



**Irish Life**



## **DEATH CLAIMS**

*A guide to claiming under a life assurance plan*



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# 1 INTRODUCTION



## INTRODUCTION

The time after somebody dies is very difficult for their family and friends who are left behind. As well as dealing with the emotional loss and pain, there are many practical, legal and financial issues to sort out.

We have written this booklet to help you understand the steps involved when making a death claim under an Irish Life plan. We understand how difficult it can be after somebody has died, and we hope that this booklet helps to explain our claims process.

# 2 SENDING US A CLAIM



## SENDING US A CLAIM

Contact us in any of the following ways to send us a claim, get advice on how to claim or get an update on the progress of your claim.

Phone: 01 704 1010

Our lines are open: 8am to 8pm Monday to Thursday  
10am to 6pm Friday  
9am to 1pm Saturday

Fax: 01 704 1900

E-mail: [protection@irishlife.ie](mailto:protection@irishlife.ie)

Post: Protection Claims Department,  
Irish Life,  
Lower Abbey Street,  
Dublin 1.

Website: [www.irishlife.ie](http://www.irishlife.ie)

In the interest of customer service we will record and monitor calls.

### **What information do Irish Life need?**

- The name of the person who has died
- The plan number
- The date the person died
- The date of birth of the person who has died
- The claimant's relationship to the person who has died
- The name, address and phone number of the person we can speak to about the claim (usually the next of kin).

### **What will happen next?**

When we receive a claim, we will check that the plan was valid on the day the person covered under the plan died. We will write to you within five working days to let you know the documents we will need to process the claim. We will also check whether the person had any other plans with us on the day they died.

# 3 THE DOCUMENTS WE MAY NEED



We will write to you to let you know what we need to assess the claim. Below are some documents that we may ask you for.

## Legal (or non-medical) documents

### WE WILL **ALWAYS** NEED THE FOLLOWING.

- A claim form that the person who can legally claim has filled in
- A copy of valid photographic identification (e.g. passport or driving licence of the person claiming)
- Address verification if the customers address has changed in the last 12 months (e.g. utility bill or bank statement)
- An original or certified copy of the final death certificate

For more information on who can claim the benefits, please see the section 'Who can claim?' on page 11 of this booklet.

- **An original or certified copy of the final death certificate**

Your solicitor, any bank or financial organisation, an Irish Life employee or any member of the Garda Síochána can sign a copy of the final death certificate to show that they have seen the original and that the copy is a true copy. They must stamp the copy with the organisation's stamp.

If you need more information on how to get a death certificate and for information on coroner's interim certificates, please see appendix 1 at the back of this booklet.

## WE MAY ALSO NEED **ONE** OF THE FOLLOWING DOCUMENTS.

- **A certified copy of the will of the person who died**

We will need to see a certified copy of the will if:

- the plan is only in the name of the person who died;
- the plan is not assigned (for example to a bank as security for a loan) or held in trust; or
- the amount that we will pay is less than €60,000 (you usually will know how much we will pay by looking at a yearly benefit statement).

- **Certified copy of the grant of probate or letters of administration**

We will need to see a certified copy of the grant of probate or letters of administration if:

- the plan is only in the name of the person who died;
- the plan is not assigned (assigned means the ownership of the plan is given to another person or company, for example to a bank as security for a loan) or held in trust; or
- the amount that we will pay is more than €60,000.

When we work out the amount we are going to pay out under the plan, we will take into account any other plans the person who has died had with us. If you need more information on a grant of probate or letters of administration, please read appendix 2 at the back of this booklet.



- **Original deed of assignment**

If the plan is assigned to a bank or financial organisation as security for a loan, the bank or financial organisation will have a deed of assignment. We will need the original deed of assignment, but we will contact the bank or financial organisation directly to ask for this.

## IF WE NEED TO, WE MAY ASK FOR THE FOLLOWING MEDICAL DOCUMENTS.

- **Medical reports from doctors or specialists**

When we receive the death certificate that shows the cause of death, we will decide if it is necessary to write to doctors or specialists for details of the medical history of the person who died.

When we receive a medical report, we will assess this information. We may need to ask for extra information from the same doctor or from another doctor or specialist. This may happen at different times while we are assessing your claim. We will write to you to let you know if we need extra medical information.

- **Postmortem or inquest report**

Sometimes, we may need to ask the coroner for a copy of the postmortem or inquest report.

See also the section 'How we process a claim' on page 14 for information on why we may need to ask for details of the medical history of the person who died.

Below is a summary of the documents we could ask you for.

**Documents we always need**

- A fully filled in claim form
- A death certificate (a certified copy)
- Photographic and address I.D.

**Legal documents we may need**

- A will or grant of probate
- Letters of administration
- The deed of assignment

**Medical documents we may need**

- A report from the GP or Specialist
- A post-mortem report
- An inquest report

Note: Identification verification documentation is required by Irish Life in accordance with its Anti-Money Laundering obligations. This will also help to protect customers and their finances from identity theft or fraud.

We do not require identification where a plan is assigned and the full proceeds of the claim is payable to a regulated bank or financial institution.

# 4 WHO CAN CLAIM



## WHO CAN CLAIM THE DEATH BENEFIT?

The next few pages includes some details on who may be entitled to claim under a life cover plan. Depending on how the plan was setup, the claimant could be one of the following:

• **Proposer** • **Second Life Assured** • **Executor** • **Next of kin** • **Assignee** • **Trustee**

- **Proposer**

If the proposer (plan owner) is different to the person covered, the plan owner should complete the claim form as they are the legal owner of the plan and any claim payment will normally be made out to them.

- **Joint-life plan**

There are two types of joint-life plans.

1. **Joint-life first death**

This means two people are named on the plan but we only pay one sum assured.

We will pay the death benefit when the first person dies, assuming the plan is still in force.

We will pay the death benefit to the second person named on the plan as long as the plan is not used as security for a loan or mortgage or if the plan is not held in trust.

The plan will end once we have paid the death benefit.

## 2. Joint-life second death

This means two people are named on the plan but we only pay one sum assured.

When the first person dies we ask for the death certificate.

The plan will then continue as a single-life plan for the life of the second person.

We will pay the death benefit when the second person named on the plan dies, as long as the plan is not used as security for a loan or mortgage or if the plan is not held in trust.

- **Dual-life plan**

Two people are named on the plan and we will make two payments – one when each person dies.

When the first person dies, we will pay the benefit to the second person covered on the plan, as long as the plan is not used as security for a loan or mortgage and is not held in trust. After we have paid the death benefit for the first person to die, the plan will continue as a single-life plan for the life of the second person.

- **Single-life plan**

There is only one person named on the plan. We will pay the death benefit to that person's estate if the plan is not used as security for a loan or mortgage or if the plan is not held in trust. (The estate includes all the assets owned by the person who died, which includes any life assurance plans, property and investments.)

The conditions of the will explain who should eventually receive the benefit. We will pay the death benefit to the executor (person responsible for managing the estate) named in the will or grant of probate. (A grant of probate gives the executor authority to deal with the assets of the person who has died. See appendix 2 for more information.) We cannot pay the beneficiary (person who will receive the benefit) named in the will as the executor is the person who can legally claim under the plan.

## **WHAT IF NO WILL WAS MADE?**

If no will was made and the benefit is less than €60,000 we will ask the next of kin to fill in an indemnity form. By filling in an indemnity form, the person claiming legally agrees to indemnify us (pay Irish Life back), in the event that somebody else has the legal right to claim the death benefit.

If the benefit is for more than €60,000 we will need copies of letters of administration.

Please see appendix 2 for more information on the indemnity form and letters of administration.

When we work out how much to pay, we will take into account all the plans that the person who died had with us.

## **ASSIGNED PLANS**

If the plan is legally assigned or owned by a financial institution (for example to cover a mortgage or loan) or assigned to a third party, we will pay the death benefit to the financial institution or to the person the plan is assigned to.

We will write to the financial institution or the person the plan is assigned to and ask them to fill in our claim form and send it back to us, along with any other documents we need.

## **PLANS HELD IN TRUST**

If the plan is held in trust, the death benefit will be paid to the trustees.

# 5 HOW WE PROCESS A CLAIM



We assess all claims to make sure they are genuine and valid. This protects our customers against the effects of increased claims costs, which could lead to higher premiums.

## **Why might you need to ask for details of the medical history of the person who has died?**

We pay most death claims that we receive, but sometimes we have to refuse a death claim. This only happens in a small number of cases.

Because the cover the person who has died had with us is based on the medical questions we asked them when they first applied, we may ask their doctors for details of the medical history of the person who has died to confirm that all the information they gave to us originally is correct.

We can only make this decision once we receive the death certificate and know the cause of death. We will also consider how long the person who has died had the plan for.

If we need medical information, we will generally write to the doctor who was named on the application form. We will let the claimant know the name of the doctor we have written to. If this doctor does not have the information we need, we may ask for details of other doctors that the person who has died went to see.

It may be helpful for the next of kin to also contact the doctors or specialists that we have written to so we can get any medical reports we need quickly.

### **Who will assess the claim?**

The claim will be assessed by qualified and experienced claims assessors including qualified general nurses and our chief medical officers who are consultant doctors.

We will keep any medical information that we ask for confidential. All of our claims assessors must keep to a code of practice when they work with medical evidence. Any medical information we receive will only be seen by people who are authorised to do so.

### **What decisions can you make on the claim?**

We pay most death claims. But in some very rare cases, we cannot pay a claim.

The main reason why we will not pay a death claim is if the person who died did not tell us about certain facts (medical or other) when they first applied for the plan.

Another reason why we may not pay a claim is because of something we don't cover in the plan, for example, a plan may not pay a claim if the person covered commits suicide in the first year of the plan. Or, we may not pay a claim if premiums were not being paid when the person died.

If this happens, we will write to you to tell you in detail why we are not going to pay the claim.

For more information about not giving us correct information or withholding information on an application, please see appendix 3 at the back of this booklet.

### **Why are payments on the plan still required while there is a claim in progress?**

If your plan is a dual-life plan, payments into the plan should continue while we are assessing the claim. This is to make sure that the second person covered under the plan is not left without cover. Once we have made our decision about the claim, we will review the payments into your plan. If too much was paid in, we will refund this money.

### **Do Irish Life send an update on the progress of a claim?**

We will write to you or phone you regularly to keep you informed on how the claim is progressing. You can contact us at any time to ask us about your claim. Please see page 5 for contact details.

### **Appeals**

If you wish to appeal a decision made on your claim you should write to us outlining the exact reasons for your appeal and enclose any additional information you feel we should take into account. Your claim file will be reviewed in full by another claims assessor and an appeal decision will be issued to you.



# 6 PAYING A CLAIM



## How long does it take to pay a death claim?

We try to process claims as quickly as we can. We pay a third of death claims in four weeks or less. Source: Irish Life claims, 2011.

But, the length of time it takes for us to pay a death claim can vary, and if legal issues are involved (for example if we need grant of probate) it typically takes around 25 weeks, from when we are told about the death.

The following are examples of when we may take longer paying a claim.

- If we are waiting for copies of documents such as a death certificate, grant of probate, will or inquest report. This is by far the most common reason why it may take longer paying a claim.
- If we are waiting to be sent medical evidence from the doctors or specialists of the person who has died. Sometimes, we may need to ask doctors for extra information. We will remind doctors regularly if we are waiting for information.
- Some claims are quite complicated and we may have to carry out a detailed medical assessment. We will usually use our own doctors for this.

### **Can I ask for the claim to be paid to someone else?**

You can only ask for a claim to be paid to someone else if you are the person entitled to the benefit. Once we find out who is entitled to claim, that person must write to us telling us who we should make the cheque out to.

### **Do you pay interest on death claims?**

We pay a small amount of interest on most death claims. When you claim, we put the same amount of money as the death benefit into a cash fund. The interest rate is worked out based on the growth of this fund.

Tax is taken from the interest that we earn on the money in the cash fund. The tax is called deposit interest retention tax (DIRT). This is a tax that, by law, we must take from the interest and pass it to the Revenue Commissioners.

Personal plan benefits are usually tax-free. If the plan is owned by a business, they could still have to pay tax.

If you have any questions about interest or tax, please visit [www.revenue.ie](http://www.revenue.ie).

# 7 CONTACTING US



## Who should I contact if I have any questions about my claim?

We want to help you as much as we can while we are processing your claim. If you have any questions about your claim, you can contact us in a number of ways:

Phone:	01 704 1010
Our lines are open:	8am to 8pm Monday to Thursday 10am to 6pm Friday 9am to 1pm Saturday
Fax:	01 704 1900
E-mail:	<a href="mailto:protection@irishlife.ie">protection@irishlife.ie</a>
Post:	Protection Claims Department, Irish Life, Lower Abbey Street, Dublin 1.

In the interest of customer service we will record and monitor calls.

### What if I have a complaint or I am not happy with the explanation I receive?

If you want to make a formal complaint or are not happy with the explanation we give you, you should first contact our claims team and explain what the problem is. They will try their best to sort the matter out informally. If you are still not happy with the outcome, you can send your complaint to us in writing and we will do our best to sort out your complaint through our internal complaints procedure.

If you would like a copy of our customer complaints charter, please let us know and we will send one to you.

A copy of our charter can be viewed on our website - visit [www.irishlife.ie](http://www.irishlife.ie).

If you are still unhappy with the outcome of your complaint, you can contact the Financial Services Ombudsman. They are an independent body who adjudicate on unresolved complaints between consumers and financial service providers. You can contact them in the following ways.

Post: Financial Services Ombudsman,  
Third floor Lincoln House,  
Lincoln Place,  
Dublin 2.

Lo-call: 1890 88 20 90

Phone: 01 6620899

Fax: 01 6620890

E-mail: [enquiries@financialombudsman.ie](mailto:enquiries@financialombudsman.ie)

Website: [www.financialombudsman.ie](http://www.financialombudsman.ie)

# 8 HELPFUL ADDRESSES AND SERVICES



## **Nurse Assist 24/7**

Often what makes this time more difficult is the confusion caused by the volume of legal and other form filling required. The bereavement information service from Nurse Assist 24/7 aims to help you with some of the practical details at this difficult time.

The team at Nurse Assist 24/7 can provide you with information on:

- How to register a death and the documents required to do so
- Local funeral directors
- Procedures for notifying insurance companies
- Locating wills, obtaining grant of probate and consulting a solicitor
- State benefits available
- The issues that can only be dealt with by your solicitor

The team will not have access to any plan or claim details. Nurse Assist 24/7 is a confidential help-line that you can call 24 hours a day, 365 days a year and the service they provide is free. All you have to do is tell them your Irish Life plan number.

The Lo-call phone number is: **1850 22 88 33**.

### Free counselling service

We want to help you during this difficult period after somebody has died. That is why on protection plans we will offer you up to three free counselling sessions with the Clanwilliam Institute while you are making a death claim. The Clanwilliam Institute is an independent, Irish company and registered charity, who were set up in 1982. The institute provides counselling and psychotherapy services for individuals, couples and families. Over the years, Clanwilliam has helped many people through difficult times, including stress, major illness, relationship difficulties, or bereavement.

The Clanwilliam Institute has offices in Dublin, Portlaoise, Kilkenny, Wexford, Dundalk, Wicklow, Roscommon, Galway, Sligo, Nenagh, Roscrea, Limerick, Cork and Dungarvan.

If you would like to use this service, please contact one of our death claims assessors. We will then contact the Clanwilliam Institute and let them know that you would like to take up this offer. Once you let us know that you want to use this service, you can contact them to arrange an appointment on 016761363 or 016762881.

Any counselling sessions you have with the Clanwilliam Institute will be strictly confidential. They will not tell us anything that you tell them in your counselling sessions.

#### Social Welfare

Department of Social and Family Affairs,  
Head Office,  
Aras Mhic Dhiarmada,  
Store Street,  
Dublin 1.

Lo-call: 1890 66 22 44

Website: [www.welfare.ie](http://www.welfare.ie)

#### The Bereavement Counselling Service

Main Street,  
Baldoyle,  
Dublin 13.

Phone: 01 8391766

E-mail: [bereavement@eircom.net](mailto:bereavement@eircom.net)

Website: [www.bereavementireland.com](http://www.bereavementireland.com)

#### Samaritans

Helpline: 1850 60 90 90

Text: 087 260 90 90

E-mail: [jo@samaritans.ie](mailto:jo@samaritans.ie)

Website: [www.samaritans.org](http://www.samaritans.org)

# 9 APPENDICES



## APPENDIX 1

### How can I get a death certificate?

By law, every death in Ireland must be recorded and registered. Records of deaths in Ireland are held in the General Register Office, which is the central civil office for records relating to births, marriages and deaths in the Republic of Ireland.

To register a death you must take a death notification form, showing the cause of death, to your nearest registrar. You can get this form from the doctor who attended to the person who died during their last illness or while they were dying. You must fill in part 2 of the death notification form. You must then sign the register in the presence of the registrar. It is free to register a death.

Once you have registered the death, you can then ask any registrar (they do not have to be the same person you registered a death with) for a copy of the death certificate. Or, you can contact the General Register Office (see below for contact details). If you are registering a death, you can get copies of the death certificate at the same time. There is a small charge for copies of death certificates.

For more information you can contact:

General Register Office,  
Government Offices,  
Convent Road,  
Roscommon.

Phone: 353 90 663 2900  
Lo-call: 1890 25 20 76  
Fax: 353 90 663 2999  
Website: [www.groireland.ie](http://www.groireland.ie)

### **What is a coroner's interim death certificate?**

A death is referred (for example by a doctor or hospital) to a coroner if a doctor did not see the person who died within 28 days before they died or if the doctor is not certain of the cause of death. The coroner will then decide if a post mortem or inquest is necessary.

If a death certificate cannot be issued because a post mortem or inquest is being carried out, a coroner will issue an interim death certificate. The coroner will give this to you. After the post mortem or inquest, the death will be registered automatically. The coroner will issue a certificate to the registrar with all the details they need to register the death. Please see page 23 for full details of how to get a copy of a death certificate.

The coroner's interim certificate does not give details about the medical cause of death so, for this reason, we will usually need a final death certificate before we can start processing your claim. In certain circumstances we may accept a coroner's interim certificate, for example if the death was due to an accident.

Please let us know if you would like us to consider your claim based on a coroner's interim certificate.



## APPENDIX 2

### How can I apply for a grant of probate or letters of administration?

The person who takes on the job of sorting out the estate of the person who has died is known as their personal representative. The estate includes all the assets of the person who has died, such as property and life assurance plans.

The personal representative is named on the will as the 'executor'. If the person who has died did not leave a will, a close family member or friend must apply to the probate office to be formally appointed as an 'administrator'. In some cases, there may be more than one personal representative. For example, the will may name two executors or two relatives may apply to become joint administrators. For more information on joint administrators, please contact the probate office (see next page).

If the probate office agrees to let you be an administrator, this means you are the personal representative of the person who has died and you have the authority to deal with the assets of the person who died and to sort out their affairs, for example paying any debts they owed when they died.

The probate office issues a grant of probate if the person who died left a will, and letters of administration when the person who died did not leave a will.

You can either appoint a solicitor to sort out the estate of the person who has died or you can apply to the probate office to sort it out yourself.

You can contact the probate office in the following ways.

Probate Personal Applications Section,  
Probate Office, First floor,  
15 to 24 Phoenix Street North,  
Smithfield, Dublin 7.

Phone: 01 888 6179

E-mail: [ProbatePersonalApplications@courts.ie](mailto:ProbatePersonalApplications@courts.ie)

Website: [www.courts.ie](http://www.courts.ie) (You can download an application form by clicking on 'Court forms'.)

For more information on probate, please ask us to send you our probate leaflet.

### **Why do you ask for a grant of probate or letters of administration?**

We will ask for a grant of probate if the plan was in the name of the person who died only and the amount we are due to pay under your claim is more than €60,000.

When we work out the amount we will pay you, we will look at all the plans the person who has died had with us. This means that the total sums assured in all of the plans will let us know if we need a grant of probate. For example, if the person who has died has two plans, we will add together the sum assured of both plans.

We also ask for a grant of probate so we are sure we are paying the claim to the correct person.

For claims less than €60,000 we will pay out without asking for a grant of probate. We will ask for a certified (signed) copy of the will or an indemnity form that you will need to fill in. (We will send you an indemnity form along with the claim form.)

The grant of probate proves to the court that the will is genuine. Whoever receives the grant of probate is responsible for sharing out the estate to any beneficiaries.

## APPENDIX 3

### What counts as “not being told relevant facts” on an original application?

A relevant fact includes anything that an insurer would have seen as likely to influence their original decision to provide life assurance to the person who died.

This can include the person who has died's medical history, family history, lifestyle habits (such as smoking, drinking alcohol or taking illegal drugs), their occupation, how old they were and if they had any dangerous hobbies.

If the person who has died did not give us all the information we asked for when they first filled in an application form and before the plan started, the plan may not be valid.

We may refuse to pay a claim even if there is no direct medical connection between the cause of death and the medical condition we were not told about on the application form.

To do this, we must be able to show that the facts we were not told about by the person who has died, would have affected our original decision to provide cover.

Below are some examples of when we would not pay a claim if we were not told about it on the application form.

- 1 If the person who has died did not tell us they had diabetes and took medicine for it.
- 2 If the person who has died did not tell us they smoked tobacco daily.
- 3 If the person who has died did not tell us they had high blood pressure and raised cholesterol.
- 4 If the person who has died did not tell us they were being medically treated for drinking too much alcohol.



From sustainably managed forests -  
For more info: [www.pefc.org](http://www.pefc.org)

## Contact us

Phone: 01 704 1010

8am to 8pm Monday to Thursday

10am to 6pm on Fridays

9am to 1pm on Saturdays

Fax: 01 704 1900

e-mail: [protection@irishlife.ie](mailto:protection@irishlife.ie)

Website: [www.irishlife.ie](http://www.irishlife.ie)

Write to: Irish Life Assurance plc, Lower Abbey Street, Dublin 1.

In the interest of customer service we will record and monitor calls.  
Irish Life Assurance plc, Registered in Ireland number 152576, Vat  
number 9F55923G.

The information in this booklet is correct as at September 2012 but  
may change.

Irish Life Assurance plc is regulated by the Central Bank of Ireland.

ILA 6922 (REV 09-12)