like a viewing to see your deceased family member again?
- When and where would you prefer to have the service (if you choose to have one)?
- Will there be a cremation or a burial?
- Will the service be religious or non-religious?
- What should be included in the service (e.g. readings, music, a eulogy, lighting candles)?
- Will the service be recorded?
- Is there anything you would like placed in the coffin (e.g. letters, others' ashes)?
- Will photographs be displayed?
- Will there be an opportunity for people attending the funeral to donate to a cause in memory of the person who died?
- Will there be a social gathering of family and friends after the funeral?

To assist with organising the funeral, you can meet with the Funeral Director at their offices or in your own home.

## What does the Funeral Director do?

The Funeral Director takes responsibility for attending to the legal requirements after a death, including obtaining a Death Certificate, and for making the necessary arrangements for a funeral. The Funeral Director will provide a range of services including:

- Liaising with the crematorium or cemetery
- Contacting clergy or a celebrant
- Placing newspaper notices if required
- Helping you to choose a coffin
- Dressing the deceased in their own clothes if you wish to provide them
- Arranging for flowers if you do not wish to arrange this yourself
- Organising cars for relatives to attend the service if required
- Discussing burial sites or future arrangements for the ashes

## How much will it cost?

Costs of a funeral can vary considerably and are determined by the type of services required, the cost of the coffin, cremation or burial, flowers and funeral notices, etc.

The Funeral Director is obliged to provide an itemised quote. Quotes allow you to compare the services and prices of Funeral Directors. It is important to be sure the quote includes GST so you know the full price.

Before you sign any agreement for a funeral find out what money is available to help you pay and discuss payment options and sources of funds with the Funeral Director. A discount may be provided for pensioners or those with a Seniors Card.

The person who negotiates with a Funeral Director and signs the paperwork is legally responsible for the account.

## Paying for the funeral

A Funeral Director may be paid using monies from the estate of the person who died released prior to probate or letters of administration being granted by banks and financial institutions. You will need to provide the deceased's bank or financial institution with a copy of the Death Certificate and the funeral account. Many organisations require that any photocopies of the will and death certificate are sighted and signed by a Justice of the Peace to certify that they are true copies.

If financial difficulties are likely to be experienced, it is a good idea to approach more than one Funeral Director explaining the circumstances. Many are willing to negotiate fees.

**Other forms of financial assistance include:**

### **Centrelink**

If you or the deceased are Centrelink income support recipients you may be eligible for a Bereavement Allowance or a Bereavement Payment depending on your circumstances.

For more information phone 13 23 00 or visit:

[www.humanservices.gov.au/individuals/subjects/what-do-following-death](http://www.humanservices.gov.au/individuals/subjects/what-do-following-death)

### **Department of Veterans' Affairs - Funeral benefits**

A funeral benefit is a one-off payment made by DVA to assist in covering the funeral costs of veterans and, in some cases, their dependants.

For more information phone 13 32 54.

## **Financial counselling**

For a directory of financial counselling services visit:  
[www.fcan.com.au/directory/](http://www.fcan.com.au/directory/)

## **Charitable agencies**

Contact our Palliative Care Team social worker for further information on available assistance.

## **Financial institutions**

Loans may be available from banks or other financial institutions. Each application is assessed on its merits.

If you have any questions about funerals please feel welcome to get in touch with either the Social Worker or Pastoral Carer from the Palliative Care Team.

## **Ashes**

It's ok to take your time to decide what to do with your family member's ashes. Some bereaved people tell us they have been surprised by their response to ashes, including feeling comfort in bringing ashes home. You may wish to consider having a supportive friend or relative go with you when you collect the ashes. Many people find it takes several months to make the best decisions about where ashes will be interred or scattered, or to feel ready to do this.

Members of the family may have different opinions about what to do and this can take time to figure out. Some people feel ok about separating the ashes, scattering them in multiple places, whilst others feel strongly about keeping them together. There is no right or wrong.

The scattering or interring of ashes can be another opportunity to remember and honour your family member. This may be something you choose to do with the support of others.

## **Taking ashes overseas**

Individual airlines and consulates have information on their websites about the requirements for taking ashes overseas. It is important to check with them about what might be needed. Commonly, an official document from the crematorium confirming the contents of any container and a Death Certificate is required. The container must be sealed properly, taken as carry-on and will need to be screened like other carry-on items.

## **Scattering ashes**

If you are scattering ashes in a public place (e.g. park or beach) or at sea you are expected to seek permission from the relevant authority. For more information visit: [www.health.nsw.gov.au/environment/factsheets/Pages/cremation-ashes.aspx](http://www.health.nsw.gov.au/environment/factsheets/Pages/cremation-ashes.aspx)

## How to register a death in New South Wales

All deaths that occur in NSW need to be registered with the Registry of Births, Deaths and Marriages within 7 days of the burial or cremation. Usually the Funeral Director completes the registration, but it is also possible for a next of kin or relative to register the death. You can mail the Death Registration Form, or visit a Service NSW centre and lodge it in person.

For more information visit: [www.service.nsw.gov.au/transaction/register-death](http://www.service.nsw.gov.au/transaction/register-death)

## Who to notify

There are a number of people and institutions who need to be notified of a death. A copy of our 'Who to notify? Checklist' is available from the Palliative Care Team or visit: [www.hammond.com.au/bereavement](http://www.hammond.com.au/bereavement)

## Legal matters

### Debts

You do not have to pay any of the deceased's debts unless the debt is in joint names. Debts can be paid out of the estate. The executor of the will should take care of these matters.

### Will

A will is a legal document that instructs you about the deceased's wishes. The will nominates one or more people as executor(s) and it is their responsibility to distribute the deceased's assets and belongings to the beneficiaries named in the will. The executor is also responsible for payment of any debts from the estate assets.

If you are unable to locate a will you should seek legal advice from the NSW Trustee and Guardian, Legal Aid or a private solicitor.

For more information about wills visit:  
[www.tag.nsw.gov.au/wills-landing-page.html](http://www.tag.nsw.gov.au/wills-landing-page.html)

### Probate

In NSW, probate is applied for if assets of the deceased were solely in their name and are deemed to be of significant value (e.g. real estate). If the deceased person owned only joint assets, then probate is not required to transfer those assets as those assets pass to the surviving joint tenant. An application for probate is made to the Probate Registry of the Supreme Court. A Grant of Probate recognises the authority of the executor(s) to deal with the estate and entitles the executor to collect and pay debts and distribute the estate as directed by the will.

The documents for probate can be provided by your solicitor, they may be downloaded from the Internet or they can be purchased from a supplier of legal stationery.

### **Real estate**

The Land Titles office always requires Probate to have been granted if property or land that is being distributed in a will is in the deceased person's name only. If the deceased person is a joint tenant, the property can automatically be transferred without Probate.

For more information visit: [http://www.nswlrs.com.au/about\\_nswlrs/land\\_title\\_questions/torrens\\_title\\_of\\_deceased\\_owner](http://www.nswlrs.com.au/about_nswlrs/land_title_questions/torrens_title_of_deceased_owner)

### **Belongings**

Sometimes people experience pressure to dispose of the deceased's belongings and clothes. Some people like to do this immediately while others leave it much longer. You will know when you are ready to do this. Having familiar sights and smells in your home can be comforting and provide powerful ways of remembering.

Often people choose not to decide what to do with belongings all at once. There can be some items that feel easier to remove from the home (e.g. medical equipment), and others which you know you will keep forever. For everything in between it's ok to take your time and to make decisions bit by bit. It can sometimes feel easier to give items away if you know they will be used and appreciated.

### **Contact**

If you are concerned about what is happening to you, or have any further questions in regard to the information in this booklet, you can contact us during business hours:

#### **Bereavement Counsellor/Coordinator**

##### **Northern Sydney**

P 1300 427 255

Greenwich Hospital, Greenwich

Neringah Hospital, Wahroonga

Northern Beaches Palliative Care Service, Mona Vale

##### **South West Sydney**

P 02 9756 8878 or 02 9756 8849

Braeside Hospital, Prairiewood

SWSLHD Palliative Care Service

## HammondCare Foundation

We receive limited Government funding for bereavement services and rely on donations to make sure we can offer support to everyone when and where they need it.

If you would like to donate, or get further information please contact the HammondCare Foundation on **1300 426 666** or email **foundation@hammond.com.au**

To make a donation please go to **www.hammond.com.au/about/support** and select 'Bereavement Support'

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Level 2, 447 Kent Street, Sydney NSW 2000  
Phone 1300 426 666 **www.hammondcare.com.au**



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