



Victims of Crime Assistance Tribunal

**Guideline No. 1 of 2010**

**FINANCIAL ASSISTANCE FOR FUNERAL EXPENSES**

**Purpose**

This Guideline is issued by the Chief Magistrate pursuant to section 45(1A) of the *Victims of Crime Assistance Act 1996* (the Act) for the purpose of assisting the Tribunal to determine the reasonableness of an application for an award of financial assistance for funeral expenses.

**Funeral Expenses**

The Tribunal may award financial assistance for funeral expenses actually and reasonably incurred, or reasonably likely to be incurred by a person as a direct result of the death of a primary victim of an act of violence (section 13(2) and section 15 of the Act). An award for funeral expenses must be deducted from the total maximum cumulative amount (\$100,000) that may be awarded to all the related victims of any one deceased primary victim pursuant to section 12 of the Act.

**Reasonable Funeral Expenses**

The following table provides a guide as to how the Tribunal may approach its determination as to what constitutes reasonable funeral expenses for burials and cremations: <sup>1</sup>

| Service Description   | Reasonable Cost (\$AUD excl GST) |                |
|---|----------------------------------|----------------|
|   | Burial                           | Cremation      |
| Professional fees - (Range between \$3,200 and \$3,800, includes transportation of deceased to and from service to cemetery or crematorium) | \$3,500                          | \$3,500        |
| Cemetery fees - (Grave and interment)   | \$3,400                          | \$1,900        |
| Coffin/casket - (Minimum cost is \$1,000)   | \$1,750                          | \$1,750        |
| Memorialisation plaque - (Simple identification plaque)   | \$750                            | \$750          |
| Miscellaneous - (E.g., flowers, press notice, death certificate, clergy)  | \$1,100                          | \$1,100        |
| <i>Subtotal (excluding GST)</i>   | <i>\$10,500</i>                  | <i>\$9,000</i> |
| Plus GST  | \$1,050                          | \$900          |
| <b>Total</b>  | <b>\$11,550</b>                  | <b>\$9,900</b> |

It would be unusual for the Tribunal to exceed the above amounts in the consideration of an interim award of financial assistance for funeral expenses.

<sup>1</sup> The table reflects the amounts that the Australian Funeral Directors Association (AFDA) considers to be the average reasonable cost for a burial or cremation held in metropolitan Melbourne and regional Victoria at the time of issuing this Guideline.

The table does not include expenses incurred for:

- Catering
- Wake
- Multiple vehicles
- Memorials such as a crypt, headstone, monument.
- Mausoleums
- Interment, placement or scattering of ashes
- Thank you notes or similar
- Burial or cremation fees outside the Commonwealth of Australia

At the time of issuing this Guideline, the Transport Accident Commission and WorkSafe Victoria do not fund payment of the above expenses as part of their payment for reasonable funeral expenses.

The Tribunal may not fund the above expenses as part of an award for funeral expenses, however may depart from this Guideline in circumstances where it considers these expenses to be reasonable.

#### **Commencement date**

The Guideline has effect from 1 September 2010.



**DANIEL J MULING**  
Acting Chief Magistrate

24 August 2010