

This fact sheet explains the process for claiming a death benefit from the Police Superannuation Scheme. It's a good idea to keep a copy of this sheet with your will.

Remember, it is important to make a will and keep it up to date. Dying without a will can place unnecessary financial and emotional strain on your family and delay payment of your benefit in the scheme.

WHO WILL THE DEATH BENEFIT BE PAID TO?

Under the scheme's trust deed, the trustee can only pay the death benefit to your legal personal representative. This means your executors (if you have a will) or the administrators of your estate (if you do not have a will).

An executor is someone who has been granted probate by a District Court. The court issues a probate document naming them as the person(s) legally entitled to administer the estate. The executor is responsible for distributing the estate in accordance with your will.

If you die intestate (without a will), someone will need to apply to the court for letters of administration – a document appointing them as administrator of your estate. They are required to distribute the estate in accordance with the Administration Act 1969. This Act sets out a list of people entitled to a share of your estate. It is therefore possible that distributing your estate under this Act could result in someone you would like to receive a part of your estate missing out because they are not eligible.

HOW TO CLAIM A BENEFIT

Your legal personal representative can claim your benefit by writing to the scheme's administration manager Mercer at PO Box 1849, Wellington 6140.

They will need to include a:

- copy of the probate document or letters of administration
- certified copy of the member's death certificate.

Mercer will also need a *Leaving form*. Your legal personal representative will need to complete the member's details section at the top of the form, including their bank account details, and forward the form to Police Payroll. Payroll will complete the employer section and forward the form to Mercer for processing.

If a member dies while in service, Payroll will usually liaise directly with your solicitor/legal personal representative and make sure they have a copy of the form.

WHAT HAPPENS IF THE MEMBER HAS USED THEIR BENEFIT AS SECURITY FOR A LOAN?

If the member has used their benefit in the scheme as security for a loan from the Police and Families Credit Union or another lender, they may have a charge registered to that lender. If so, Mercer is required to notify the lender of the pending benefit payment by completing a *Discharge of registered charge form*. The lender is eligible to claim the amount of any outstanding loan.

If a claim is made, the form will be sent to your legal personal representative to authorise. Any amount claimed by the lender will be paid to them at the same time the balance (if any) is paid to your legal personal representative.

A NOTE FOR SOLICITORS

Whatever the value of the estate, we can only pay a member's death benefit to their legal personal representative. If you are not the executor or administrator, we will need a letter from the legal personal representative appointing you to act on their behalf and authorising us to pay the benefit into a solicitor's trust account.