

Funeral Expenses

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Policy

1. Purpose

- 1.1 The purpose of this document is to provide guidance on administering entitlement to Funeral Expenses under the Veterans' Support Act 2014 (the Act).

2. Legislative Reference

- 2.1 The relevant legislation is the Act, sections 7, 152 – 155, clause 6 of Schedule 1, regulations 40-41 of the Veterans' Support Regulations 2014, section 42 of the Police Act 1958 and section 110 of the Policing Act 2008.

3. Purpose of Funeral Expenses

- 3.1 The purpose of Funeral Expenses is to assist the next-of-kin or estate of a deceased **veteran** by paying or contributing to the cost of the veteran's funeral and burial and cremation, and, under certain criteria, the cost of transporting the veteran's body to the place of burial or cremation.

Subpart 8, Part 5 of the Veterans' Support Act 2014

4. Eligibility for Funeral Expenses for a veteran whose death is attributable to qualifying service

- 4.1 Veterans' Affairs may pay all or part of the expenses of the funeral and burial or cremation of a veteran whose death is **attributable** to **qualifying service**. This includes veterans living overseas.

Sections 152(1) and 153 of the Veterans' Support Act 2014

- 4.2 If a veteran, whose death is due to qualifying service, dies in hospital, Veterans' Affairs may also pay or contribute to the cost of transporting the body in the following circumstances:

- If the burial or cremation is to take place *within* the locality of the hospital the veteran died in, then Veterans' Affairs is responsible for the reasonable cost of transporting the body to the place of burial or cremation.
- If the burial or cremation of the body is to take place *outside* the locality of the hospital the veteran died in, then Veterans' Affairs is responsible for the lesser of either:
 - the reasonable cost of transporting the body to the place of burial or cremation; or

- an amount equivalent to the reasonable cost of transporting the body back to where the veteran had been living, before being admitted to hospital.

Section 153 (3)(4)(5) of the Veterans' Support Act 2014

4.3 "Within the locality" will be taken to mean a total road distance of 35 kilometres calculated using AA maps at aa.co.nz and including:

- where the transfer vehicle originated from, to;
- the uplifting of the body, to;
- where the vehicle initially transferred the body, then;
- where the body was taken for the final transfer, and;
- the vehicle returning back to where it originated from.

4.4 "Hospital" will be taken to mean a hospital that is listed on the Ministry of Health's lists of public and private hospitals. It does not include a residential care hospital facility.

5. Eligibility for Funeral Expenses for a veteran whose death is not attributable to qualifying service

5.1 If the veteran's death was not due to qualifying service, Veterans' Affairs may pay all or part of the expenses of the funeral and burial and cremation if:

- at the time of death the veteran was receiving either Weekly Income Compensation; Weekly Compensation; Veterans' Pension; New Zealand Superannuation; or a Supported Living Payment under the Social Security Act 1964; and
- the veteran leaves a spouse, **partner**, **children** or **dependants** who are found to be eligible for a Surviving Spouse or Partner Pension, Children's Pension or Dependant's Pension under Scheme One or Survivor's Grant or Weekly Compensation under Scheme Two.

Sections 152(2) and 154 of the Veterans' Support Act 2014

6. Families of veterans with service in the New Zealand Police

6.1 Families of former police officers with service in the New Zealand Police between 1958 and 1972 who were receiving a War Disablement Pension or Disablement Pension can apply for this entitlement.

Section 42 of the Police Act 1958, section 110 of the Policing Act 2008 and section 7 and Schedule 1 clause 6 of the Veterans' Support Act 2014

7. Applications for Funeral Expenses

- 7.1 The next-of-kin or estate may apply to receive Funeral Expenses on behalf of the deceased veteran, so long as they provide Veterans' Affairs with the correct, signed, application form and supporting evidence. Funeral Expenses can only be paid once if the eligibility criteria are found to have been met.

8. Reimbursement of Funeral Expenses and cost of transportation of the veteran's body

- 8.1 In reimbursing funeral expenses no account is taken of any private insurance that the veteran may have had in place to cover his/her funeral costs.
- 8.2 The next-of-kin or estate will still be entitled to Funeral Expenses from Veterans' Affairs if they are already in receipt of a funeral grant from ACC under the Accident Compensation Act 2001. But if the Veterans' Affairs amount is more than the ACC funeral grant, Veterans' Affairs is only required to pay the difference. In this case, "Funeral Expenses" do not include the costs of transporting the body in respect of veterans whose death is due to qualifying service.

Section 155 of the Veterans' Support Act 2014

- 8.3 As a matter of policy Veterans' Affairs will take into account any contribution made by another government agency (such as the New Zealand Defence Force (NZDF) or the Ministry of Social Development (MSD)) towards meeting the funeral expenses. Veterans' Affairs will pay the lesser of either the maximum Funeral Expenses or the residual unpaid funeral expenses. If the full costs of the funeral expenses have been met no Funeral Expenses will be paid.
- 8.4 Entitlement to Funeral Expenses will be determined by a Decision Officer and calculation of the amount that will be paid will be done by a Decision Support Officer.
- 8.5 Go to separate Factsheet on Rates and Allowances for:
- the maximum amount payable in relation to expenses of a funeral and burial of a veteran
 - the maximum amount payable for transporting a veteran's body from the hospital in which he or she died to the place of the veteran's burial or cremation (when the place is within the locality of the hospital and when it is outside the locality)

Part 3, Regulations 40 and 41 of the Veterans' Support Regulations 2014

- 8.6 The maximum amounts for transporting the veteran's body apply whether the veteran's body is transferred by land, air or sea and whether or not the body is transferred by funeral directors or by the veteran's family.

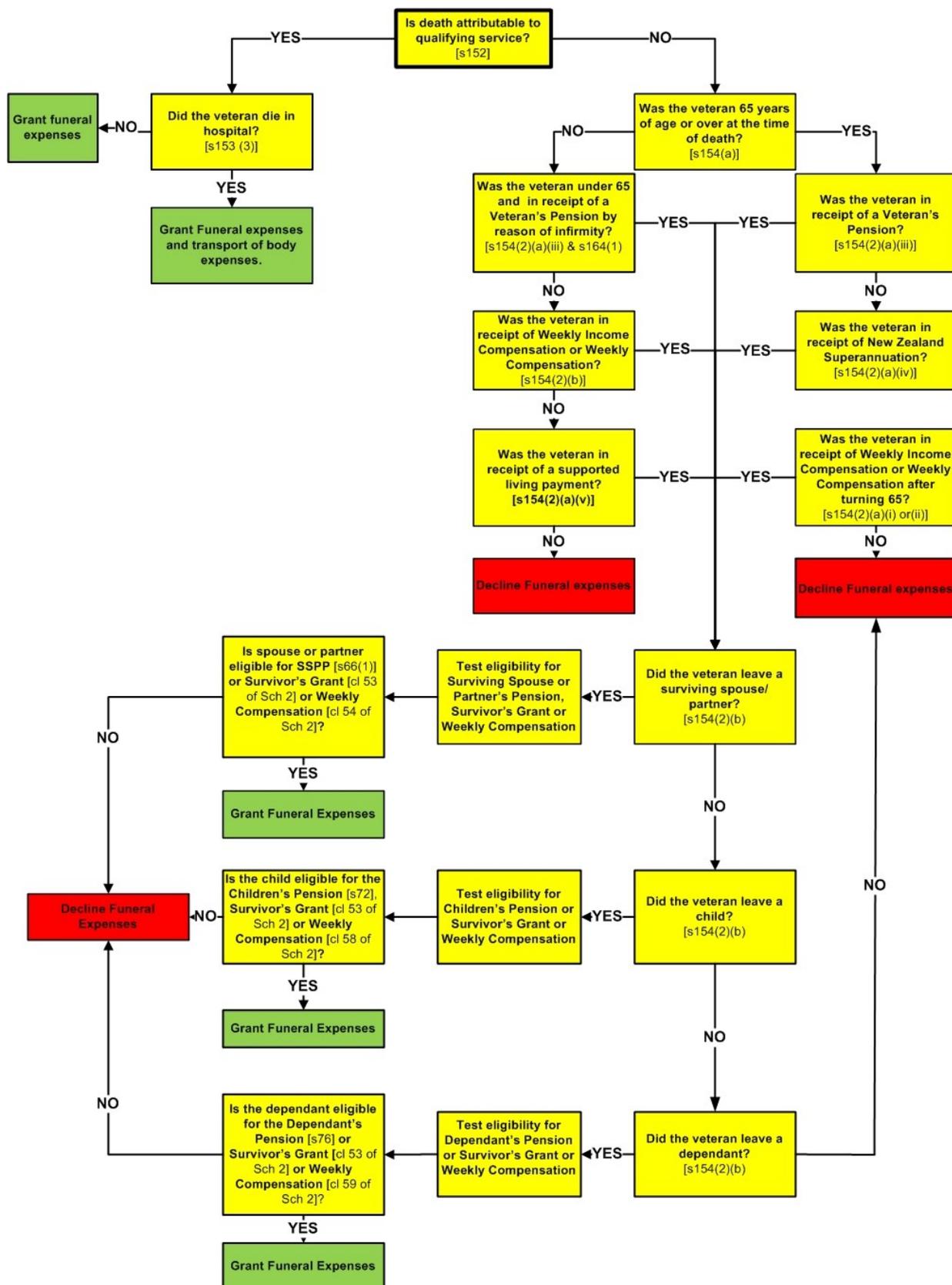
9. Veterans living overseas

- 9.1 The Funeral Expenses policy applies equally to all New Zealand veterans irrespective of their country of residence.
- 9.2 For road distance calculations for transporting the remains of the veteran who was resident in Australia to the place of burial or cremation Veterans' Affairs will use whereis.com. For road distance calculations in other countries Veterans' Affairs will use Google Maps.
- 9.3 Veterans' Affairs will not reimburse the full costs of transporting back to New Zealand the remains of a veteran who lived overseas and died in hospital of a service-related illness. Veterans' Affairs may, however, contribute the equivalent of the maximum amount payable in New Zealand for transporting a veteran's body outside the locality in which the hospital is located in New Zealand, or other amount as Veterans' Affairs considers appropriate.

10. Reviews, Appeals and Complaints

- 10.1 If you disagree about a decision concerning eligibility for an entitlement or service **go to separate policies on Reviews and Appeals**. If you are concerned about Veterans' Affairs' administration of an entitlement or service **go to separate policy on Complaints**.

Appendix I: Pathway to Funeral Expenses



Glossary

attributable [policy]

Means: caused by, or contributed to by, qualifying service.

qualifying service [section 8]

Means:

- (a) qualifying operational service; and
- (b) qualifying routine service.

Review Officer [section 7]

Means a member or a contractor of the Defence Force appointed by the general manager (or by the Chief of Defence Force if section 219(2)(b) applies) to conduct reviews under subpart 2 of Part 7 of the Veterans' Support Act 2014.

veteran [section 7]

Means:

- (a) a member of the armed forces who took part in qualifying operational service at the direction of the New Zealand Government; or
- (b) a person:
 - (i) who has been:
 - (A) appointed as an employee of the Defence Force under section 61A of the Defence Act 1990; or
 - (B) seconded to the Defence Force with the permission of the Chief of Defence Force; and
 - (ii) who took part in qualifying operational service at the direction of the New Zealand Government; or
- (c) a person who, immediately before the commencement of Part 3 of this Act, is eligible for a pension under the following provisions of the War Pensions Act 1954:
 - (i) section 19 (but only if the person was a member of the forces);
 - (ii) section 55 or 56;
 - (iii) Parts 4 and 5