

# Claiming a Death benefit

## Claim pack guide



We are here to assist you at every stage of lodging your claim for a Death benefit. This guide will help you to understand:



What is a death benefit claim



How to complete and submit your application



What the steps of the claim process are

Words highlighted in **blue** are described in the section 'Explanation of terms'. You can contact us on **1300 300 778** if you need help or further information.

### What is a Death benefit?

A Death benefit is a lump sum payable on the death of a Rest member. It may include:

- the deceased member's final account balance (less applicable fees and taxes); and
- any insured benefits (if applicable).

### Who can a Death benefit be paid to?

Superannuation laws state that only the following can receive a death benefit from a superannuation fund:

- Dependants (e.g. spouse and children)
- The person authorised to manage the deceased member's estate (LPR or Legal Personal Representative).

If Rest can't find any dependants or an LPR, the death benefit can be paid to someone else (e.g. a parent).

If there is a valid binding nomination, Rest will pay according to the nomination. If there isn't a valid binding beneficiary nomination, Rest will make a decision on who will receive a death benefit. Rest considers the member's wishes and anyone who relied on the member for financial support.

It's important to note that superannuation death payments don't automatically become part of an estate and are usually paid to help people who were financially dependent on the deceased member.

### Will tax be payable on the benefit?

A Death benefit will be taxed differently depending on whether it is paid to a dependant, non-dependant or to the deceased estate.

**Dependants** - tax won't be deducted from the Death benefit. Please note that an adult **child** is not a dependant for tax purposes.

**Non-dependants** - to find out which rate applies to a non-dependant, contact Rest Group Life Claims on 1300 300 778 or refer to 'Tax on withdrawals' at [rest.com.au/facts](https://rest.com.au/facts)

**Deceased estate** - tax won't be deducted at the time of payment. Any potential tax implications will be managed as part of the estate.

We suggest you discuss this matter with your financial adviser who can guide you based on your circumstances.

### What do I need to make a claim?

This pack contains the forms and information to submit your claim. If you are having difficulty or have any questions, please contact us for help.

How long will the claim assessment take?

We will try to process your claim as quickly as possible. The length of time can vary and depends on whether we have all the information we need. We may need to request additional information. This may take extra time and we'll keep you informed throughout.

Can Rest pay for the funeral?

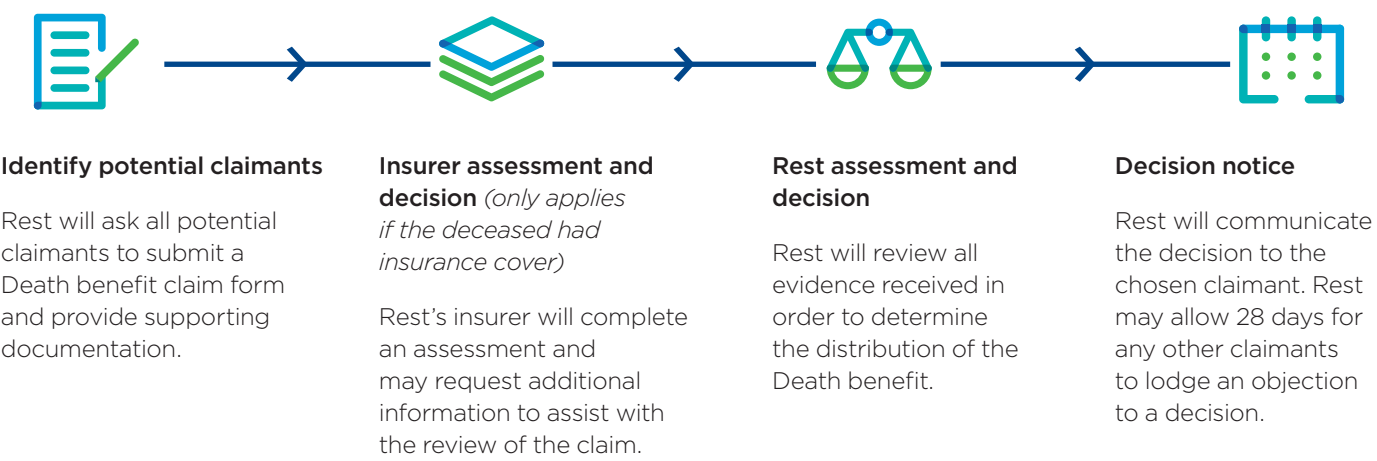
The Rest Trust Deed does not provide for the payment of funeral costs.

What is required for payments to minor children?

If Rest decides to pay any children under 18, a minor trust may have to be established. The funds in the minor trust are to be used by its appointed trustee(s) for the maintenance, education and benefit of the child.

In the event of such payments, further information will be provided to you.

What is the claim assessment process?



How do I submit my claim application?

When you have collated all the requested documents in accordance with the checklist overleaf, please return them to:

[claiming@rest.com.au](mailto:claiming@rest.com.au)  
 Rest Group Life Claims  
PO BOX 350  
Parramatta NSW 2124

## Explanation of terms

The following terms are used in this guide and the 'Death benefit – claim statement' form:

**Administrator** - a person appointed by the Supreme Court to manage the estate of a person who doesn't leave a valid Will. This is usually the closest surviving next of kin of the deceased.

**Binding beneficiary nomination** - made and signed in front of two witnesses by the deceased member prior to their death, declaring who their Death benefit should be paid to when they die. The nomination may have an expiry date.

**Child** - includes the deceased member's child, adopted child, step-child or a child born outside of marriage, and a child of the deceased's spouse.

**Decree nisi** - an order by a court of law stating the date on which a marriage ended.

**De facto spouse** - a person of the same or opposite sex who lived with the member as a couple, for any period of time, but was not legally married to them nor related by family.

**Dependant** - includes anyone who, at the date of death of the member, was their spouse (including a de facto spouse), their child, a financial dependant of the member or anyone who had an interdependent relationship with the member.

**Domestic support and personal care** - is generally of a frequent and ongoing nature. For example, domestic support services will consist of attending to the shopping, cleaning etc. Personal care services may consist of help with mobility, personal hygiene and generally ensuring a person's physical and emotional comfort. This does not include palliative care arrangements and is above and beyond the typical parent or flatmate relationship.

**Executor** - a person(s) appointed under a valid Will to manage the estate of the deceased in line with the terms of the Will.

**Financial dependant** - anyone who was fully or partially dependent on the member for regular financial support. This includes the provision of money as well as non-monetary items such as food, clothing, transport, education etc. Loans and one-off gifts do not qualify.

**Grant of probate** - where a Will is left by the deceased, a grant of probate is a document issued by the Supreme Court recognising the validity of the Will and authorising the **executor(s)** to deal with the estate.

**Interdependent relationship** - in superannuation law, there are two ways to define an interdependency relationship:

**Basic test:** Two people are considered interdependent when:

- They have a close personal relationship,
- They live together,
- They both provide financial support to each other, and
- They both provide domestic support and personal care to each other.

All four conditions must be met to pass this test.

**Disability test:** If two people have a close personal relationship but can't meet the other requirements because one or both have a disability, they can still be seen as interdependent.

### Additional factors:

Usually, children and parents aren't interdependent because children usually become independent from their parents. However, there can be exceptions, such as:

- Parents caring for a disabled or seriously ill child (adult or minor), where the parent provides exceptional support beyond the usual parent-child relationship.
- A child living with and committed to caring for an aged or frail parent for life.

These situations may meet the criteria for an interdependency relationship due to the extraordinary level of support provided.

**Letters of administration** - where no valid Will is left by the deceased, a grant of Letters of administration is a document issued by the Supreme Court authorising the **administrator** to manage the estate.

**Parent** - includes a biological parent, step-parent or adoptive parent of the deceased member.

**Sibling** - includes a brother, sister, step-brother or step-sister of the deceased member.

**Spouse** - includes a person who was legally married to the deceased or who was their de facto spouse at the date of death.

 [rest.com.au](https://rest.com.au)

 **1300 300 778**

Monday to Friday 8am - 6pm (AEST/AEDT)



This information doesn't take into account your circumstances, so before acting on it, you should consider whether it is appropriate for you. Before making any decision about your super, please read our Product Disclosure Statement (PDS) and Target Market Determination (TMD) available at [rest.com/pds](https://rest.com/pds) or call us on 1300 300 778. This information is provided by Retail Employees Superannuation Pty Ltd ABN 39 001 987 739 AFSL 240003 as trustee of Rest (Retail Employees Superannuation Trust ABN 62 653 671 394).

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