



Citizens **Information** Board  
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The background of the entire page is a deep blue. It features several dandelion seed heads. One is in sharp focus in the upper right, another is in the lower left, and a third is in the middle right, slightly out of focus. The stems of the dandelions are thin and brown.

# Bereavement

## A practical guide

# Bereavement during COVID-19

Dealing with the loss of a loved one is different **during COVID-19**.

To **protect public health**, there are limits on the number of people who can attend social gatherings like funerals and wakes. You must also **wear a face mask** and maintain a social distance of at least 2 metres (6.5 feet) from other mourners.

You can get more information about current COVID-19 restrictions on **Gov.ie**. You can also find out about **death and bereavement during COVID-19** on [citizensinformation.ie](https://citizensinformation.ie).

If you need more support, a **confidential bereavement helpline** is available from the Irish Hospice Foundation and Health Service Executive (HSE). The freephone service on 1800 80 70 77 is available Monday to Friday from 10am to 1pm.

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This guide is published by the **Citizens Information Board (CIB)**. It offers general information and is not a legal interpretation.

The Citizens Information Board is the national agency responsible for supporting the provision of information, advice and advocacy on social services and for the provision of the **Money Advice and Budgeting Service (MABS)** and the **National Advocacy Service** for people with disabilities.

January 2021

# Introduction

This booklet is a guide to some of the practical concerns you may have when someone close to you dies.

It answers questions you may have on accessing money, getting help with funeral expenses, dealing with your loved one's estate, and other practical issues you may be worried about.

Bereavement can be overwhelming and you may be going through many different emotions. Don't be afraid to ask for help if you need it. We have listed organisations that can help you at the end of this booklet.

The **Citizens Information Phone Service** and your **local Citizens Information Centre** can also give you advice and help with any questions you may have. See page 22 for contact details and further information.

If you are reading this booklet online, you can click any text that is **bold** to find out more. You can also get more information on the topics in this booklet by calling the Citizens Information Phone Service or contacting your local Citizens Information Centre.

# First steps after a death

## Registering the death

Every death in Ireland must be recorded and registered at a **civil registration office**. You should **register the death** as soon as possible. It must be registered within 3 months. You need a death notification form, which you can get from the doctor who attended your loved one. Normally, a close family relative registers the death. If there are no relatives available to do this, the death can be registered by anyone who has knowledge of the death.

You should bring the death notification form and your own photo ID to a civil registration office. You can **find your local office on the hse.ie website**, or call 1850 24 1850, 9am to 5pm, Monday to Friday. You need some personal details of the person who died, including their **PPS number** and their parents' full names. You can usually get a Death Certificate from the registrar at the time of registering the death.

You will not be charged a fee to register a death. However, there is a fee of €20 for a full standard death certificate. There is no fee for a copy for social welfare purposes but you need a letter from the **Department of Social Protection (DSP)** to confirm this. You can contact the DSP on 01 704 3000, 9am to 5pm, Monday to Friday.

Sometimes a death is referred to **the coroner**. This happens when the cause of death is not known and cannot be certified by the doctor who attended upon the person who died. When this happens, you may have to wait some time before you get a death certificate. The coroner's office gives you an interim death certificate, which you can use to notify the DSP, **Revenue** and other State or financial institutions.

## Death abroad

If your loved one died outside Ireland, you should contact the Irish embassy or consulate. You can **find a list of Irish embassies and consulates** online at [dfa.ie](http://dfa.ie), or call 01 671 1633, 8am to 5pm, Monday to Friday. An undertaker in Ireland can help you deal with the formalities and arrangements and help you to find a suitable funeral director in the other country. **Bringing the body of your loved one home** (known as repatriation) can be complicated and costly.

## Who should I notify of the death?

You should tell a number of State institutions that **your loved one has died**. If the person was getting a State pension or another **social welfare payment**, you must inform the DSP that they have died. You must also inform the DSP if you were getting **Carer's Allowance** or **Carer's Benefit** for looking after your loved one.

Telling other people that your loved one has died can be very difficult. You can ask a friend or family member to help you to contact your loved one's friends, work colleagues and family.

It is customary to place a notice in a local or national newspaper when a death has taken place. This is now often done online through services like **RIP.ie**. You can contact RIP.ie on 041 684 9801. Your funeral director can help you with this if necessary.

# Funeral arrangements

One of the first things you have to do after the death is to make funeral arrangements. An undertaker or funeral director can deal with most aspects of the funeral. The Irish Association of Funeral Directors (IAFD), [iafd.ie](http://iafd.ie), has a list of funeral directors by county. You can contact the IAFD on 0818 935 000. There is a code of practice that explains what you can expect from its members.

If your loved one died in hospital, their body will be brought to the hospital mortuary until funeral arrangements are made. You can choose to bring your loved one home or have them brought to a funeral home.

Your loved one may have left instructions **in their will** about the type of funeral they wanted, where they wanted their remains laid to rest and if they wanted a religious or non-religious funeral service.

You may prefer a small private funeral or you may feel a large funeral is more appropriate. In general, this is a personal choice that you and your family should make. During COVID-19 public health restrictions, there may be **limits on the number of people** allowed at a funeral. The solemniser of the ceremony can help make the funeral personal and special.

## Funeral costs

In some cases, a funeral may be partially or fully paid for in advance, or **the funeral costs** are covered by an insurance policy. Otherwise, the person who arranges the funeral is liable to pay the funeral director for the cost of the funeral. This can be repaid from **your loved one's estate** (the money and property the deceased person left behind).

You should discuss the funeral costs with other relatives, so that you do not feel under pressure to cover the whole cost of the funeral yourself.

If you have difficulty paying for the funeral you can apply for help from the DSP. Funeral expenses are **an exceptional need**, and you can apply for assistance from your **local Intreo centre**. You should complete **forms SWA1** and **SWA5**, which are available online and at your local Intreo centre or **Citizens Information Centre**.



# Accessing money

When a person dies, their **property passes to their personal representative**. The personal representative then distributes the deceased's person's assets (money, possessions and property) in accordance with the law, the will - if there is one - or the laws of intestacy **if there is no will**. These assets are described as the **deceased person's estate**.

We describe how this works on page 19.

## Money in bank accounts

If **money is held** in the deceased person's name only, then family members usually cannot get access until probate is granted to the personal representative.

But if the amount in an account is small, the bank may release it to the personal representative or the next of kin.

## Bank accounts in joint names

If the bank account is in the joint names of your loved one and their spouse or civil partner, the money can usually be transferred into the surviving spouse or civil partner's name. You will need the death certificate to do this.

If the bank account is in the joint names of the deceased person and someone else, and the bank was given instructions when the account was opened that the other person was to receive the money on the death of the deceased, the money can be transferred into the survivor's name.

If there is an account with more than €50,000, you will also need a letter of clearance from Revenue allowing the money to be transferred to the surviving account holder, pending investigations about **Capital Acquisitions Tax (CAT)** liability. CAT is a form of inheritance tax.

Spouses and civil partners do not have to pay CAT on inheritances from each other. See page 17.

Where the bank has no instructions, the intentions of the deceased person will have to be examined (for example, by referring to their will).

## Credit union accounts

If the deceased person had a credit union account and **completed a valid Nomination Form** when opening the account, the money in the account up to a maximum of €23,000 goes to the nominated person or persons. Any remaining balance forms part of the deceased's estate and is distributed in accordance with succession law.

You can **contact the Irish League of Credit Unions** on 01 614 6700 between 9:00am to 4:45pm, Monday to Friday.

## Post office savings

Your loved one may have left instructions on what happens to their post office savings account on a 'nomination form'. If the amount is less than €25,000, you can send a claim form, along with the death certificate and will (if there is one). You can get more information from your local post office.

If the amount is over €25,000, the money can be released after probate is granted.

You can **contact An Post Money** on 01 705 8000.

## Occupational and personal pensions

The rules governing **occupational pensions** and **personal pensions** depend on the terms of the pension. If your loved one was a member of a pension scheme, you should contact the scheme administrators to find out if there is a pension for the spouse, civil partner and/or children. Self-employed people may have pension arrangements that involve some of the investments becoming part of the estate when the person dies.

Divorced people and people whose civil partnership has been dissolved **may have access to some part of the pension scheme** depending on whether a pension adjustment order was made at the time of the divorce or dissolution.

# Loans and debts

You may be concerned that your loved one **left behind debts** that have to be repaid.

## Personal loans, credit cards and overdrafts

You are only liable (responsible) for those debts that you yourself have signed for. If you are having difficulty making repayments on a loan in your own name or in joint names, you should let the company know what has happened and ask for time to work out what you can afford, given your changed circumstances.

Repayments on a loan in the sole name of your loved one should be paid out of the estate. If you are asked to take over payments on a loan that is in the sole name of your loved one, you do not have to do this. Get advice if you are not sure what to do. **MABS** provide free, confidential and independent advice on a range of financial matters. You can contact MABS on 0818 07 2000, 9am to 8pm, Monday to Friday.

Credit cards, bank overdrafts and personal loans are known as 'unsecured debts'. With unsecured debt, the creditor (the institution that is owed) does not have the right to take a particular item of property if the debtor does not pay. These debts are repaid from the estate. You only have to repay debts yourself if they were taken out in joint names.

If there is not enough money in the estate to repay unsecured debts that were taken out solely by the person who has died, and the debts are not covered by an insurance policy, the creditor cannot ask anyone else to repay the debt.

## Mortgages

If you have a mortgage that was taken out with your loved one, you should check if repayments are covered by **mortgage protection insurance**.

If it is not covered, then you have to continue repaying the mortgage. If you have difficulty in paying, you should talk to your mortgage provider. You can also get advice from MABS.

## Financial difficulties

If you are experiencing financial difficulties after a bereavement, you can get advice from your local MABS.

**Free Legal Advice clinics** are available throughout the country and they operate a telephone information and referral line on (01) 874 5690 or Lo-call: 1890 350 250. You can find details of what clinics are available through your local Citizens Information Centre, see [centres.citizensinformation.ie](http://centres.citizensinformation.ie).



# Income supports

If you were **married**, in a **civil partnership**, or have dependent children, you may qualify for a social welfare payment. The type of payment you should apply for depends on your relationship with the person who has died. If your partner was getting a social welfare payment, you may be able to continue to get the payment for 6 weeks after the death.

## Payments for widows, widowers and surviving civil partners

To qualify for these weekly payments, you must have been married to, or in a civil partnership with the person who has died.

### **Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension**

Either you or your late spouse or civil partner must have enough **Pay Related Social Insurance (PRSI) contributions** to qualify for this payment. At the age of 66, your payment increases to the **State Pension (Contributory)** rate.

### **Widow's, Widower's or Surviving Civil Partner's (Non-Contributory) Pension**

This is a means-tested payment for widows, widowers or surviving civil partners aged under 66 who do not have dependent children and who do not qualify for the Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension. At the age of 66 you transfer to the **State Pension (Non-Contributory)**.

## Payments for parents of dependent children

### One-Parent Family Payment (OFP)

This is a means-tested payment. You can apply for this if you do not qualify for Widow's, Widower's or Surviving Civil Partner's Contributory Pension. You may get OFP if your youngest child is under 7, or you get **Domiciliary Care Allowance** for any of your children. Otherwise, you can get the payment for up to two years from the date of death, provided your youngest child is aged under 18.

### Widowed or Surviving Civil Partner Grant

This is a once-off payment to widows, widowers or surviving civil partners with dependent children. You may qualify for this grant if you are eligible for certain social welfare payments. You do not qualify for this payment if you and your partner were cohabiting.

### Guardian's Payment

If you are taking care of a child that has lost a parent (or parents), you may get a Guardian's Payment. Entitlement to the Guardian's Payment (Contributory) is based on the PRSI contributions of the child's parent or step-parent. The Guardian's Payment (Non-Contributory) is granted based on a means test of the child's Income.

## Death Benefits under the Occupational Injuries Benefit (OIB) Scheme

You may be entitled to this scheme if your spouse or civil partner died as a result of:

- An accident at work (or travelling to or from work)
- An occupational disease
- A work-related disability

## Other payments

You may be able to claim other social welfare benefits and payments, depending on your circumstances.

**Supplementary Welfare Allowance** Scheme – this includes a weekly allowance for people who have little or no income, as well as an **Exceptional Needs Payment** for people who can't afford essential, once-off costs, such as funeral costs.

**Living Alone Increase** – this is a weekly payment for people receiving certain social welfare payments who are living alone.

**Household Benefits Package** – this is a package of allowances to help with the costs of running your home. It provides older people or people getting certain social welfare payments with help towards gas or electricity bills and a free TV license.

**Fuel Allowance** – this is a payment to help with the cost of heating your home during the winter. It is paid to people who are on long-term social welfare payments and who are unable to provide for their own heating needs.

**Telephone Support Allowance** – this is a weekly payment to help with the cost of communications and/or a home alert system. It is paid to people on certain social welfare payments who are also getting both the Living Alone Increase and Fuel Allowance.

**Free Travel Scheme** – this lets you travel free on public transport and some private transport services in Ireland.



# Tax

There are special arrangements for income tax in the year of death and you may be entitled to some **tax credits**.

## Death of a single or widowed person

The normal tax credits for the whole year apply. Any refund becomes part of their estate.

## Death of a spouse or a civil partner

The way you are taxed in the year depends on how you and your spouse or civil partner were taxed before they died.

If you were both taxed as single people, you get a higher personal tax credit in the year of death. This is called the Widowed Person or Surviving Civil Partner Tax Credit.

If you were taxed under separate assessment, you get the Widowed Person or Surviving Civil Partner Tax Credit in the year of death. You may also be entitled to unused tax credits that were allocated to your spouse or civil partner.

If you are jointly assessed for tax, how you are taxed depends on which of you was the assessable person. Usually this is the higher income earner unless you choose otherwise.

If you are the assessable person, you:

- Pay tax on your full income for the full year in the normal way
- Pay tax on the income of your spouse or civil partner up to the date of death
- Continue to receive the rate band and tax credit for a married couple or civil partners.

If your spouse or civil partner was the assessable person you:

- Get the Widowed Person or Surviving Civil Partner Tax Credit in the year of death
- Pay tax on your income from the date of death

## Tax credits in the years after the year of death

If you have dependent children, you get:

- A Widowed Person or Surviving Civil Partner's (with dependent children) Tax Credit
- A Single Person Child Carer Credit
- A Widowed Parent Tax Credit (only available for the first 5 years after the death)

Visit **[citizensinformation.ie](https://www.citizensinformation.ie)** for up to date information on tax credits and other rates.

# Capital Acquisitions Tax

If you get an inheritance following a death, you may have to pay tax on it. This is a type of **Capital Acquisitions Tax (CAT)** and must be paid by the person who receives the inheritance.

The tax payable depends on the value of the inheritance and the relationship between you and the person who has died. If you get an inheritance from your spouse or civil partner, you do not have to pay CAT.

There are three groups with different limits for CAT.

## 1. Group A

This group involves inheritances given by parents to their children. In very limited circumstances it may also apply to inheritances given to a grandchild, nephew or niece, or to an inheritance received by a parent.

Group A has the highest limit. As of January 2021, this is €335,000. This means you can inherit up to €335,000 from a parent without having to pay tax on it.

## 2. Group B

This group applies to inheritances given to a parent, brother, sister, nephew or niece, grandparent, grandchild or great-grandchildren.

As of January 2021, this limit is €32,500. This means you can inherit up to €32,500 without having to pay tax on it.

## 3. Group C

This group applies to any relationship not included in Group A or Group B.

As of January 2021, the limit on what you can inherit in this group is €16,250.

CAT is paid at the rate of 33% (as of January 2021).

If you received a gift from the person during their lifetime, this may also be included in calculating the CAT threshold.

If you get an inheritance from a relation of your deceased spouse or civil partner, you can be assessed under the same group as they would have been.

## Family home

There is no CAT on an inheritance of a family home if:

- You are the spouse or civil partner of the deceased person, or
- The house was your principal private residence and you do not have an interest in any other residential property.

However, there are rules about how long you must have lived in the house.

# Dealing with your loved one's estate

In order to get authority to administer the estate you must get a legal document called a **Grant of Representation**. This is a legal order that gives you the authority to administer the deceased person's estate.

If the deceased person left a will, the person who deals with the estate is called the deceased person's executor. The executor needs to take out probate.

Taking out probate means having the Probate Office or the appropriate District Probate Registry certify that:

- The will is valid
- All legal, financial and tax matters are in order

Wills only take effect when **the Probate Office** accepts that the will is valid. The will is said to have been 'proved'. The Probate Office may make some enquiries before making its decision, for example, it may require a sworn affidavit from one or both witnesses. You can **contact the Principal Probate Registry** on 01 888 6174, Monday to Friday, from 10am to 1pm and 2pm to 4:30pm.

If there is no will, the person who deals with the deceased person's estate is called an 'administrator'. An administrator may also be appointed if there is a will but:

- No executor has been appointed
- The appointed person cannot act as executor
- The executor cannot or will not carry out their duties

The administrator needs to take out a Letter of Administration (or a Letter of Administration with Will Annexed if there is a will).

Usually, the next of kin applies for a letter of administration. Priority is given in the following order:

- Spouse or civil partner
- Child
- Parent
- Brother or sister
- More distant relative

The Probate Registrar will decide if there is doubt about who is entitled to be the administrator. The administrator must give an administration bond to the Probate Office - this is a sort of guarantee that you will carry out your duties properly.

The duties of the executor and administrator are broadly the same. If you are not sure about these roles, you should get legal advice from a solicitor.

## Who can inherit?

If the person who has died left a valid will, the personal representative will distribute the deceased person's assets according to their wishes.

Even if a spouse or civil partner is not named in the will, they may still be entitled by law to a minimum share of the person's assets. Children do not have the same right but can apply to court if they feel they have not been adequately provided for in the will.

**Cohabiting couples** do not have automatic inheritance rights. If you are in a cohabiting relationship and your partner dies without a will, you have no right to any share of the estate no matter how long you were together, apart from what was held jointly.

## If there is no will

If you **die without leaving a will**, then your estate will be distributed in accordance with the law of succession.

This also happens if:

- The will is not valid because it was not made properly
- A legal challenge to the validity of the will has been successful

There are rules for how assets are divided without a will, based on the relationship of the relatives to the deceased.

## The family home

If you owned the family home jointly with your spouse or partner and both names are on the deeds, you automatically inherit your deceased loved one's share of your home.



# Help and support

Talking to someone you trust about your feelings of loss can be a great support at this time. But sometimes family and friends may be unable to help. If this is the case, bereavement counselling may help.

Bereavement counselling helps you to explore, understand and work through feelings of grief. Often, just getting reassurance can help.

The HSE has published a book about grief and bereavement for people who are grieving and for those who are supporting them. It is called '**You Are Not Alone: Help and advice on coping with the death of someone close**'. You can download or order the book at [healthpromotion.ie](http://healthpromotion.ie), or contact the HSE on 1850 24 1850, 9am to 5pm, Monday to Friday.

## Online

You can get more information on any of the topics covered in this booklet on [citizensinformation.ie](http://citizensinformation.ie).

## Citizens Information Phone Service

If you have questions about any of the information covered in this booklet you can **contact the Citizens Information Phone Service** on 0818 07 4000, Monday to Friday, 9.00am to 8.00pm.



## Citizens Information Centres

You can visit your local Citizens Information Centre for information and advice. Find your nearest centre at [centres.citizensinformation.ie](https://centres.citizensinformation.ie).

## Money Advice and Budgeting Service (MABS)

MABS is a **free, confidential service** for people in debt or who are at risk of getting into debt. You can contact the MABS Helpline on 0818 07 2000, Monday to Friday, 9am to 8pm.

## Counselling and support

The **Aware Support Line** can help you if you are feeling depressed or anxious – 1800 80 48 48.

You can **call the Samaritans** if you want to talk to someone about how you are feeling – 116 123.

**AdVIC** offers counselling if you have lost someone to homicide – 1800 852 000.

**Barnardos** offers a bereavement helpline for accessing support services for children who have suffered a bereavement – 01 473 2110.

The Irish Association of Counselling and Psychotherapy has a directory of accredited counsellors - go to [www.iacp.ie](http://www.iacp.ie) or call 01 230 3536.

# January 2021

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## Citizens Information



**[citizensinformation.ie](http://citizensinformation.ie)**



**0818 07 4000**

Mon to Fri, 9am – 8pm



**Drop in**

215 locations nationwide

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