# FAS-003B

# Apply for the Funeral Assistance Scheme (Agency)

Under the authority of the *Burials Assistance Act 1965*, the Department of Justice and Attorney-General is responsible for administering the **Funeral Assistance Scheme** through the Coroners Court of Queensland (CCQ).

The Scheme allows for the Department to arrange a simple burial or cremation for eligible persons, who:

* have died in Queensland; and
* have no known next of kin who are willing or able to meet the cost of a funeral service.

**Am I able to complete an application as an Agency?**

Under the Scheme, the term Agency is used to differentiate between the application process for an individual (e.g. a family or friend of the deceased) and the application process for government/public bodies, such as the Queensland Police Service (QPS), Queensland Health (QH, usually social workers or mortuary managers), disability or aged care facilities, and the Office of the Public Trustee.

Agencies may make an application on behalf of a deceased person where there is no next of kin willing or able to make an application for them and are required to provide different information and attachments to the Department.

* Under the *Burials Assistance Act 1965 (QLD)*, the definition of a relative (or next of kin) is limited to a **spouse** or **parent** (for a child) of the deceased only.

‘Agency’ does not refer to the government contracted undertaker or any other funeral director (funeral companies are not eligible to make an application and should refer the matter to QPS).

**Agency** applications for assistance *may* be automatically declined in any one of the following circumstances:

* where an application has already been made on behalf of the deceased (unless there has been a significant change in circumstances; all applications and outcomes are centrally recorded and monitored)
* a contract for funeral services for the deceased has already been signed with a funeral company
* the deceased has a superannuation account
* the deceased has a life insurance policy
* the deceased has an existing funeral plan or funeral insurance and/or
* there are sufficient funds, assets or shares in the deceased's estate (including any bank accounts held solely in their name).

**Will I need to pay the Department back?**

Where appropriate, CCQ is entitled to recover the full cost of all funeral services provided under the Scheme, from any

monies available from the deceased's estate (including any bank accounts held solely in their name).

This is not applicable to Agency applications.

**What does funeral assistance include?**

All funeral services for approved applications will be conducted by the authorised government-contracted undertaker (funeral director) for the area (also referred to as the local government area boundary), where the deceased passed away.

The service will include:

* local collection and transport of the deceased for preparation and the funeral service (within the undertaker's authorised boundary area);
* a properly made, conventionally shaped, and suitably lined coffin OR a coffin with additional braces and boards
* sufficient to accommodate a larger person (usually over 150kg, or as required)
* a cover for the deceased (being a white calico shroud), in situations where clothing is not provided by the
* applicant
* an appropriate funeral service for the deceased in a dignified and respectful manner, where family and friends can
* make a small speech, either at the crematorium (in the case of a cremation) or at the graveside (in the case of a
* burial); and death registration for the deceased

Before making an application, please ensure that you fully understand that the following **limitations** apply to the

assistance we can provide:

* you may not choose the location of the funeral, or the funeral director
* the deceased will be cremated (unless burial is requested on the form below)
* the deceased's ashes will be stored with the undertaker (in the case of cremation). Request for ashes are to be directed to Coroners Court of Queensland. If unclaimed, the ashes will be stored for a maximum period of 12 months, after which a disposal process is initiated
* the government contracted undertaker in not permitted to provide or charge for any upgraded funeral services for

the deceased

* it is possible that up to four (4) deceased persons may be interred (buried) together in one burial plot
* the marking of the burial plot with headstone or other memorial is not permitted for this reason.

**Request for transfer before funeral (Return to Country)**

Aboriginal and Torres Strait Islander persons who have passed away, may be returned to their homelands or Country for

Burial, usually at the full cost of the applicant. As CCQ only provides for the cost of the funeral service and any associated local transfers, this type of long-haul transfer is not usually covered or funded by the Scheme.

This is generally not applicable to Agency applications (as there is no next of kin to request, pay for or arrange the private transfer).

**Request to transfer burial rights**

Depending on each individual circumstance, it may be possible to request for the burial rights to the plot to be transferred to the deceased’s family at a later time, so that they can arrange for a headstone or other marker to be placed at their grave. In order to be eligible, they will need to pay back any outstanding funeral costs to the Department, plus any local council fees that may apply.

This process is completed separately to an application for assistance, and can be negotiated any time after the service

has been completed. There is no time limit in place, but a transfer of burial rights will not be possible if another deceased

is interred in the same plot before your transfer request is received and completed.

This is generally not applicable to Agency applications, but the request may be raised by the next of kin at a future date.

**Need help?**

If you need extra help completing this form, please contact your nearest Magistrates Court for general assistance, or to

book in a short face-to-face information session (15-30 minutes, at the Magistrates Courts’ discretion).

Unless there are exceptional circumstances, this should be the closet Magistrates Court to where the deceased person you’re applying on behalf of passed away, or the closest Magistrates Court to your place of business.

*Note: Brisbane Magistrates Court is unable to accept applications at this time; please choose the next closest*

*Courthouse in your area.*

Further information is also available online at <https://www.courts.qld.gov.au/courts/coroners-court/funeral-assistance>.

**Ready to apply?**

If you are comfortable with the information provided above, and would like to make an Agency application for assistance on behalf of someone who has passed away, please carefully read and complete the relevant sections of the form below

(including the statutory declaration) and **submit over the counter at your nearest Magistrates Court**.

Alternatively, Agencies may wish to submit their applications electronically; you can locate a full list of Magistrates Court emails at this link:

<https://www.courts.qld.gov.au/contacts/courthouses>.

# B. I’m applying as an Agency

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | **I am eligible to make this application on behalf of the deceased as an Agency (as defined above), as no suitable funeral arrangements have been made by the deceased’s spouse or parent (for a child), or will be made to the best of my knowledge.** |

**Please mark all form boxes with an** 🗷

**B1. Agency details**

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | **I certify that I have liaised with a relevant officer in the Queensland Police Service (QPS)**  **(or I am a QPS officer) and can confirm that there are no next of kin (NOK) willing or able to**  **make funeral arrangements for the deceased. This includes the spouse or parent (for a child) of the deceased.**  *Note: The Magistrate Court cannot accept an Agency application unless a QPS next of kin (spouse or parent of the deceased) check has been completed by your Agency; it will be returned to you for action if this box is not checked.* |
|  |

**Please detail enquiries made to locate NOK to advise of the death** (please also include information regarding other person(s) prepared or able to arrange a burial or cremation and the outcome of those enquiries):

|  |
| --- |
|  |

*Note: if a deceased is known to have significant funds or assets in their estate (including superannuation), CCQ is unable to assist and a referral should be made to the Public Trustee of Qld. The Public Trustee will administer the estate and arrange a funeral from the proceeds of the estate.*

**Please indicate your Agency below, then enter your office location/branch (**Note: As an additional measure to prevent fraudulent applications, CCQ may contact your organisation to verify your current position and/or work status):

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Queensland Police Service** (QPS) |  | **Location/branch** |  |

*Note: Where the body of a deceased person has been received into a Queensland Health mortuary and no suitable arrangements are being made for the disposal of the body, the Queensland Police Service Operational Procedures Manual (OPM) section 8.6.2. provides for police officers to assist the Department of Justice and Attorney-General (DJAG) in arranging funeral assistance under the Burials Assistance Act 1965.*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Department of Queensland Health** |  | **Location/branch** |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Private health or aged care facility** |  | **Location/branch** |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Office of the Public Trustee** |  | **Location/branch** |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Other** (please specify) |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Your full name** |  | **Your position title/rank and/or badge number** (as applicable) |  | |
|  |  |  |  |
| **Work email address** |  | **Best contact number** |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | **I am making this application on behalf of the deceased, as no suitable funeral arrangements have been made or will be made by the spouse or parent (for a child) of the deceased, to the best of my knowledge.** |

**B2. Deceased personal details Please fill in as much of this section as possible**

|  |  |  |  |
| --- | --- | --- | --- |
| **Place of death**  (e.g. hospital, at home |  | **Suburb of death** |  |
| **Current location of the deceased** (e.g. hospital or mortuary name and location) |  | **Date of death**  (DD/MM/YYYY) |  |
| **Family name/s**  (Please enter in CAPITALS) |  | **First and middle names** (please enter in full, do not use initials) |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Age**  (At time of death) |  | **Date of birth**  (DD/MM/YYYY) |  |
|  |  |  |  |
| **Gender**  (Please enter Male or Female) |  | **Occupation** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Does the deceased have a will?** (Please enter Yes or No) |  | **Address**  (Please include town/city name and postcode) |  |
|  |  |  |  |
| **If Yes, please include the executor’s full name, contact email and/or phone number** (if known) |  | | |

**Did the deceased identify as being of Aboriginal or Does the deceased have a paid funeral plan with the**

**Torres Strait Islander descent? Aboriginal Community Funeral Plan (ACFP)?**

|  |  |
| --- | --- |
|  | **Aboriginal** |
|  | **Torres Strait Islander** |
|  | **Both Aboriginal and Torres Strait Islander** |

|  |  |
| --- | --- |
|  | **Yes** |
|  | **No** |
|  | **Unknown** |

**Did the deceased make their wishes known with If ‘No (wishes unknown)’, are you aware of any reason**

**regards to their funeral arrangements? why the deceased should not be cremated?**

|  |  |
| --- | --- |
|  | **No** |
|  | **Yes** (please include details below) |

|  |  |
| --- | --- |
|  | **Yes, Cremation** |
|  | **Yes, Burial** |
|  | **No** (wishes unknown) |

|  |
| --- |
|  |

**Go to next page**

**B3. Deceased financial details**

|  |  |
| --- | --- |
|  | **Deceased has no known bank accounts** (skip to next question) |

|  |  |
| --- | --- |
|  | Yes, I understand that **joint** bank account details **do not** need to be provided in this section, as claims cannot be made against joint accounts under the *Burials Assistance Act 1965 (QLD).* |

**or**

|  |  |  |  |
| --- | --- | --- | --- |
| **Bank or financial institution name (1)** |  | **Bank or financial institution name (2)** |  |
|  |  |  |  |
| **BSB number**  (Enter as 000-000) |  | **BSB number**  (Enter as 000-000) |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Account name** |  | | **Account name** | |  | |
|  |  | |  | |  | |
| **Account number** |  | **Account number** | |  | |
|  |  |  | |  | |
| **Current account balance**  (if known) |  | **Current account balance**  (if known) | |  | |

**If known, please include details of any government benefits that the deceased was receiving** (and amounts):

|  |  |  |  |
| --- | --- | --- | --- |
| **Services Australia**  (formerly known as Centrelink) |  | **Pension** |  |
|  |  |  |  |
| **Department of Veteran Affairs** |  | **Other**  (please include details below) |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Insurance policy**  (e.g. life, WorkCover, CTP) |  | **Funeral policy**  (e.g. ACFP) |  |

**Go to next page**

**Does the deceased have any significant assets?**

If yes, please include details below (including an approximate value in Australian dollars if known)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Cash held by QPS Trust Account** (or hospital/facility) |  | **Approximate value** |  |
|  | **House** (Residence or investment - include address below) |  | **Approximate value** |  |
|  | **Vehicle** (include make, model and year) |  | **Approximate value** |  |
|  | **Shares or other investments** |  | **Approximate value** |  |
|  | **Other** (please include details and value/s below) |  | **Approximate value** |  |

|  |
| --- |
|  |

**B5. Have I completed and signed a statutory declaration?**

To finalise your application, you will need to sign one of the statutory declaration templates on the next pages.

|  |  |
| --- | --- |
|  | If you or your Agency are located in Queensland, please complete the Queensland statutory declaration on **page 8.** |

|  |  |
| --- | --- |
|  | If your Agency is located in another state within Australia **OR** overseas, please complete the Commonwealth statutory declaration on **page 9-11.** |

**Your application is now complete**

Please visit your **nearest Magistrates Court** to submit your application in person **OR** email a signed copy of your application (clear and legible PDF scan) to your **nearest Magistrates Court** for checking (additional details in the first part of this form, from pages 1 to 3).

Except for circumstances where next of kin are located interstate or overseas (and are more difficult for QPS to contact or verify), most complete and correct applications will be processed by the Coroners Court of Queensland approximately in 2 – 10 business days (usually shorter timeframes will apply for Agency applications).

You will be notified of the outcome by email, to the address provided in your application (your notice will only be posted if you do not provide an email address, or it is not correct).

If approved, the authorised government contracted undertaker will be provided with the relevant details of your application and will make arrangements to conduct the funeral service (as an Agency applicant you will not be contacted further regarding the funeral service).

***Oaths Act 1867***

**Statutory Declaration**

**QUEENSLAND**

**TO WIT**

|  |  |  |  |
| --- | --- | --- | --- |
| I, | [Insert your full name here] |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| of | [insert your residential address here] | in the state of Queensland |  |

|  |  |  |  |
| --- | --- | --- | --- |
| do solemnly and sincerely declare that the deceased, | [Insert deceased’s full name here] |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| (herein after referred to as ‘the deceased’), died on | / / | at | [Insert place of death here] | . |  |

1. I am of the opinion that the estate of the deceased has insufficient funds to pay for the funeral;
2. I am unaware of a relative or other person who would be able/willing to provide funding.
3. I have performed a satisfactory search for next of kin (blood relatives) for the deceased through the Queensland Police Service and have included notes regarding the results of this search in the relevant section of this application.
4. I understand that the Funeral Assistance Scheme provides for a basic, conventionally shaped, stained and suitably lined coffin, and does not include viewings, church services, funeral notices, flowers or further conveyance costs.
5. Should I discover any assets belonging to the estate of the deceased, then I undertake to inform the Director-General, Department of Justice & Attorney General, or their authorised delegate.
6. Should any assets, yet to be discovered and forming part of the estate of the deceased, release any funds to me, then I undertake to pay those funds to the Director-General, Department of Justice and Attorney-General, Queensland, in satisfaction or part satisfaction of the costs incurred by that Government Department in attending to the funeral of the deceased.
7. For all cremations performed under the Funeral Assistance Scheme, the ashes of the deceased will be buried in accordance with s11 of the *Cremations Act 2003* if unclaimed within 12 months after the cremation, or if reasonable written instructions for disposal of the ashes are not provided.
8. I declare that the information disclosed in the attached application for assistance under the Funeral Assistance Scheme to be true and correct. I have not arranged a funeral for the deceased prior to making this application and will not make any attempts to make arrangements unless this application is not approved.
9. Accordingly, I request assistance pursuant to the Burials Assistance Act 1965 for the funeral of the deceased.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the

provisions of the *Oaths Act 1867*.

Signature of declarant/deponent

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Taken and declared before me at | [Insert location here] |  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| this | [Insert day here] | day of | [Insert month and year here] |

Commonwealth of Australia

**STATUTORY DECLARATION**

*Statutory Declarations Act 1959*

|  |  |  |  |
| --- | --- | --- | --- |
| I, | [Insert your full name here] |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | [insert your residential address here] |  | [insert your occupation here] |  |  |

, make the following declaration under the *Statutory Declarations Act 1959*:

1. I am of the opinion that the estate of the deceased has insufficient funds to pay for the funeral;
2. I am unaware of a relative or other person who would be able/willing to provide funding.
3. I have performed a satisfactory search for next of kin (blood relatives) for the deceased through the Queensland Police Service and have included notes regarding the results of this search in the relevant section of this application.
4. I understand that the Funeral Assistance Scheme provides for a basic, conventionally shaped, stained and suitably lined coffin, and does not include viewings, church services, funeral notices, flowers or further conveyance costs.
5. Should I discover any assets belonging to the estate of the deceased, then I undertake to inform the Director-General, Department of Justice & Attorney General, or their authorised delegate.
6. Should any assets, yet to be discovered and forming part of the estate of the deceased, release any funds to me, then I undertake to pay those funds to the Director-General, Department of Justice and Attorney-General, Queensland, in satisfaction or part satisfaction of the costs incurred by that Government Department in attending to the funeral of the deceased.
7. For all cremations performed under the Funeral Assistance Scheme, the ashes of the deceased will be buried in accordance with s11 of the *Cremations Act 2003* if unclaimed within 12 months after the cremation, or if reasonable written instructions for disposal of the ashes are not provided.
8. I declare that the information disclosed in the attached application for assistance under the Funeral Assistance Scheme to be true and correct. I have not arranged a funeral for the deceased prior to making this application and will not make any attempts to make arrangements unless this application is not approved.
9. Accordingly, I request assistance pursuant to the Burials Assistance Act 1965 for the funeral of the deceased.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*,and I believe that the statements in this declaration are true in every particular.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Declarant | [Your signature here] | |  |  | | --- | --- | | Declared at | [Insert location here] | |  |

|  |  |  |  |
| --- | --- | --- | --- |
| this | [Insert day here] | day of | [Insert month and year here] |

|  |  |
| --- | --- |
| Before me | [Witness signature here] |

|  |  |
| --- | --- |
|  | [Insert full name, qualification, and address of person before whom the declaration is made] |

*Note 1*   A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

*Note 2*   Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

**A statutory declaration under the *Statutory Declarations Act 1959* may be made before–**

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Architect Chiropractor Dentist

Financial adviser Financial Planner Legal practitioner

Medical practitioner Midwife Migration agent registered under Division 3 of Part 3 of the *Migration Act 1958*

Nurse Occupational therapist Optometrist

Patent attorney Pharmacist Physiotherapist

Psychologist Trade-marks attorney Veterinary surgeon

(2) a person who is enrolled on the role of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Accountant who is:

1. a fellow of the National Tax Accountants’ Association; or
2. a member of any of the following:
   1. Chartered Accountants Australia and New Zealand
   2. the Association of Taxation and Management Accountants
   3. CPA Australia
   4. the Institute of Public Accountants

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public

APS employee engaged on an ongoing basis with 5 or more years of continuous service who is not specified in another item in this list

Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of a Commonwealth authority engaged on a permanent basis with 5 or more years of continuous service who is not specified in another

item in this list

Employee of the Australian Trade and Investment Commission who is:

(a) in a country or place outside Australia; and

(b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and

(c) exercising the employee’s function at that place

Employee of the Commonwealth who is:

1. at a place outside Australia; and

(b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and

(c) exercising the employee’s function at that place

Engineer who is:

1. a member of Engineers Australia, other than at the grade of student; or
2. a Registered Professional Engineer of Professionals Australia; or
3. registered as an engineer under a law of the Commonwealth, a State or Territory; or
4. registered on the National Engineering Register by Engineers Australia

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of the Australian Defence Force who is:

1. an officer
2. a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service
3. a warrant officer within the meaning of that Act

Member of the Australasian Institute of Mining and Metallurgy

Member of the Governance Institute of Australia Ltd

Member of:

1. the Parliament of the Commonwealth
2. the Parliament of a State
3. a Territory legislature
4. a local government authority

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public, including a notary public (however described) exercising functions at a place outside

1. the Commonwealth
2. the external Territories of the Commonwealth

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office providing postal services to the public

Permanent employee of

1. a State or Territory or a State or Territory authority
2. a local government authority

with 5 or more years of continuous service, other than such an employee who is specified in another item of this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior executive employee of a Commonwealth authority

Senior executive employee of a State or Territory

SES employee of the Commonwealth

Sheriff

Sheriff’s officer

Teacher employed on a permanent full-time or part-time basis at a school or tertiary education institution