

# Funerals



## If things go wrong

If you have a problem try and resolve it directly with the funeral director or fund. If this is unsuccessful contact Fair Trading on 13 32 20 or lodge a complaint online at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

Remember to keep all your paperwork and notes of everyone you speak to.

## Useful contacts

### Centrelink

Tel: 13 23 00 [www.centrelink.gov.au](http://www.centrelink.gov.au)

### Law Access NSW

Tel: 1300 888 529 [www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au)

### National Association for Loss and Grief

Tel: 6882 9222 [www.nalag.org.au](http://www.nalag.org.au)

### NSW Health (for Public Health Units)

Tel: 9391 9000 [www.health.nsw.gov.au](http://www.health.nsw.gov.au)

## Office of Fair Trading – What we do

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[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au) **General enquiries 13 32 20**

Language assistance 13 14 50 (*ask for an interpreter in your language*)

TTY 1300 723 404 for hearing impaired

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For more information about this topic, refer to the appropriate legislation.

## Checklist

Things to consider when organising a funeral:

- Is there a will and where is it located? It may have directions for funeral arrangements.
- Have any financial arrangements been made to pay for the funeral such as a funeral bond or insurance or pre-paid funeral?
- Do you know what type of funeral the deceased person would have wanted?
- Did they have a pre-paid grave?
- Have you contacted a few funeral directors and received itemised quotes (basic funeral notices if they offer a basic funeral) and checked their terms?
- Is there enough money in the deceased person's bank account to pay for the funeral and have you contacted the bank about accessing the funds?
- Are there any sickness, accident, life, superannuation or private health insurance policies which may make a payment towards the funeral?
- Was the deceased a returned service person or did they belong to any club, pensioner association or trade union, which may entitle them to a funeral benefit?
- If you or the deceased person received payments from Centrelink have you checked with Centrelink about a possible bereavement payment or allowance?
- If funds are not available for the funeral, have you checked with your local Public Health Unit about possible assistance?



## Direct committal

A direct committal is a cheaper option than a basic funeral. It is offered by most funeral directors and is a cremation or burial without a service. Bereaved families and friends can still arrange a memorial service at another venue.

## Pre-paid funerals

There are different types of pre-paid funeral arrangements and Fair Trading regulates the first two in this list.

- **Contributory funds** - Small regular payments go towards part or all of a funeral with a particular funeral director or provide money to go towards the cost of the service.
- **Pre-paid funeral funds** - Pre-paid funerals are purchased in one lump sum or in several instalments.
- **Funeral insurance** - Usually purchased directly from an insurer and involves small regular contributions for a specified cash payment on your death. Age and health restrictions may apply and premiums may increase over the years.
- **Funeral bonds** - A form of investment that allows you to set aside your own money for a funeral, which is held as a bond and paid when the funeral is required.
- **Pre-paid products** - You pay in advance for the right to use a grave plot, a wall niche or a place in a memorial garden and purchase this directly from a cemetery or crematorium.

Some funeral directors limit pre-paid schemes to parts of the funeral they have control over, such as personal services and the coffin, and may not include the burial or cremation.

Make sure you understand your rights and obligations before you sign for a pre-paid funeral arrangement. Be sure you know if the arrangement covers all or only some of the costs. If you have any concerns about the conditions of the arrangement, seek independent legal or financial advice.

Fair Trading can tell you if a funeral fund is registered before you commit to it – call 1800 502 042.



This brochure aims to help you know where to start and the steps to take when arranging a funeral. The funeral could be for a family member or friend or for you if it is a pre-paid arrangement.

## Who makes the arrangements?

If you are the executor of a deceased person's will, you have the legal authority to make their funeral arrangements. If you choose you can pass this responsibility to a family member or friend. If there is no will, the next of kin or other family members or friends usually arrange the funeral as it may take some time before the court appoints an administrator of the estate.

The person arranging the funeral is financially responsible for it and is the only person who can make arrangements with the crematorium or cemetery, including signing all burial or cremation permits.

If you want you can make your own arrangements for your funeral. This will give you the chance to find a funeral director you are happy with and make the arrangements you want rather than leaving this to others.

The will or personal papers of the person who has died may indicate if they belonged to a funeral fund or other pre-payment plan which may have details of funeral arrangements.

## Paying for the funeral

Before you sign an agreement for a funeral find out what money is available to help you pay the costs. You should discuss payment options and sources of funds with the funeral director.

Money to pay for a funeral may come from:

- a funeral fund the deceased person may have paid into
- the estate (assets of the deceased person, including any money) - check with the bank if they will allow money in the deceased person's bank account to be used to pay for funeral expenses before probate is granted, when the rest of the estate can be accessed
- a pre-paid benefit or investment scheme, superannuation fund or life insurance
- the Commonwealth Department of Veterans' Affairs for some returned service people (who may also be eligible for an official war grave) – call 13 32 54
- a health fund, trade union, pensioner association or other type of club that they belonged to
- Centrelink - contact them on 13 23 00 to check your eligibility for bereavement assistance.

If there is no money in the estate nor any friends or relatives able to fund the funeral, contact the public health unit of your local area health service.

## Finding a funeral director

The documents of the person who has died may have instructions to use a particular funeral director. If no preferences were recorded anywhere, you will need to select one.

After a death it may be hard for you to 'shop around' for funeral services but it makes sense to find a funeral director you are comfortable with that offers their services at a reasonable price. Friends or relatives may be able to recommend a funeral director or you can find them in the telephone directory or on the internet.

Funeral directors usually provide the following services:

- registration of the death, obtaining certificates/permits
- coordination between clergy (or funeral celebrant) and the cemetery or crematorium
- transport of the body
- preparation of the body
- supply of coffin or casket
- transport such as a hearse or special cars
- payment of fees on your behalf to the cemetery or crematorium or for flowers
- placement of notices in newspapers.

## Quotes and costs

Under the law all NSW funeral directors must provide you with an itemised quote. These quotes should make it easier for you to compare services and prices of funeral directors. Make sure the quote includes GST so you know the full price.

**Basic funeral quotes:** If a funeral director offers the option of a 'basic funeral' they must give you a written quote for this (called a 'basic funeral notice'). This quote should itemise each of the basic funeral goods and services and their costs as well as the estimated costs of necessary disbursements. The funeral director must give it to you before they make funeral arrangements with you.



You may be asked to sign the 'basic funeral notice' slip to show you have received it, even if you choose a different funeral. **Signing this slip does not mean you are committing to a funeral with this funeral director.**

**Other funeral quotes:** If a basic funeral option is not available, a funeral director must still give you an itemised quote before entering into any funeral arrangement.

**Final statements:** All funeral directors must give you an itemised final statement or invoice of the goods and services provided and their costs, once the funeral has been completed, before you make the final payment.

**Payment options:** Different funeral directors offer different payment options so choose the one that suits you best. They may ask for a deposit and you can sometimes negotiate the amount with them. Only pay the balance when you receive the itemised final statement or invoice.

## What is a basic funeral?

A basic funeral (also called an 'economy' or 'budget' funeral) is the lowest cost funeral that includes a service, which the funeral director can provide.

A basic funeral consists of a single service, conducted at the funeral director's premises or the burial or cremation site. It would occur on a weekday between 8am and 5pm and consists of only:

- arranging and conducting the funeral
- transporting the body to the funeral director's premises, mortuary and burial or cremation site, where each individual journey is less than 30km
- storing the body in a mortuary or holding room
- preparing the body for burial or cremation (not including preparation for viewing or embalming)
- the least expensive coffin available
- compulsory medical certificates or permits
- burial or cremation of the body.