

# How to make a death benefit claim

We know losing a loved one can be a really difficult time in your life. If you need to make a death benefit claim, we'll be with you every step of the way.

**This guide will help you apply for a death benefit payment after an AMP member has passed away. It covers:**

1. What is a death benefit payment?
2. How we'll work with you in the claims process
3. Who's involved in the death benefit claim process?
4. The claims process
5. What happens if the claim is approved?
6. Tax implications

You'll also find answers to frequently asked questions and common definitions too.

## 1. What is a death benefit payment?

A death benefit payment is the monetary benefit payable from a super fund when a member passes away. It consists of:

- The member's super account balance
- Any death insurance cover (i.e. any insured benefit that may be payable)
- Any earnings on the super balance to the date of payment

We also deduct any applicable fees and taxes from the total benefit amount.



If the late member held a Defined Benefit policy, the death benefit claim approach is different. For information specific to Defined Benefit policies, please contact [amp\\_claims\\_admin@amp.com.au](mailto:amp_claims_admin@amp.com.au).

For more information on AMP Super and insurance, please read the relevant Insurance Guide and [Product Disclosure Statement \(PDS\)](#) and Member Guide. The Insurance Guide that applies is on the member's annual statement, or you can [contact us](#) to find out. These documents are available at [amp.com.au/pds](http://amp.com.au/pds)

## 2. How we'll work with you in the claims process

We'll connect you with a dedicated AMP Super claims specialist. Your claims specialist will oversee your claim and keep you updated, every step of the way.

We can also help you fill out any forms and guide you finding any supporting documents you need.

### We're committed to giving you support that's accessible.

If you need help communicating with us, you can:

- Call the **Translating and Interpreting Service** on [131 450](tel:131450).
- Use the **National Relay Service (NRS)** if you find it hard to hear or speak on the phone. You can call them on [1300 555 727](tel:1300555727) or visit [accesshub.gov.au](http://accesshub.gov.au)

If you're experiencing hardship, you can also find more support via:

- [Inclusion and diversity - Financial support - AMP](#)
- [Financial support - AMP](#)

If you're a First Nations Person, we're committed to giving you culturally appropriate support. Please [contact us](#).

### Did the member make a valid non-lapsing beneficiary nomination?

If we have a valid non-lapsing beneficiary nomination it generally takes up to 3 months from the time, we get the death certificate to process a claim. Otherwise, it usually takes up to 6 months.

Find out more about beneficiary nominations in the frequently asked questions or [learn more about beneficiary nominations](#)

## 3. Who is involved in the death benefit claim process?

There are three key parties in making a death benefit claim. Here's what everyone needs to do as part of their role in the process.

Who	Responsibility
You	<ul style="list-style-type: none"><li>- Fill out any forms sent to you</li><li>- Give any further information to your claims specialist, if they ask for it</li><li>- Keep your claims specialist updated of any changes, for example a change in contact details</li></ul>
The Insurer (if the deceased member held insurance)	<ul style="list-style-type: none"><li>- Review your documents</li><li>- Decide if an insured component of a death benefit can be paid, based on the policy definitions and information about the member's insurance cover</li></ul>
Us	<ul style="list-style-type: none"><li>- Manage the claims process</li><li>- Oversee the conduct of the insurer and other service providers</li><li>- Assign a dedicated AMP Super claims specialist to:<ul style="list-style-type: none"><li>- Explain the claims process to you and guide you through your claim</li><li>- Answer any questions you may have</li><li>- Keep you updated on the progress of your claim</li></ul></li><li>- Complete an independent review if the insurer doesn't believe an insured part of death payment can be made</li><li>- Decide who'll get a payment</li></ul>

## 4. The claims process



### 1. Notify us



### 2. Claim requirements



### 3. Assessment



### 4. Decision



### 5. Outcome

#### Step 1: Notify us

- There are four ways you can start the death benefit claim. You can visit us online, call us, write or email.
    - Fill out a form [online](#)
    - Call us on 1300 373 654, Monday to Friday 8:30am to 5:00pm (Sydney time)
    - Write to AMP Claims, PO BOX 6346, Wetherill Park NSW 1851
    - Email us at [amp\\_claims\\_admin@amp.com.au](mailto:amp_claims_admin@amp.com.au)
  - To start the claims process, you'll need to have the deceased person's:
    - First name, middle name and last name
    - AMP Super membership number (also referred to as an account number), if available
    - Date of birth
    - Date of death
- We need this information so we can make sure we are referring to the right person. We'll also need your contact details, such as name, email, phone number and postal address.
- Once we have that information, we'll give you a call and ask some questions. This is so we can send you the right claim pack and information.
  - To help protect the late member's super account balance, we'll then transfer the late member's super account balance to the cash investment option.

#### Need an easier way to tell multiple organisations that someone has passed away?

The [Australian Death Notification Service](#) is an easy way to tell multiple organisations that someone has passed away. This is an online service and can make closing or transferring their accounts easier, all in one go.

#### Step 2: Claim requirements

After we get notified of the claim, we'll:

Send you a claim pack, if you didn't use the online option to fill out the form. The claims pack includes:

- A claim form, which outlines the list of documents you need to give us (these help support your claim)
- The name and phone number of your dedicated AMP Super claims specialist
- Confirmation of a nominated beneficiary, if one is listed on the account
- An estimation of the late member's super account balance and whether there's a potential death insurance benefit payable (which is subject to insurer assessment)

Your AMP Super claims specialist will contact you within 5 business days of getting your initial claim form. This person will be your point of contact during the claims process. If you contact us with any claim questions, they'll get back to you within 10 business days.

**If you used the online form** to start your claim, someone will contact within 48 hours to confirm your details and explain next steps.

### Step 3: Assessment

- When we get your completed paperwork, we'll check to make sure we have everything we need. If there is something missing or incomplete, we'll let you know.
- We'll attempt to identify all potential beneficiaries who may have a claim to the benefit. We do this to meet our legal obligations and follow the fund rules.
- Once we have everything, we'll start assessing your claim. This can generally take anywhere from 3 to 6 months.
- During this process, we may need more information, especially if there are multiple claimants. This can add more time to the claims assessment process. Your claim specialist will contact you at least every 20 days. They'll let you know how the process is going and tell you if there are any delays.

#### Where the deceased member had insurance

- We'll submit the claim to the insurer. They'll decide whether to accept or decline the insurance claim. They'll tell us the outcome.
- If the claim is approved, the insured benefit will be added to the late member's super account balance and invested in the cash investment option.
- If the insurer declines the claim, we'll review the insurer's decision to understand why. If we believe the claim should have been approved, or if further information is needed, we'll work with the insurer to reconsider the claim decision. And we'll let you know the outcome.

### Step 4: Decision

- Who gets the death claim payment depends on if the deceased had a valid non-lapsing beneficiary nomination, or not. The death claim amount includes the insurance component (if any) and the super balance.
- **If there's a valid, non-lapsing beneficiary nomination:** We generally follow the law and pay the nominated beneficiary.
- **If there's no nomination:** We'll follow the relevant fund rules and pay the death benefit to the member's estate. If the Trustee cannot pay the estate, it may use its discretion to determine the beneficiaries.
- **If there are several potential beneficiaries, we need to go through a process known as 'claims staking':** We'll generally tell potential beneficiaries how we intend to pay the death benefit. Potential beneficiaries have 28 days to lodge an objection, if they don't agree with us. If we get an objection, we can't pay the death benefit until we resolve the objection.

### Step 5: Outcome

- Where there's no objection to our proposed payment decision, we'll ask you to give us:
  - Payment instructions
  - A completed Know Your Customer form, which we'll give to you to fill out
  - Certified proof of identity from the relevant beneficiaries
- The total death benefit payable will include the deceased member's super account balance plus any insured benefit (if the member held insurance and the insurer approved the claim).

## 5. How we make payments if the claim is approved

- We usually transfer the death benefit payment into the beneficiary's nominated bank account. We do this via electronic funds transfer (EFT). A beneficiary can also choose to get the benefit as an income stream (pension) in certain circumstances. Talk to your claims specialist if you're interested in this option.
- Payments to estates are usually made via EFT to a bank account in the estate's name.

## 6. Tax and death benefit payments

### Tax where a death benefit payment is made as a lump sum

The table below details the tax payable by Australian residents.

Who gets the death benefit payment?	Is tax payable?
A dependant, which includes: <ul style="list-style-type: none"> <li>- A surviving spouse or de facto</li> <li>- Any child (under 18) of the deceased</li> <li>- Any person financially dependent on the deceased at the time of death</li> <li>- Any person in an interdependent relationship with the deceased at the time of death</li> </ul>	No
The Legal Personal Representative (LPR) of the deceased member's estate	No tax is deducted from payments made to the estate/LPR, but tax may be payable when distributed to the beneficiaries, unless the beneficiary is a dependant.
A non-financial dependant of the deceased member or other person/s	Yes. The taxable portion will be taxed at 15% and any untaxed element will be taxed at 30% (plus the Medicare levy).  If we don't have a tax file number of the non-dependant, tax will be paid at the highest marginal tax rate (plus the Medicare levy).

### Tax where a death benefit payment is taken as an income stream

Who gets the death benefit payment?	Is tax payable?
A dependant aged 60 or over	No where you are receiving income from an account-based /allocated pension.  Where your total income, including any Termed Allocated Pensions, exceeds the Capped Defined Income Stream Cap, tax may be payable.
A dependant under the age of 60	No, not when the deceased is aged 60 or over.  Yes, when the deceased is aged under 60. In that case the taxable portion of the income are taxed at marginal rates, less a possible tax offset.
A dependant child of the deceased under the age of 25	No, not when the deceased was aged 60 or over.  Yes, when the deceased was aged under 60 the taxable portion of the income is taxed at adult marginal rates less a possible tax offset.  The benefit payment must be paid as a lump sum (tax free) when the beneficiary turns 25, unless the dependant child has a qualifying disability. If this is the case, the child can elect to take a single lump sum or continue the income stream.
A non-financial dependant	Must be paid as a lump sum and can't be paid as an income stream.

Please note in the Tax Act, the meaning of the term 'dependant' is slightly different to the meaning in SIS. The Tax Act does not count a child over 18 as a dependant whereas SIS classifies any child of the member as a dependant. It is also possible that you may be considered a 'financial dependant' under SIS and not under the Tax Act.

You can read more about tax on death benefits in the [Member Guide](#), which you can find at [amp.com.au/pds](http://amp.com.au/pds)

Visit the [ato.gov.au](http://ato.gov.au) for more information about [tax and death benefits](#)

We also recommend you get independent tax and financial advice, as everyone's circumstances are unique.

## Frequently asked questions

Question	Answer
<b>Who can get a death benefit?</b>	<p>Generally, a super death benefit can only be paid to:</p> <ul style="list-style-type: none"> <li>a) the late member's legal personal representative (LPR), and/or</li> <li>b) one or more of their dependants (for superannuation purposes).</li> </ul> <p>If we're unable to find a LPR or a dependant, after making reasonable enquiries, we may pay the benefit to another person.</p>
<b>Who is considered a dependant?</b>	<p>Dependants include the member's spouse or de facto spouse, children and anyone who was financially dependent on the member, or in an interdependency relationship with them, when they died.</p> <p>A spouse, or de facto spouse, is someone (whether of the same sex or a different sex) with whom the member is in a relationship that is registered under a law of a State or Territory, or another person who, although not legally married to the person, lives with the person on a genuine domestic basis in a relationship as a couple.</p> <p>A child includes:</p> <ul style="list-style-type: none"> <li>a) an adopted child, a stepchild or an ex-nuptial child of the member</li> <li>b) a child of the member's spouse, and</li> <li>c) someone who is a child of the member within the meaning of the Family Law Act 1975.</li> </ul> <p>There is no age limit imposed on this definition. This means that an adult child can apply for a death benefit, but minor children and financially dependent children will be considered first.</p> <p>Where we decide to pay to a child under age 18, we may need a surviving parent or guardian to accept the benefit in trust for the minor child or children.</p> <p>A financial dependent is someone who relied on the member to help them meet their daily living expenses and any shared financial commitments.</p> <p>An interdependency relationship exists when two people have a close personal relationship and live together, and one or each of them provides the other with financial and domestic support, and personal care. An interdependency relationship may also exist if two people have a 'close personal relationship' which does not meet the other criteria, because one or both suffer from a disability, or they are temporarily living apart.</p> <p>Note: This definition is for superannuation purposes, but the meaning in the Tax Act is different.</p>
<b>Who is considered a Legal Personal Representative (LPR)?</b>	<p>The LPR is an executor named in the late member's will. They can be granted Probate (which authorises the executor to manage the member's estate in accordance with the will). If there's no will, the LPR is the administrator of the late member's estate. They'll be granted Letters of Administration. Probate and Letters of Administration are court orders granted by the Supreme Court of the State or Territory in which the deceased died.</p>
<b>What if there are no dependants or LPR?</b>	<p>If there are no dependants or LPR, we'll consider paying the death benefit to another person, such as parents or siblings.</p>
<p>It's important to know that super doesn't automatically form part of the deceased's estate. Its purpose is not to pay the debts of the member's estate.</p> <p>Rather, super is about helping those who had a right to financial support from the member, before they died. This means that where there are known dependants, we'll usually consider their claims as a priority over an estate.</p>	
<b>What if there's a non-lapsing death benefit nomination on the account?</b>	<p>Where a member has a valid non-lapsing death benefit nomination at the time of their death, we're generally legally bound to pay the death benefit as per the nomination.</p>

## Frequently asked questions (Continue)

Question	Answer
<p><b>When is a non-lapsing death benefit nomination invalid?</b></p>	<p>We'll automatically treat the nomination as though there was a no nomination if:</p> <ul style="list-style-type: none"> <li>- any nominated beneficiary dies before the member dies</li> <li>- any nominated beneficiary (other than the LPR) is not a dependant at the date of the member's death, or</li> <li>- the member's relationship changes after making the non-lapsing nomination form, for example, they got married (unless they married their nominated spouse), entered a de facto relationship, got divorced or their de facto relationship ended.</li> </ul> <p>If they cancelled their nomination without making another nomination, then we must pay the death benefit in accordance with the no nomination option.</p>
<p><b>What if there's no non-lapsing death benefit nomination on the account?</b></p>	<p>Where there's no valid non-lapsing nomination, we'll consider any nominated beneficiaries. However, as we're not legally bound by the nomination, we'll need to decide how the benefit can be paid (in accordance with super law and the fund rules). This is done after all potential beneficiaries apply and we get the necessary documents.</p>
<p><b>What if the late member held a pension and nominated a beneficiary to get their pension? (This is a reversionary beneficiary.)</b></p>	<p>If the late member held an AMP pension, they may have nominated a reversionary beneficiary to get their pension. This pension will continue with the same investment and payment instructions. The late member's spouse or de facto partner can be nominated for this purpose.</p> <p>It's important to understand that a reversionary beneficiary nomination overrides any other beneficiary nominations, including a non-lapsing nomination.</p> <p>The member can also nominate someone other than a spouse (married/de facto) to continue the pension. To do this, they must meet the following:</p> <ul style="list-style-type: none"> <li>(a) is a dependant of the member; and</li> <li>(b) in the case of a child of the member: <ul style="list-style-type: none"> <li>(i) is less than 18 years of age; or</li> <li>(ii) being 18 or more years of age: <ul style="list-style-type: none"> <li>(A) is financially dependent on the member and less than 25 years of age; or</li> <li>(B) has a disability of the kind described in subsection 8(1) of the Disability Services Act 1986.</li> </ul> </li> </ul> </li> </ul>
<p><b>How can I help speed up the claim?</b></p>	<p>We have a duty to pay a member's benefit without unnecessary delay.</p> <p>Generally, the easiest way to speed up your claim is to include all the documents we ask for with your application and to reply to requests quickly.</p> <p>Where we've been advised of a member's death and are unable to contact a beneficiary after several attempts, we must report and pay unclaimed super monies to the Australian Taxation Office (ATO). This is because we cannot ensure payment of the benefit to a person entitled to get the benefit. To learn more about ATO unclaimed monies, <b>visit <a href="http://ato.gov.au">ato.gov.au</a></b></p>
<p><b>What happens if I'm not happy with the decision?</b></p>	<p>If a claimant doesn't agree with how we propose to distribute the death benefit, they can submit a complaint within 28 days.</p> <p>We'll review their concerns and give a response. If they're not satisfied with our decision, they can contact the <a href="http://afca.gov.au">Australian Financial Complaints Authority (AFCA)</a>. AFCA is an independent body. They're set up by the government to help resolve complaints relating to superannuation, including the payment of death benefits. We'll give you further details about this process and AFCA's contact details if needed. AFCA time limits may also apply. You can also learn more at <b><a href="http://afca.org.au/make-a-complaint">afca.org.au/make-a-complaint</a></b></p>
<p><b>How long does the claim take to be assessed and a decision made?</b></p>	<p>It generally takes five business days to review your claim paperwork and decide next steps.</p> <p>If we don't have all the information we need, we can't progress your claim.</p> <p>It typically takes 2-3 months to fully assess a claim. For complex cases, involving multiple potential beneficiaries, it may take longer (up to, but generally not longer than 6 months).</p> <p>In most cases, once a decision is made, and there are no objections from the potential beneficiaries, the claim can be paid. If the claim is in dispute the benefit will not be paid until a response to the complaint has been given and there are no more objections.</p> <p>Your claims specialist will update you regularly on how the claim is progressing. You can also contact them at any time for an update.</p>

## Frequently asked questions (Continue)

Question	Answer
<b>What happens if the insurer declines the death insured benefit?</b>	<p>If the insurer decides that the insurance claim should be declined, they'll write to us. They'll include a copy of all the evidence they relied on to reach their decision and an explanation. They'll refer to the evidence and the insurance policy, as to why they made this decision.</p> <p>We'll review the decision.</p> <p>If we disagree, we'll ask for clarification, or challenge the decision on the potential beneficiary's behalf. In some cases, we may need to ask for more information to support the claim.</p> <p>If we agree with the insurer's decision, we'll write to the potential beneficiary with the decision. We'll also advise on further steps they can take if they disagree.</p> <p>Where a claimant is not happy with the final decision, they can submit a complaint to us. If the complaint is not resolved to their satisfaction, they can contact AFCA.</p>
<b>Do I need legal representation?</b>	<p>We cannot advise you on legal issues that may arise out of your claim. It may become necessary for you to obtain legal advice. This is entirely up to you. Please note that:</p> <ul style="list-style-type: none"> <li>- your dedicated AMP Super claims specialist will help you through each step of the process</li> <li>- we have a legal obligation to act in the best interests of our members and their beneficiaries</li> <li>- all claims are assessed on a fair and reasonable basis</li> <li>- you'll need to pay for the costs involved in having your own legal representative.</li> </ul>
<b>Will funeral expenses be reimbursed?</b>	<p>No. Under our Trust Deed and superannuation law, there's no specific provision that permits payment or reimbursement of funeral expenses from a superannuation death benefit.</p> <p>Paying funeral expenses does not make someone a dependant for superannuation purposes.</p>

## Definitions

Term	Definition
<b>Child</b>	Includes both minor and adult children, as well as adopted and stepchildren. Children who are financially dependent and / or under the age of 18 may be eligible to get a larger share of the benefit.
<b>Financially dependant</b>	<p>A person who is <b>financially dependant</b> is a person wholly, or partially, dependent on the late member for necessary financial support on a regular, ongoing and expected basis. This can include money, or other support such as food, clothing, transport, education or accommodation costs. It doesn't include loans or one-off gifts.</p> <p>People like your parents, siblings, or even a charity are not automatically viewed as a financial dependant.</p>
<b>Interdependent</b>	<p>An <b>interdependent</b> is where you're in an interdependency relationship with the deceased member when they die. To be an interdependent relationship, all the following criteria need to be met:</p> <ul style="list-style-type: none"> <li>- you have a close personal relationship, that's not necessarily family</li> <li>- you live with the person</li> <li>- one or both of you give financial support, and</li> <li>- one or both give the other domestic support and personal care.</li> </ul> <p>An interdependency relationship also includes two people who (whether or not related by family):</p> <ul style="list-style-type: none"> <li>- have a close personal relationship, and</li> <li>- don't meet the other three criteria listed in the paragraph above because either or both suffer from a physical, intellectual or psychiatric disability.</li> </ul>
<b>Legal personal representative (LPR)</b>	<p>A legal personal representative is the person appointed by a court to manage the estate. This is usually an executor, if the member left a will. Or an administrator, if there was no will.</p> <p>If the member nominated their estate or LPR, they can specify in your will how to distribute their super money. It's important that the will is up to date, so that an LPR pays out super money according to the member's wishes.</p>

## Definitions (Continue)

Term	Definition
<b>Non-Lapsing nomination</b>	A non-lapsing nomination doesn't expire and continues to apply until the member chooses to update or cancel it. However, the nomination becomes invalid if certain life events happen, like the member got married, divorced or the nominated beneficiary dies or is no longer a dependant.
<b>Solvency</b>	Refers to the deceased person's estate (their assets) being able to fully cover all their outstanding debts and financial obligations.  Note that the Trustee can only pay to an LPR that is solvent.
<b>Spouse (legal or de facto)</b>	A spouse is a person that the deceased member was married to at the time of their death. It can also be someone who was living with the deceased member at the time of their death in a genuine domestic relationship as a couple.  A spouse can be opposite or same sex.

### Contact us



Call 131 267 from 8:30am to 7:00pm AEDT or



email to [amp\\_claims\\_admin@amp.com.au](mailto:amp_claims_admin@amp.com.au)

### What you need to know

Any advice and information provided in this flyer is general in nature and is provided by AWM Services Pty Ltd ABN 15 139 353 496, AFSL No. 366121 (AWM Services). It doesn't consider your personal goals, financial situation or needs. It's important you consider the appropriateness of any advice and read the relevant product disclosure statement and target market determination available at [amp.com.au](http://amp.com.au), before deciding what's right for you. You should carefully consider your insurance in your superannuation fund before cancelling it to take up new insurance in another superannuation fund. AWM Services is part of the AMP group and can be contacted on 131 267 or [askamp@amp.com.au](mailto:askamp@amp.com.au). AMP Super refers to SignatureSuper® which is issued by N.M. Superannuation Proprietary Limited (NM Super) ABN 31 008 428 322 and is part of the AMP Super Fund (the Fund) ABN 78 421 957 449. NM Super is the trustee of the Fund.