

Glossary

A quick guide to Legal Terms

Administrator

Person or persons legally authorised by Letters of Administration to administer the Estate when there is no Will or when there is a problem with the Executor named in the Will.

Beneficiary

A Person who is left something in a Will, or a person for whose benefit property is held by Trustees or Executors

Certificate of Death

An official certified copy of the information registered when someone passes away, including the date place and cause of death.

Certified Copy

A document which has been certified as a true copy of the original. For more information about who is authorised to certify documents please view the identification by Certified Copy for Individuals Form

Coroner's Report

A report that is produced as a result of an official inquest on the cause of the death.

Deceased Estate

The property and assets belonging to a person who has died is called their Deceased Estate. The Deceased Estate is held in trust from date of death of the person until transfer of the property and assets to the beneficiaries.

"Estate of" Account

An account that is opened to receive a deposit of funds owing to the deceased person's after the date of death, for example; the bond from a nursing home. To open an "Estate of" account, you will be required to contact a Bendigo Bank Branch and provide a Tax File Number (TFN). Please contact the Australian Taxation Office (ATO) for advice on how to apply for a TFN for the Estate.

Executor

Person or persons nominated in a will to administer the Estate in accordance with the will.

Funeral Bond

A Funeral Bond allows you to set aside an amount of money to cover your funeral expenses and, if you wish, specify how your funeral is to be conducted. If the customer had a funeral Bond, be sure to contact the provider.

Intestate

When a person passes away without a valid will they are said to be "intestate".

Indemnity form A Bendigo & Adelaide form signed by the Executor/Administrator/Next of Kin indemnifying the bank from any liability in relation to the release of deceased Estate assets.

Letters of Administration

Letters of Administration refers to a certificate issued by the Supreme Court that authorises a person to act as an administrator when there is no Will or when there is a problem with the executor named in the Will.

Medical Cause of Death

A certificate issued by the attending Physician, giving the cause of death.

Next of Kin

The closest living relative of the deceased.

Power of Attorney

A Power of Attorney is a formal instruction whereby a person (who is called the Donor) appoints another person (called the attorney) to act on their behalf, Power of Attorney ends with the death of the Donor.

Probate

This is an Order granted by the Supreme Court confirming the identified Will is the true and last Will of the deceased and declaring the Executor(s) are lawfully entitled to finalise any Deceased Estate matter. Probate is usually required when there is Property, a large sum of money or assets involved and particularly when there are multiple beneficiaries.

Proof of Death

We'll need at least one of the following documents as Proof of Death: a Death Certificate, Medical Certificate, Funeral Invoice, Solicitor's or Coroner's Letter, Grant of Probate or Letters of Administration.

Tax Invoice

A tax invoice is an original invoice as identified by Australian GST taxation Legislation. The requirements vary depending on the total taxable sales but items the invoice must include are: the words 'Tax Invoice' stated prominently; the name of the supplier; the ABN of the supplier; the date of issue of the tax invoice; the brief description of the service provided; and the total price invoiced(including GST).

Tax Receipt

A Tax Receipt must include the same information listed under a tax invoice above and be presented in the form of a receipt or alternatively an invoice which has been stamped and dated as "Paid".

Will

A Will is a legal document that contains information on who receives assets and belongings after a death. A Will can also be used to appoint a guardian to look after children until they are old enough to look after themselves.

If you require further information or unsure please contact a branch or our specialist Deceased Estates team on 1300 014 902 between 8:30 - 5.00 Monday to Friday AEST.