Entitlements – accidental death weekly compensation Policy v6.0

Summary

Objective

If the deceased was an earner at the date of death, weekly compensation is paid to the eligible spouses, partners, children or other dependants. The amount payable is a proportion of the compensation that would have been paid to the deceased if they had survived with full incapacity.

Once all the dependants on the claim have been registered, Eos calculates the weekly compensation and apportions it based on the information entered.

Owner	Name withheld
Expert	Name withheld

Policy

1.0 Maximum rate of weekly compensation

a See the How to calculate maximum payments – weekly compensation for accidental death Policy.

📄 How to calculate maximum payments – weekly compensation for accidental death Policy

- -

2.0 Child over the age of 18 years

a A child over the age of 18 years is eligible to receive weekly compensation if the date of the deceased's death is earlier than:

• the end of the calendar year in which the child turns 18
• the date the child turns 21, provided the child is in full-time study at a place of education.

See When to continue or cease weekly compensation to a child.

A child aged 21 years or more is not eligible for weekly compensation unless they meet the eligibility criteria for an other dependant. See When to continue or cease weekly compensation to an other dependant.

📄 Eligibility criteria for weekly compensation for an accidental death client

📄 When to continue or cease weekly compensation to a child
https://go.promapp.com/accnz/Process/e9da65dd-e986-417b-a9ba-b4d89ba61305?force=False

📄 Who is an 'other dependant' of the deceased?
https://go.promapp.com/accnz/Process/17065bab-5bf2-40fb-aadc-3d60d18d2a7e?force=False

📄 When to continue or cease weekly compensation to an other dependant
https://go.promapp.com/accnz/Process/f3e1102c-792d-4fa5-9b18-6723de3730bd?force=False

- -

3.0 Child whose parents are both deceased

a If both parents are deceased, a child is entitled to weekly compensation and their entitlement is doubled. They receive 40% of the deceased's weekly compensation entitlement, rather than 20%. It is not relevant how the other parent died.

If both parents died of causes covered by the AC Act 2001 and both were entitled to weekly compensation, the child may be eligible to receive up to 40% of the entitlement on each parent's claim.

However, the total payable to all surviving children cannot exceed the 80% weekly compensation that would have been paid to the deceased parent or parents. If there are more than three orphaned children on a case, then pro-rata calculations will apply.

📄 Criteria for being an orphan in relation to accidental death weekly compensation

📄 Accidental death weekly compensation 40 percent rate for an orphan

📄 Child gross weekly compensation amount not pro-rated - for an orphaned child

- -

4.0 Setting the next date to revisit entitlement

a There are rules about how long a client is eligible to receive weekly compensation. Eos will automatically generate a date to revisit the case. Use this date to establish whether to continue or cease payments.

📄 Annual accidental weekly compensation financial dependance check for an other dependant

📄 Annual accidental weekly compensation financial dependance check for an other dependant

---

5.0 Ongoing eligibility of spouse or other dependant

a We must check the ongoing eligibility of an Old Act Spouse or Other Dependant on whichever date is earlier, either:
   • six weeks before the anniversary of the date of death
   • six weeks before the date the client's eligibility to entitlement is expected to cease, eg New Zealand superannuation qualification age (NZSQA).

6.0 Ongoing eligibility of child

a We must check the ongoing eligibility of a child:
   • a child six weeks before the end of the calendar year in which they turn 18
   • a child who is over 18 and engaged in full time study at the end of the each study year. We must establish that the child intends to continue to study the next year.

    📄   When intention to study must be checked for a child of a deceased client who is turning 18