

Applying for a death certificate for a missing person in NSW

June 2017



This fact sheet assists you to apply for a death certificate for a missing person in NSW.

If a NSW Coroner makes a finding of death, those eligible* may apply for a death certificate with the NSW Registry of Births Deaths & Marriages.

You are not legally required to apply for a death certificate but may find that a death certificate is needed to assist in managing a missing person's financial affairs after a Coroner has made a finding of death.

The certificate is usually delivered in around three weeks once a complete and correct application is lodged with the Registry of Births Deaths & Marriages. It may take longer if more information is required.

* See 'Who is eligible to apply?' section on page 2.

Support is available

It can be challenging emotionally and practically to apply for a death certificate for your missing loved one. It may help to get in touch with the Families and Friends of Missing Persons Unit about your support needs and what to expect through this process.

Families & Friends of Missing Persons Unit, NSW Department of Justice (FFMPU)

Provide free and confidential counselling, information and referrals to families and friends of missing people.

Hours: 9.00am to 5.00pm, Monday to Friday

Phone: 1800 227 772

Email: ffmpu@justice.nsw.gov.au

Web: www.missingpersons.justice.nsw.gov.au

NSW Registry of Births Deaths & Marriages (BDM)

Hours: 8.00am to 4.30pm, Monday to Friday

Email: BDM-Missing@justice.nsw.gov.au

Contact: Manager of Registrations – 02 9035 6474

Web: www.bdm.nsw.gov.au

State Coroner's Court of NSW

Hours: 9.00am to 4.30pm, Monday to Friday

Email: local-court-glebe@justice.nsw.gov.au

Phone: 02 8584 7777

Web: www.coroners.justice.nsw.gov.au

A guide to coronial services

For more information about the coronial process:

A guide to coronial services in NSW for families and friends of missing people (contact FFMPU for a copy).

Managing a missing person's financial affairs

Contact FFMPU for information and referrals.

Applying for a death certificate

Once a NSW Coroner makes a finding that the missing person is deceased you can apply for a death certificate. You are not legally required to apply for a death certificate but may find that a death certificate is needed to assist in managing a missing person's financial affairs following a coronial finding.

The Coroner's Court will notify BDM of the Coroner's findings. Family members registered as senior next of kin with the Coroner's Court will usually receive written notification of the findings.

Please contact the Coroner's Court (see Page 1) if you are unsure if a Coroner has made a finding of death or if you need a copy of the Coroner's findings.

Step 1: Contact BDM

Send an email with your contact details (phone, email, postal address) indicating that you wish to apply for a death certificate for a missing person. Attach a copy of the Coroner's findings.

Email: BDM-Missing@justice.nsw.gov.au

Step 2: Receive paperwork

You will be sent two forms to complete:

- A death registration form.
- A [death certificate application](#).

The type of information you will be required to provide in these forms includes the missing person's:

- Sex, name/s, date of birth; usual address and occupation; marriage particulars (place, age, full name of spouse/s); children (names, ages, birth date/s and places); full names of both parents (including mother's maiden name).

Step 3: Submit forms and documents

Send the completed death registration form and application for a death certificate along with:

- Three forms of your identification (please see the death certificate application form for a list of appropriate identification documents).
- A copy of the Coroner's written findings (if not previously provided).

Where possible, submit forms and identification by email. If this isn't possible, please contact the BDM Manager of Registrations (see Page 1).

Fees

The standard death certificate is currently \$53 including postage. See BDM website for fees for products and services:

Web: www.bdm.nsw.gov.au

Who is eligible to apply?*

The next of kin – the missing person's spouse (married or de facto), parent or child can apply.

If you are another type of relative, the certificate can be issued to you if the missing person has no spouse, children or parents still alive.

Others eligible to apply include:

- Executor of the missing person's Estate;
- Solicitor acting for next of kin or Estate;
- [Solicitors applying on behalf of clients](#).

The death certificate

The certificate will state exactly what the Coroner wrote in their formal findings with respect to time, place, manner and cause of death. For example, the date of death might be "on or about the 1st of April 2017".

If you have concerns about the decision of the Coroner, please refer to the Coroner's Court website for information about [review of coronial decisions](#).

Errors on the death certificate

If there are errors, you must return the original certificate to BDM, provide three forms of identification and complete the [correct an entry](#) application available from the BDM website.

If there is an error in the coronial findings, please contact the relevant Coroner's Court.

What if a missing person is later found alive?

Where a missing person is found alive after a death certificate has been issued, the decision can be reversed. The State Coroner would order a fresh inquest and the earlier declaration of death would be reversed at that hearing, verifying the missing person is alive.

You could then provide this new finding to the BDM Registrations Manager, return any death certificate documents and cancel the death registration.

This fact sheet is a joint project of BDM, FFMPU, and the State Coroner's Court of NSW.