

勞保給付－死亡給付常見問答（本人死亡給付）

Labor Insurance Benefit - Death Benefit FAQ (Benefit for the death of the insured)

序號	問題	回答
1	<p>被保險人本人死亡給付的請領資格、請領順序及給付標準各如何？</p> <p>What is the eligibility for the claim application, the order of the claim application, and the benefit standards in the event of the death of the insured?</p>	<p>請領資格： Eligibility for claim application:</p> <p>1.被保險人在保險有效期間死亡（或符合勞保條例第 20 條第 1 項規定，即被保險人在保險有效期間發生傷病事故，於保險效力停止後一年內因同一傷病及其引起之疾病死亡者），由支出殯葬費之人請領喪葬津貼外；被保險人遺有配偶、子女及父母、祖父母或受其扶養之孫子女或受其扶養之兄弟、姊妹者，得請領遺屬年金；被保險人於 98 年 1 月 1 日勞保年金施行前有保險年資者，亦得選擇一次請領遺屬津貼。</p> <p>1. When the insured dies during the effective period of the insurance (or when the circumstance conformed to the provisions of Paragraph 1 of Article 20 of the <i>Labor Insurance Act</i>, that is, “for within one year after an insurance policy has been terminated, an insured person shall remain entitled to injury or sickness benefits, ... death benefit ... if an injury or sickness and the disease it causes occurred during the period of his insurance policy”), not only the person who paid the funeral expenses for the insured may apply for the claim of funeral allowance; but also the insured’s survivors, if any, including the spouse, children, parents, grandparents, or those under the providing support of the insured, e.g. grandchildren or brothers or sisters, may apply to claim the survivor pension. Where the insured had insurance seniority before the implementation of the labor insurance pension on January 1, 2009, the survivors may opt to apply to claim a lump-sum survivor allowance.</p>

序號	問題	回答
		<p>2.被保險人退保，於領取失能年金給付或老年年金給付期間死亡者，得請領遺屬年金。</p> <p>2.During the period after the insured withdraws from the labor insurance policy, if the insured dies while receiving disability pension benefit or old-age pension benefit, the insured's survivors, if any, may apply to claim survivor pension.</p> <p>3.保險年資滿 15 年，並符合勞工保險條例第 58 條第 2 項各款所定請領老年給付資格，於未領取老年給付前死亡者，得請領遺屬年金。</p> <p>3.When the insured has insurance seniority for at least 15 years, as well as is eligible to claim old-age benefits as provided in Subparagraph 2 of Article 58 of the <i>Labor Insurance Act</i>, but has died before receiving the old-age benefits, then the insured's survivors, if any, may apply to claim the survivor pension.</p> <p>請領順序： Order of the claim application:</p> <p>1.喪葬津貼：由支出殯葬費之人請領。</p> <p>1.Funeral allowance: The person who paid the funeral expenses for the insured may apply for the claim of funeral allowance.</p> <p>2.遺屬津貼及遺屬年金：<input type="checkbox"/>配偶及子女<input type="checkbox"/>父母<input type="checkbox"/>祖父母<input type="checkbox"/>受被保險人扶養之孫子女<input type="checkbox"/>受被保險人扶養之兄弟、姊妹。</p> <p>(2) Survivor allowance and survivor pension: <input type="checkbox"/> Spouse and children <input type="checkbox"/> parents <input type="checkbox"/> grandparents <input type="checkbox"/> grandchildren under the providing support of the insured <input type="checkbox"/> brothers or sisters under the providing support of the insured.</p> <p>※第二順序的遺屬（父母）得於法定條件下遞補請領遺屬年金，請參閱第 4.問答。</p> <p>※The survivor in the second order (i.e. parents) may replace the vacancy of the first order under statutory conditions, and apply for the claim of survivor pension (see Q&A # 4)</p>

序號	問題	回答
		<p>給付標準： Benefit standards:</p> <p>(1) 喪葬津貼：按被保險人死亡當月（含）起前 6 個月平均月投保薪資發給 5 個月喪葬津貼，其遺屬不符合請領遺屬年金給付或遺屬津貼條件或無遺屬者，發給支出殯葬費用的人 10 個月喪葬津貼。 (1) Funeral allowance: Funeral allowance is calculated as 1) five months, or 2) ten months, respectively, of the average monthly insured salary for the six months preceding the month (inclusive) of death of the insured; if (1) the survivors meet the conditions to claim the survivor pension benefit or survivor allowance, or (2) in situations other than in (1), or the insured had no survivors, respectively.</p> <p>(2) 遺屬年金： (2) Survivor pension:</p> <p>1. 被保險人在保險有效期間死亡者（或符合勞保條例第 20 條第 1 項規定者）：依被保險人之保險年資合計每滿一年，按其平均月投保薪資之 1.55% 計算。 1. When the insured dies during the effective period of the insurance (or when the circumstance conformed to the provisions of Paragraph 1 of Article 20 of the <i>Labor Insurance Act</i>): Survivor pension is calculated as 1.55% of the average monthly insured salary for each full year (separately or continuously) of the insured's insurance seniority.</p> <p>2. 被保險人退保，於領取失能年金給付或老年年金給付期間死亡，或保險年資滿 15 年，並符合勞工保險條例第 58 條第 2 項各款所定請領老年給付資格，於未領取老年給付前死亡者：依失能年金或老年年金給付標準計算後金額之半數發給。 2. During the period after the insured withdraws from the labor insurance policy, if the insured dies while receiving a disability pension benefit or old-age pension benefit; or when the insured has insurance seniority for at least 15 years, and is eligible to claim the old-age</p>

序號	問題	回答
		<p>benefits as provided in Subparagraph 2 of Article 58 of the <i>Labor Insurance Act</i>, but has died before receiving the old-age benefits: Survivor pension benefit is calculated as half of the amount of the disability pension benefit or old-age pension benefit.</p> <p>3.前述計算後之給付金額不足新臺幣 3,000 元者，按新臺幣 3,000 元發給。</p> <p>3. If the benefit amount in the preceding paragraph is less than NT\$3,000, then the survivor pension is paid at NT\$3,000.</p> <p>4.發生職災致死亡者，除發給年金外，另加發 10 個月職災死亡補償一次金。</p> <p>4. In case the death of the insured is attributable to occupational accident, then in addition to the pension, an additional lump-sum death compensation (equivalent to 10 months of the average monthly insured salary) for an occupational accident is issued.</p> <p>5.遺屬加計：同一順序遺屬有 2 人以上時，每多 1 人加發 25%，最多加計 50%。</p> <p>5. Survivor weighted bonus: When there are more than two survivors with the same priority in order, an additional 25% per survivor is added to the pension, up to a maximum of additional 50%.</p> <p>(3)遺屬津貼：被保險人因普通傷病死亡，遺屬津貼按被保險人死亡當月(含)起前 6 個月平均月投保薪資發給，發給標準如下：</p> <p>(3)Survivor allowance: If the insured dies of ordinary injury or sickness, the survivor allowance is calculated based on the average monthly insured salary for the six months preceding the month (inclusive) of death of the insured, factoring in the number of months as per the standards as follows:</p> <p>1.保險年資合計未滿 1 年者 10 個月。</p> <p>1. 10 months, if the total insurance seniority is less than one year.</p>

序號	問題	回答
		<p>2.保險年資合計滿1年而未滿2年者20個月。 2. 20 months, if the total insurance seniority is over one year but less than two years.</p> <p>3.保險年資合計2年以上者30個月。 3. 30 months, if the total insurance seniority is over two years.</p> <p>4.被保險人因職業傷害或職業病死亡者，不論其保險年資，一律發給遺屬津貼40個月。 4. If the insured's death can be attributed to occupational injury or occupational disease, then the survivor allowance is 40 months of the average monthly insured salary, regardless of the insured's total insurance seniority.</p> <p>遺屬年金請領條件： Eligibility for the claim application for the survivor pension:</p> <p>(1)配偶：符合下列情形之一。 (1) Spouse: (meeting one of the following conditions)</p> <p>1.年滿55歲，且婚姻關係存續一年以上。 1. At least 55 years old, and must have the marriage relationship with the insured for more than one year.</p> <p>2.年滿45歲且婚姻關係存續一年以上，且每月工作收入未超過投保薪資分級表第一級。 2. At least 45 years old, and must have the marriage relationship with the insured for more than one year, with monthly working income falling below Level-1 amount in the Insured Salary Grading Table.</p> <p>3.無謀生能力。 3. Inability to earn a living.</p> <p>4.扶養下述(2)項之子女。 4. Providing support of the children described below in Paragraph (2).</p>

序號	問題	回答
		<p>(2)子女（養子女須有收養關係六個月以上）：符合下列情形之一。</p> <p>(2) Children (adopted children must have the adoption relationship with the insured for more than six months): meeting one of the following conditions</p> <p>1. 未成年。2. 無謀生能力。3. 25 歲以下，在學，且每月工作收入未超過投保薪資分級表第一級者。</p> <p>1. Underage.</p> <p>2. Inability to earn a living.</p> <p>3. Under the age of 25 attending school, with monthly working income falling below Level-1 amount in the Insured Salary Grading Table.</p> <p>(3)父母及祖父母：年滿 55 歲，且每月工作收入未超過投保薪資分級表第一級者。</p> <p>(3) Parents and grandparents: At least 55 years old, with monthly working income falling below Level-1 amount in the Insured Salary Grading Table.</p> <p>(4)孫子女：受被保險人扶養，且符合前述（2）項子女條件之一者。</p> <p>(4) Grandchildren: Under the providing support of the insured, and meeting one of the conditions for children described in Paragraph (2) above.</p> <p>(5)兄弟姊妹：受被保險人扶養，且符合下列條件之一。</p> <p>(5) Siblings (brothers and/or sisters): Under the providing support of the insured, and meeting one of the following conditions:</p> <p>1. 未成年。2. 無謀生能力。3. 年滿 55 歲，且每月工作收入未超過投保薪資分級表第一級者。</p> <p>1. Underage.</p> <p>2. Inability to earn a living.</p> <p>3. At least 55 years old, with monthly working income falling below Level-1 amount in the Insured Salary</p>

序號	問題	回答
		Grading Table.
2	<p>申請被保險人本人死亡給付要準備哪些文件？</p> <p>What documents needed to be prepared to apply for the death benefit of the insured?</p>	<p>喪葬津貼： Funeral allowance:</p> <p>(1)勞工保險本人死亡給付申請書及給付收據。 (1) Application forms for death benefits (of the one insured, by labor insurance) and Receipt of benefits.</p> <p>(2)死亡證明書、檢察官相驗屍體證明書或死亡宣告判決書。 (2) Death certificates, written autopsy reports issued by a public prosecutor, or judgment of proclamation of death of a missing person.</p> <p>(3)載有被保險人死亡日期之全戶戶籍謄本及請領人於死者死亡日期之後申請之現住址戶籍謄本(記事請勿省略)。 (3) Certificates of whole household registration transcript with the date of death listed, and a new household registration transcript applied by the claim applicant after the death of the insured with the current address of the applicant (Please do not omit the Remark comments.)</p> <p>(4)支出殯葬費之證明文件正本。但支出殯葬費之人為當序受領遺屬年金或遺屬津貼者，得以切結書代替。 (4) Proof or documents for the funeral expenses. However, when the person who paid for the funeral expenses is also the first in line to receive a survivor pension or a survivor allowance, an affidavit may be used as a substitute.</p> <p>遺屬津貼或遺屬年金： Survivor allowance or survivor pension:</p> <p>1.勞工保險本人死亡給付申請書及給付收據。 1. Application forms for death benefits (of the one</p>

序號	問題	回答
		<p>insured by labor insurance) and Receipt of benefits.</p> <p>2. 死亡證明書、檢察官相驗屍體證明書或死亡宣告判決書。</p> <p>2. Death certificates, written autopsy reports issued by a public prosecutor, or judgment of proclamation of death of a missing person.</p> <p>3. 載有死亡日期之被保險人全戶戶籍謄本及於死者死亡日期之後申請之請領人現住址戶籍謄本(記事請勿省略)。請領人為養子女時，戶籍謄本應載有收養及登記日期。</p> <p>3. Certificates of whole household registration transcript with the date of death listed, and a new household registration certificate applied by the death benefit applicant after the death of the insured, showing the current address of the claim applicant (Please do not omit the Remark comments). When the claim applicant is an adopted child, the household registration transcript shall contain the date of adoption and registration.</p> <p>4. 請領遺屬給付者為未成年人或無行為能力人，檢具之申請書及給付收據，應由法定代理人副署簽章，並檢附法定代理人之戶籍謄本。</p> <p>4. When the claim applicant of the survivor benefit is a minor or an incapacitated person, the Application forms for death benefits (of the one insured by labor insurance) and Receipt of benefits shall be countersigned by the legal representative of the applicant, and a copy of the household registration transcript of the legal representative shall be attached.</p> <p>5. 以「受被保險人扶養」請領者(孫子女或兄弟姊妹)，應檢附受被保險人扶養事實之相關文件。</p> <p>5. When the claim applicants are ones "supported by the insured" (grandchildren or siblings of the insured), documents related to the fact of the insured's providing support shall be attached.</p> <p>6. 外籍移工死亡，或請領人未於國內設有戶籍者，應備文件請參閱第 5 題問答之說明。申請遺屬年金</p>

序號	問題	回答
		<p>者，並應每年重新檢附身分及相關證明文件送本局查核。</p> <p>6.If an insured foreign worker dies, or the claim applicant does not have a household registration in the R.O.C., please refer to the explanation of the Q&A # 5 for the documents that shall be prepared. Those applicants for the survivor pension shall re-submit their identity and relevant supporting documents to the Bureau of Labor Insurance (BOLI) for verification every year.</p> <p>7.申請遺屬年金其他證明文件如下：</p> <p>7. Other supporting documents for applying for the survivor pension are as follows:</p> <p>7-1 配偶請領遺屬年金時，戶籍謄本應載有結婚日期。 7-1 When the claim applicant of the survivor pension is the spouse: The household registration transcript shall contain the date of the marriage.</p> <p>7-2 以「在學」資格請領遺屬年金者(子女或孫子女)：應檢附在學證明或學費收據。在學證明或學費收據，應於每年9月底前，重新檢具送本局查核，經查核符合條件者，遺屬年金應繼續發給至翌年8月底止。 7-2 When the claim applicants of the survivor pension are the insured's children or grandchildren with the status of "in schooling": Proof of academic enrollment or receipts of tuition fees shall be attached to the application, which shall be resubmitted to the Bureau of Labor Insurance (BOLI) for verification by the end of September each year. Those applicants who meet the conditions after verification by the BOLI shall receive the survivor pension until the end of August of the following year.</p> <p>7-3 以「無謀生能力」資格請領遺屬年金者：檢附重度以上身心障礙手冊或證明，或受監護宣告之證明文件。</p>

序號	問題	回答
		<p>7-3 When the claim applicants of the survivor pension are those with the eligibility of “incapable of earning a living”: A record or certificate of serious or extremely serious physical or mental disability, or the guardianship declaration shall be attached to the application.</p>
3	<p>被保險人沒有勞工保險條例規定的受益人時，可否指定受益人？如不可，喪葬津貼如何請領？</p> <p>When there are no beneficiaries who can be designated as provided by the <i>Labor Insurance Act</i>, can the insured designate other beneficiaries? If not, how can the funeral allowance be applied for?</p>	<p>勞工保險死亡給付之遺屬津貼或遺屬年金並非遺產，應依規定之受益人順序受領，被保險人不得自行指定受益人。</p> <p>The death benefit of survivor allowance or survivor pension paid upon the death of the insured under the labor insurance is not a probate estate, and shall be received in the order of the beneficiaries as provided, where the insured cannot designate the beneficiary as they wish.</p> <p>被保險人死亡，遺屬不符合請領遺屬年金或遺屬津貼條件，或無遺屬者，由支出殯葬費之人檢具證明文件，請領 10 個月喪葬津貼。</p> <p>In the event of the death of the insured, when the survivors do not meet the conditions to claim the survivor pension or survivor allowance, or if there are no survivors, the party that has incurred the funeral expenses may, through the supporting documents, apply to claim the funeral allowance which is equivalent to 10 months of the average monthly insured salary.</p>
4	<p>被保險人死亡，雖遺有配偶，父母可以申請遺屬給付嗎？</p> <p>The insured dies with a survivor spouse. Can the insured's parents apply for the survivor benefits?</p>	<p>勞工保險條例第 65 條第 2 項有明定請領遺屬津貼及遺屬年金之順序，有前順序受益人存在時，後順序之遺屬不得請領。</p> <p>惟第一順序受益人（配偶及子女）如有下列情形之一時，第二順序之父母得請領遺屬年金給付：</p> <p>Paragraph 2 of Article 65 of the <i>Labor Insurance Act</i> expressly specifies the order of the survivors' claim application for the survivor allowance and survivor pension. When the beneficiaries with a higher priority in the order exist, the survivors with a lower priority in the order cannot make the claim application.</p> <p>However, where any one of the following circumstances is applicable to the beneficiaries of the first priority in the order (i.e. spouse and children), the beneficiaries of the second priority in the order (i.e. the parents) may</p>

序號	問題	回答
		<p>make claim applications for the survivor pension benefit:</p> <p>(1)全部不符合請領條件。 (1) None of them meets the conditions of the claim applications.</p> <p>(2)在請領遺屬年金給付期間死亡。 (2) All have died during the period of the survivor pension benefit.</p> <p>(3)行蹤不明或於國外。 (3) Their whereabouts are unknown or they live abroad.</p> <p>(4)提出放棄請領書。 (4) They have submitted a waiver of the claim application for the survivor benefits.</p> <p>(5)於符合請領條件起一年內未提出請領者。 (5) They meet the conditions of the claim application, yet have not made claim applications for such benefits within one year.</p> <p>如第一順序之遺屬主張請領或再符合請領條件時，即停止發給，並由第一順序之遺屬請領；但已發放予第二順位遺屬之年金不得請求返還，第一順序之遺屬亦不予補發。</p> <p>If the survivors of the first priority in the order resume the claim application or re-meet such conditions of the claim application, the benefits will be ceased for the survivors of the second priority in the order, and resumed for the survivors of the first priority in the order. However, the survivors of the first priority cannot recoup those survivor pension benefits they have already missed, by either requesting the survivors of the second priority to return to them the benefits, or by requesting the re-issuing of the benefits to them.</p> <p>例外情形：若配偶出具同意書敘明放棄請領遺屬津貼，則父母可以於請領時效內請領遺屬津貼。同意書應加蓋印鑑證明章，並檢附印鑑證明；或經法院</p>

序號	問題	回答
		<p>或民間公證人認證。</p> <p>Exception: If the spouse provides a consent letter stating his/her intention of waiving the claim for the survivor allowance, then the parents can apply to claim the survivor allowance within the effective time limit of the claim application. The consent letter shall be affixed with a seal of proof, or shall be certified by a court or a civil notary.</p>
5	<p>外籍移工死亡，或被保險人之遺屬未於國內設有戶籍者，應如何申請死亡給付？</p> <p>When an insured foreign worker dies, or the applicant does not have a household registration in the R.O.C., how shall the claim application for the death benefit be made?</p>	<p>受益人親自來台請領，須檢附親屬關係證明、受益人護照、居留證影本，無居留證者，應檢附出入境許可證影本（請於影本加蓋投保單位印章，證明與正本相符）。</p> <p>The beneficiaries may come to Taiwan in person to file the claim, and the following documents must be attached: proof of kinship, the beneficiaries' passports, or Alien Residence Certificates (ARCs) or (if residence permits are unavailable) entry and exit permits (please have the photocopies stamped with the chop of the insured's work unit to prove the consistency of the contents of the photocopies with the originals.).</p> <p>受益人在國外無法來台請領給付時，得由受益人擬具委託書並檢附身分證明文件、親屬關係證明，委託代領轉發，或匯入受益人在國外之帳戶。</p> <p>If the beneficiaries are unable to come to Taiwan to file the claim, the beneficiaries may provide a power of attorney along with the attached documents such as identity documents, proof of kinship, entrustment of the benefit collection on behalf of the beneficiaries, and forwarding instructions for transferring of the benefits to the beneficiaries' account abroad.</p> <p>委託書及證明文件應包含原文及中譯本(足資辨識之死亡證明書及親屬關係證明英文文件得免附中文譯本)，送我國駐外單位驗證，若中譯本未經驗證者，應經法院或民間公證人認證；大陸或港澳地區出具之文件，須經大陸公證處公證，並經海基會或我國駐港澳台北經濟文化辦事處驗證。填寫申請書時，「申請人姓名」應填寫受益人之資料，「申請人簽</p>

序號	問題	回答
		<p>章」欄位由受委託人簽章，受委託人為投保單位時，加蓋投保單位及負責人印章。)</p> <p>The power of attorney and supporting documents shall include both the original texts and the Chinese translation texts (except for those English documents of death certificates and proof of kinship, which are self-explanatory for identification, Chinese translations may not be required), which shall be sent to the government agencies overseas for verification. Chinese translations that have not been so verified shall be certified by private notaries. Documents issued in the mainland China or Hong Kong and Macao regions must be notarized by the mainland notary office and verified by the Straits Exchange Foundation (SEF) or the Taipei Economic and Cultural Office (TECO) in Hong Kong or Macao. When filling in the application form, the field of "Applicant's Name" shall be filled in with the information of the beneficiaries, and the field "Applicant's Signature" shall be affixed with the signature and seal of the entrusted party, or, when the entrusted party is an insured unit, then be affixed with the chop of the insured unit and the seal of the responsible person of the insured unit.)</p> <p>請領遺屬年金之遺屬應每年重新檢附身分及相關證明文件送本局查核。所附身分及相關證明文件為國外、香港、澳門或大陸地區製作者，應包含中譯本，並須依規定經簽驗證手續。</p> <p>Those applicants for the survivor pension shall re-submit their identity and relevant supporting documents to the Bureau of Labor Insurance (BOLI) for verification every year. For those attached identity and relevant supporting documents which are produced in foreign countries, Hong Kong, Macau or mainland China, Chinese translations shall be included, which must be certified and verified as provided.</p>
6	<p>被保險人死亡，已與配偶離婚，其子女未成年，如何請領本人死亡給付？</p> <p>If the insured dies with a</p>	<p>受益人尚未成年，其生父（母）如仍生存，雖業經與被保險人離婚，依法仍為受益人之法定代理人，應由其父（母）於申請書副署蓋章，並檢附法定代</p>

序號	問題	回答
	<p>divorce status and minor children, how shall the claim application for the death benefit be made?</p>	<p>理人現住址戶籍謄本申領。</p> <p>For underage beneficiaries, if their biological fathers (mothers) are still alive, despite the status of divorce from the insured, the divorced spouse shall still be the legal representative of the beneficiaries according to law, who shall affix his/her countersignature and seal on the application, attached with a household registration transcript showing the current address of the legal representative.</p> <p>父母均不能行使、負擔對於未成年子女之權利義務，得依民法 1094 條設置監護人。若無設置監護人，得由被保險人所屬投保單位通知本局，辦理計息存儲遺屬津貼或遺屬年金。</p> <p>其餘應備文件請參閱第 05102 問答之說明。</p> <p>When parents fail to exercise or bear their rights and obligations toward their minor children, guardians may be set up in accordance with Article 1094 of the <i>Civil Code</i>. If guardians are unavailable, the insured unit to which the insured belongs may notify this Bureau of Labor Insurance (BOLI) for the handling of an interest-bearing plan for the survivor allowance or survivor pension.</p> <p>For the remaining required documents, please refer to the description of Q&A # 05102.</p>
7	<p>被保險人於保險有效期間死亡，已符合請領老年給付條件，得否選擇一次請領老年給付？</p> <p>If the insured dies during the effective period of the insurance and has met the conditions to claim the old-age benefit, can the claim for a lump-sum old-age benefit be opted for?</p>	<p>被保險人於保險有效期間死亡，得依勞工保險條例第 63 條、第 64 條規定請領死亡給付，惟被保險人死亡時如已符合同條例第 58 條第 2 項請領老年給付之年資或年齡條件，其當序受益人如願意放棄請領死亡給付，選擇一次請領較優之老年給付，可依請領老年給付規定辦理。</p> <p>If the insured dies during the effective period of the insurance, the claim for the death benefit may be made in accordance with the provisions of Articles 63 and 64 of the <i>Labor Insurance Act</i>. However, if the insured dies while meeting the condition of seniority or age to claim the old-age benefit as specified in Paragraph 2 of Article 58 of the <i>Labor Insurance Act</i>, if the beneficiaries in order are willing to give up the claim for the death benefit and opt to claim a lump-sum of the more advantageous old-age benefit, the provisions to claim the old-age benefit can be followed.</p>

序號	問題	回答
8	<p>已領取勞工保險老年給付，再受僱實際從事工作，自願參加職業災害保險之被保險人，嗣後死亡可以請領死亡給付嗎？</p> <p>After receiving the old-age benefit from the labor insurance, if the insured is re-employed for actual work, and voluntarily participates in the occupational accident insurance, can a claim for the death benefit be made after the death of the insured?</p>	<p>被保險人如因職業傷害或職業病而致死亡者，除由支出殯葬費之人請領喪葬津貼 5 個月外，符合資格之遺屬得選擇一次請領遺屬津貼 40 個月，或按月請領遺屬年金（選擇請領遺屬年金者，另加發 10 個月職災死亡補償一次金）。</p> <p>In the event of the insured's death due to occupational injury or occupational sickness, not only can the claim for the funeral allowance (equivalent to 5 months of the average monthly insured salary) be made by the person who paid for the funeral expenses, but also those eligible survivors may opt to either claim a lump-sum survivor allowance (equivalent to 40 months of the average monthly insured salary), or the monthly claim benefits for the survivor pension (for those opt for the survivor pension, an additional death compensation (equivalent to 10 months of the average monthly insured salary) for occupational accident is given).</p> <p>被保險人如因普通傷病死亡，其受益人不得請領其死亡給付。</p> <p>If the insured dies due to ordinary injury or illness, the beneficiary cannot claim the death benefit.</p>
9	<p>請問何謂「婚姻關係存續一年以上」？</p> <p>What does it mean by "a marriage relationship that lasts for more than one year"?</p>	<p>請領遺屬年金的配偶，與被保險人之婚姻關係應存續 1 年以上，期間之計算，是從被保險人死亡之當日往前連續推算 1 年。</p> <p>The spouse applying to claim the survivor pension must have a marriage relationship with the insured for more than one year, which shall be calculated as one continuous year without interruption prior to the date of the death of the insured.</p>
10	<p>遺屬年金的申請和發給，是不是和其他年金一樣？</p> <p>Is the claim for the survivor pension the same as other annuities?</p>	<p>不一樣。勞保失能及老年年金，是從申請的當月起按月發給，但是符合遺屬年金資格條件的受益人，可以從提出請領之日起追溯補發 5 年內得領取的給付。</p> <p>No. Labor insurance disability pension and old-age pension are paid monthly from the month of application. However, beneficiaries who meet the eligibility conditions for the survivor pension can retroactively request the their entitled benefits of the last 5 years from the date of claim application.</p>

序號	問題	回答
1 1	<p>遺屬年金也是領到終生嗎？ Is the survivor pension also paid for life?</p>	<p>不一定。不同身分之遺屬有不同之請領條件，於符合請領條件時，始得核發年金給付。遺屬一旦喪失資格條件（如因案羈押或拘禁、失蹤、配偶再婚、子女已成年並未在學），本局即自事實發生之次月起停止發給遺屬年金。 Not necessarily. Survivors of different levels come with different conditions for the claim. Only when such conditions are met, can a pension benefit be issued. Once the survivors lose the eligibility conditions (such as detention or imprisonment due to legal cases, disappearance, remarriage of the spouse, grown-up children not attending school, etc.), the Bureau of Labor Insurance (BOLI) is to cease paying the survivor pension from the month following the occurrence of the fact.</p>
1 2	<p>申請喪葬津貼或遺屬年金（津貼）有 2 人以上時，該怎麼領？如果協議不成的時候，勞保局會如何發給？ When two or more people are eligible to claim the funeral allowance or survivor pension (/allowance), how shall the claim applications be made? If the consultation between/ among them fails, how would the Bureau of Labor Insurance (BOLI) issue the benefits?</p>	<p>申請喪葬津貼或遺屬年金（津貼）有 2 人以上時，應共同具領，未共同具領或本局核定前另外又有人提出申請，本局會以書面通知申請人於 30 日內完成協議；無法協議者，喪葬津貼或遺屬年金（津貼）按總給付金額平均發給。 When two or more people are eligible to claim the funeral allowance or survivor pension (/allowance), they shall make joint claim applications. If the joint claim application is not made, or a separate claim application is made beyond the joint claim application prior to the approval of the joint claim application by Bureau of Labor Insurance (BOLI), the BOLI is to notify the claim applicants in writing for them to reach a consensus within 30 days. Failure by the claim applicants to do so means the funeral allowance or survivor pension (/allowance) is to be equally distributed among all eligible claim applicants, based on the total benefit amount.</p>
1 3	<p>在同一個順序的遺屬有人要領遺屬年金，有人要領遺屬津貼，請問該怎麼辦？ For those survivors with the same priority in the order, if some opt for the survivor pension, while the others opt for the survivor allowance, how is such a situation handled?</p>	<p>本局會以書面通知請領人於 30 日內完成協議；未能完成協議，本局就直接發給遺屬年金。 The Bureau of Labor Insurance (BOLI) will notify the applicants in writing for them to reach a consensus within 30 days. Failure by the claim applicants to do so means the survivor pension is to be directly issued.</p>
1 4	<p>在領取老年年金期間死亡，也可以請領喪葬津貼嗎？ While the old-age pension is paid out, can the funeral allowance also be paid out</p>	<p>不可以。 No.</p>

序號	問題	回答
	through the claim application?	
1 5	<p>被保險人經評估為終身無工作能力，領取失能給付並經勞保局依法逕予退保，於保險效力終止後一年內，因加保有效期間發生之同一傷病及其引起之疾病死亡，還能請領死亡給付嗎？</p> <p>If the insured was assessed to be incapable of working for life and has received disability benefits, and passively withdrew from the labor insurance due to the unilateral cancellation by Bureau of Labor Insurance (BOLI) according to law, if within one year after the expiry of the insurance effectiveness, the insured dies due to injury or sickness and the disease is caused by the same injury or sickness that occurred during the effective period of the insurance, can the claim for the death benefit be made?</p>	<p>被保險人如係領取勞保失能年金期間死亡，遺屬得依勞工保險條例第 63 條之 1 第 1 項規定請領遺屬年金給付，或一次請領失能給付扣除已領年金給付總額之差額。</p> <p>If the insured dies while receiving the labor insurance disability pension, the survivors may apply to claim the survivor pension in accordance with the provisions of Paragraph 1 of Article 63-1 of the <i>Labor Insurance Act</i>, or apply to claim a lump-sum disability benefit after deducting the amount of pension benefits already received.</p> <p>如被保險人係一次請領失能給付後死亡，因保險效力已終止，不得再請領勞保被保險人本人死亡給付。</p> <p>If the insured dies after claiming a lump-sum disability benefit, since the insurance effect has been terminated, a claim for the labor insurance death benefit cannot be made.</p>
1 6	<p>遺屬年金給付每月匯入國外帳戶時要扣手續費，勞保局可以少扣一點嗎？</p> <p>Handling fees are deducted when the monthly survivor pension benefits are remitted to overseas accounts. Can the Bureau of Labor Insurance (BOLI) be more lenient on the handling fees?</p>	<p>依照勞工保險條例施行細則第 48 條規定，保險給付應逕匯入受益人之帳戶。遺屬年金之請領人如未在國內設有戶籍及銀行帳戶，可向本局申請按半年發給，以減少每月國際匯款手續費之負擔。</p> <p>In accordance with the provisions of Article 48 of the <i>Enforcement Rules of Labor Insurance Act</i>, insurance benefits shall be directly remitted to the accounts of the beneficiaries. Where the claim recipient of the survivor pension is a person without a household registration and/or a bank account within the R.O.C., he/she can apply to the Bureau of Labor Insurance (BOLI) for semi-annual payments to lower the burden of monthly international remittance fees.</p>
1 7	<p>勞保被保險人退保後，於參加國民年金保險有效期間請領身心障礙年金給付併計勞保年資，其復於勞保退保後一年內死亡並符合勞保條例</p>	<p>其遺屬依勞保條例第 63 條選擇一次請領遺屬津貼時，應扣除前併計勞工保險年資給付總額後，發給遺屬津貼之差額。</p> <p>如遺屬依勞保條例第 63 條選擇請領遺屬年金時，應俟併計勞工保險年資給付總額扣減完畢後，始得發給</p>

序號	問題	回答
	<p>第 20 條規定，勞保死亡給付應如何發給？</p> <p>After withdrawing from the labor insurance, the insured applied for the disability pension benefit during the effective period of the National Pension Insurance Fund (NPIF) along with the calculation of seniority of the labor insurance. If the insured subsequently dies within one year after withdrawing from the labor insurance, while being in line with the provisions of Article 20 of the <i>Labor Insurance Act</i>, how shall the death benefit be paid?</p>	<p>遺屬年金。</p> <p>如遺屬已領取國民年金保險之喪葬給付，不得再依勞保條例第 63 條請領被保險人本人死亡喪葬津貼。</p> <p>If the survivors opt to claim a lump-sum survivor allowance in accordance with the provisions of Article 63 of the <i>Labor Insurance Act</i>, the survivor allowance shall be paid after the deduction of the total benefit amount already paid for the labor insurance seniority.</p> <p>If the survivors opt to claim the survivor pension in accordance with the provisions of Article 63 of the <i>Labor Insurance Act</i>, the survivor pension shall not be paid until the total benefit amount already paid for the labor insurance seniority is deducted.</p> <p>If the survivors have already received funeral benefits from the National Pension Insurance Fund (NPIF), they cannot apply to claim the funeral allowances for the insured in accordance with Article 63 of the <i>Labor Insurance Act</i>.</p>
1 8	<p>被保險人因重度失能，是否不論領取失能給付一次金或失能年金給付，日後死亡均不得再行請領死亡給付？</p> <p>Under the circumstance of serious disability, is it true that a future claim for the death benefit cannot be made upon the death of the insured, whether the insured currently receives a lump-sum disability benefit or the disability pension benefit?</p>	<p>被保險人失能程度符合失能給付標準附表之失能狀態中列有「終身無工作能力」，被保險人如選擇一次請領失能給付(98 年 1 月 1 日前有保險年資)，日後死亡時，其受益人不得再行請領遺屬年金或遺屬津貼；被保險人如選擇領取失能年金給付，日後死亡時，則得由其受益人選擇請領遺屬年金或一次請領失能給付扣除已領失能年金給付總額之差額。</p> <p>When the degree of disability of the insured conforms to the circumstance “incapable of working for life” as listed in the Disability Benefit Standard Table, if the insured opts to claim a lump-sum disability benefit (with insurance seniority prior to January 1, 2009), then later, when the insured dies, the beneficiaries cannot make claim applications for the survivor pension or the survivor allowance. If the insured opts to receive the disability pension benefit, then later, when the insured dies, the beneficiaries may claim the survivor pension or a lump-sum disability benefit after the deduction of the total benefit amount already paid for the disability pension.</p>
1 9	<p>祇要是遺屬都可以請領遺屬年金嗎？</p> <p>May any survivors apply for the claim of the survivor pension?</p>	<p>遺屬年金的意義是在於長期照顧被保險人遺屬的生活，所以不是每位家屬都可領的，一定要符合遺屬的資格喔！</p> <p>The significance of the survivor pension lies in taking</p>

序號	問題	回答
		<p>care of the long-term living expense of the survivors of the insured. Therefore, not every surviving family member can receive it, and the eligibility of the survivors must be met!</p> <p>首先您要知道－「遺屬順位」：</p> <p>First of all, please be aware of the "surviving order" as follows:</p> <p>(1) 配偶及子女。(2) 父母。(3) 祖父母。(4) 受扶養之孫子女。(5) 受扶養之兄弟、姊妹。</p> <p>(1) Spouse and children, (2) Parents, (3) Grandparents, (4) Grandchildren under the providing support of the insured, and (5) Brothers or sisters under the providing support of the insured.</p> <p>接著您要符合－「遺屬資格」：</p> <p>Next, the "survivor eligibility" must be meet:</p> <p>(1) 配偶要符合下列情形之一：</p> <p>(1) The spouse must meet one of the following conditions:</p> <p>A. 年滿 55 歲，且婚姻關係存續 1 年以上。但是如果您是無謀生能力或有扶養（未成年、無謀生能力或是 25 歲以下，在學，且每月工作收入未超過投保薪資分級表第一級）之子女，就不在此限。</p> <p>A. At least 55 years old, and must have a marriage relationship with the insured for more than one year, unless the spouse is otherwise incapable of earning a living, or raises dependent children (including children of underage, incapable of earning a living, under the age of 25 attending school, or with a monthly working income below Level-1 of Insured Salary Grading Table).</p> <p>B. 年滿 45 歲，婚姻關係存續 1 年以上，且每月工作收入未超過投保薪資分級表第一級。</p>

序號	問題	回答
		<p>B. At least 45 years old, and had a marriage relationship with the insured for more than one year, with monthly working income below Level-1 amount in the Insured Salary Grading Table.</p> <p>(2) 子女要符合下列情形之一： (2) The children must meet one of the following conditions:</p> <p>未成年。無謀生能力。25 歲以下，在學，且每月工作收入未超過投保薪資分級表第一級。 Underage, incapable of earning a living, under the age of 25 attending school, with working income falling below Level-1 amount in the Insured Salary Grading Table.</p> <p>(3) 其他如祖父母、孫子女或兄弟姊妹也要符合勞保條例第 63 條所定的資格條件喔！ (3) Other survivors such as grandparents, grandchildren, or siblings must also meet the eligibility conditions stipulated in Article 63 of the <i>Labor Insurance Act</i>!</p>
20	<p>什麼情形才可以請領遺屬年金？ Under what circumstances can the application for the survivor pension be made?</p>	<p>有下列情形時，符合條件之遺屬才可以請領遺屬年金。 Eligible survivors can apply for the survivor pension only if any of the following circumstances exist.</p> <p>被保險人在加保期間死亡者。 The insured died during the insured period.</p> <p>被保險人退保，於領取老年年金或失能年金期間死亡者。 After withdrawing from the insurance, the insured dies during the period of receiving the old-age pension or disability pension.</p> <p>被保險人保險年資滿 15 年，並符合舊制老年給付條件，於未領取老年給付前死亡者。 The insured has at least 15 years of insurance seniority, meets the old-age benefit conditions of the old system, and dies before receiving the old-age benefit.</p>

序號	問題	回答
2 1	<p>被保險人在加保期間死亡，勞保遺屬年金如何計算？</p> <p>If the insured dies during the insurance period, how is the labor insurance survivor pension calculated?</p>	<p>給付標準如下： The benefit standards are as follows:</p> <ol style="list-style-type: none"> 1. 平均月投保薪資×年資×1.55% 1. Average monthly insured salary × seniority × 1.55%. 2. 最低保障 3,000 元。 2. The minimum guarantee is NT\$3,000 3. 同一順序遺屬有 2 人以上時，每多 1 人加發 25%，最多加計 50%。 3. If there are more than two survivors with the same priority in order, an additional 25% per survivor is added to the pension, up to a maximum of additional 50% 4. 如果是發生職災致死亡者，除了發給年金外，另加發 10 個月「職災死亡補償一次金」。 In case the death of the insured is attributable to an occupational accident, then in addition to the pension, a lump-sum death compensation (equivalent to 10 months of the average monthly insured salary) for an occupational accident is issued. <p>舉例(1)：李先生在保險有效期間死亡，保險年資 25 年又 3 個多月，平均月投保薪資 32,000 元。</p> <p>Example (1): Mr. Li died during the effective period of the insurance, with insurance seniority of 25 years and 3+ months, and an average monthly insured salary of NT\$32,000.</p> <p>※每月遺屬年金金額：$32,000 \times (25+4/12) \times 1.55\% = 12,564$ 元。</p> <p>※Monthly survivor pension amount: $32,000 \times (25+4/12) \times 1.55\% = \text{NT}\\$12,564$.</p> <p>※如其為職災事故，再加發：$32,000 \times 10$ 個月 = 32 萬元。</p> <p>※In case of the death due to occupational accident, additional payment is made: $32,000 \times 10$ months = NT\$320,000.</p> <p>舉例(2)：上例李先生如遺有配偶及 2 名子女。</p>

序號	問題	回答
		<p>Example (2): In the above example, Mr. Li is left with a spouse and two children.</p> <p>※每月遺屬年金金額：32,000×(25+4/12)×1.55%×(1+25%×2)=18,846 元。</p> <p>※Monthly survivor pension amount: 32,000 × (25+4/12) × 1.55% × (1+25%×2) = NT\$18,846.</p>
2 2	<p>非加保期間死亡，勞保遺屬年金如何計算？</p> <p>If the insured dies beyond the insurance period, how is the labor insurance survivor pension calculated?</p>	<p>如果是「被保險人退保，於領取老年年金或失能年金期間死亡」或「被保險人保險年資滿 15 年，並符合舊制老年給付條件，於未領取老年給付前死亡」二種情形者，符合條件之遺屬也可以請領遺屬年金。</p> <p>Under either of the two circumstances, namely "After withdrawing from the insurance, the insured dies during the period of receiving the old-age pension or disability pension" or "The insured has at least 15 years of insurance seniority, meets the old-age benefit conditions of the old system, and dies before receiving the old-age benefit", those eligible survivors can also apply for the survivor pension.</p> <p>給付標準如下：</p> <p>The benefit standards are as follows:</p> <p>(1) 依失能年金或老年年金給付標準計算後金額×50%。</p> <p>(1) Calculation is made according to the benefit standards for the disability pension or old-age pension × 50%</p> <p>(2) 最低保障 3,000 元。</p> <p>(2) The minimum guarantee is NT\$3,000</p> <p>(3) 同一順序遺屬有 2 人以上時，每多 1 人加發 25%，最多加計 50%。</p> <p>舉例 (1)：周先生在領取老年年金期間死亡，保險年資 25 年又 3 個多月，平均月投保薪資 32,000 元。</p> <p>(3) When there are more than two survivors with the</p>

序號	問題	回答
		<p>same priority in order, an additional 25% per survivor is added to the pension, up to a maximum of additional 50%.</p> <p>※原領每月老年年金金額：32,000×(25+4/12)×1.55% = 12,564 元。</p> <p>※The original monthly old-age pension amount: 32,000 × (25+4/12) × 1.55% = NT\$12,564</p> <p>→改領每月遺屬年金金額：12,564×50% = 6,282 元。</p> <p>→ Now opt to receive monthly survivor pension amount: 12,564 × 50% = NT\$6,282</p> <p>舉例 (2)：上例周先生在領取老年年金期間死亡，遺有配偶及 2 名子女。</p> <p>Example (2): In the above example, Mr. Zhou died while receiving the old-age pension, and left with a spouse and two children.</p> <p>※每月年金金額：6,282 ×(1 + 25%×2) = 9,423 元。</p> <p>※Monthly pension amount: 6,282 × (1 + 25% × 2) = NT\$9,423</p>