

This factsheet informs dependants<sup>1</sup> of their entitlements under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) following the death of a family member who was a past or current employee of an Australian Government agency or statutory authority. This factsheet may help other stakeholders who play a role in supporting and advising dependants.

## What benefits are payable?

If you are a dependant of a current or former employee of an Australian Government agency or statutory authority, who died as a result of a work-related injury or illness, you may be entitled to compensation.

As a dependant, you may be eligible for:

- a lump sum payment ([link to Statutory rates](#))
- fortnightly payments for each child aged under 16, or aged between 16 and 25 who is receiving full-time education and is not working
- payment or reimbursement of funeral expenses. Unpaid funeral accounts can be paid directly to the funeral home.

If there are no dependants who were financially dependent, Comcare can still reimburse funeral expenses where liability for the death is accepted.

## What happens if the deceased employee had an open workers' compensation claim?

If the deceased employee was in receipt of compensation benefits prior to the date of death, all benefits that were payable to them will cease on the date of death, including:

- incapacity payments
- gardening, household help or attendant care services

Medical expenses incurred by the deceased employee before the date of death may be payable to the deceased employees' estate. Other entitlements that may have been payable prior to the death, may be payable to the estate. Provider invoices dated prior to the date of death can still be determined.

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<sup>1</sup> Dependant is defined in the SRC Act in relation to a deceased employee as:

- a) the spouse, parent, step-parent, father-in-law, mother-in-law, grandparent, child, stepchild, grandchild, sibling or half-sibling of the employee; or
- b) a person in relation to whom the employee stood in the position of a parent or who stood in the position of a parent to the employee; being a person who was wholly or partly dependent on the employee at the date of the employee's death.

## How do I make a claim?

1. Complete a [Work-related Death Compensation Claim form](#).
2. Attach documents to support your claim, which may include:
  - a copy of the death certificate
  - a copy of the marriage certificate
  - a copy of a birth certificate for any dependent child
  - evidence of full-time education for dependent children over the age of 16
  - copies of any other documents that show dependency, for example rates notices, utility bills, bank statements in joint names etc.
3. Email the form and supporting documents to [general.enquiries@comcare.gov.au](mailto:general.enquiries@comcare.gov.au) or mail to GPO Box 9905, Canberra ACT 2601.

## How do we manage your claim?

We will call you or your legal representative to acknowledge receipt of your claim within two days of receiving your application. If any further information is required from you, this will be requested in writing at this time.

We may need to contact other people or organisations as we assess your claim, including:

- employer of the deceased
- health professionals, hospitals or other organisations
- any other relevant third party (or insurer) considered by Comcare to have contributed to the injury that resulted in the death.

We will regularly contact you or your legal representative to provide updates on the progress of your claim. A decision will be made as soon as possible, however delays can occur when further information is required.

Once we have all the available information, we will make a determination. We will call you or your legal representative to talk you through the outcome of your claim prior to sending the determination in writing.

## For more information

If you are unsure whether you have entitlements under the SRC Act, please contact Comcare's Asbestos and Lump Sum Team on 1300 366 979 or by email [support.services@comcare.gov.au](mailto:support.services@comcare.gov.au).

You can also visit Comcare's website for more information at [www.comcare.gov.au](http://www.comcare.gov.au). If you do not have access to the internet, the Asbestos and Lump Sum Team can supply you with printed material or further assistance.