

## 勞工職業災害保險－死亡給付常見問答

### Labor Occupational Accident Insurance – FAQ of Dependent Death Benefit

序號	問題	回答
1	<p>職業災害死亡給付的請領資格、請領順序及給付基準各如何？</p> <p>What are the eligibility, order and payment standards for occupational accident death benefits?</p>	<p><b>請領資格：</b></p> <p><b>Eligibility：</b></p> <p>1.被保險人在保險有效期間遭遇職業傷病死亡者（或符合勞工職業災害保險及保護法第 27 條第 2 項規定，即被保險人在保險有效期間發生職業傷病事故，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、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 98 年 1 月 1 日後首次加保，當序遺屬於被保險人死亡時，全部不符合遺屬年金給付條件者，得請領遺屬一次金。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.The insured suffers from occupational injury or death during the effective period of the insurance (or meets the provisions of Article 27, Paragraph 2 of the Labor Occupational Accident Insurance and Protection Act, that is, the insured suffers from an occupational injury or disease during the effective period of the insurance, and after the insurance expires In case of death due to the same injury or disease or the disease caused by it within one year), the person who paid the funeral expenses shall apply for the funeral allowance; the insured is left with a spouse, children, parents, grandparents, or grandchildren or grandchildren who are supported by them. Brothers and sisters may apply for the survivor's annuity; the insured person adds the insurance for the first time after January 1, 1998. When the insured person dies, all those who do not meet the conditions for the payment of the survivor's annuity may apply for the one-time survivor's pension. If the insured has seniority in insurance before the implementation of labor insurance annuity on January 1, 1998, he may also choose to apply for survivor's allowance once.</p> <p>2.被保險人於領取完全或嚴重失能年金給付期間死亡者，得請領遺屬年金。</p> <p>2. If the insured dies during the period of receiving the total or severe disability pension, the insured may apply for the survivor's pension.</p>

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		<p><b>請領順序：</b>  <b>Steps：</b>            1. 喪葬津貼：由支出殯葬費之人請領。            1. Funeral allowance: It is requested by the person who pays the funeral expenses.</p> <p>2. 遺屬年金、遺屬一次金及遺屬津貼：            (1) 配偶及子女(2) 父母(3) 祖父母(4) 受被保險人扶養之孫子女(5) 受被保險人扶養之兄弟、姊妹。            2. Survivor's pension, lump sum and survivor's allowance:            (1) Spouse and children (2) Parents (3) Grandparents (4) Grandchildren supported by the insured (5) Brothers and sisters supported by 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<a href="#">問答 4</a>。            ※Surviving family members (parents) in the second order may apply for the surviving family pension under statutory conditions, please refer to Q&amp;A 4</p> <p><b>給付標準：</b>  <b>Payment Criteria：</b></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。無遺屬者，發給支出殯葬費用的人 10 個月喪葬津貼。            1. Funeral allowance: 5-month funeral allowance will be paid based on the average monthly insured salary for the 6 months preceding the month (inclusive) of the death of the insured. If there are no survivors, a 10-month funeral allowance will be given to those who pay the funeral expenses.</p> <p>2. 遺屬年金：            2. Surviving Family Pension：            1. 被保險人在保險有效期間死亡者（或符合勞工職業災害保險及保護法第 27 條第 2 項規定者）：按被保險人死亡之當月（含）起前 6 個月之平均月投保薪資 50% 發給。            1. If the insured dies during the effective period of the insurance (or meets the provisions of Article 27, Paragraph 2 of the Labor Occupational Accident Insurance and Protection Act): the average monthly insured salary for the 6 months preceding the month</p>

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		<p>(inclusive) of the death of the insured 50% to.</p> <p>2. 被保險人於領取完全或嚴重失能年金給付期間死亡者，依失能年金給付基準計算後金額之半數發給。</p> <p>2. If the insured dies during the period of receiving the total or severe disability annuity benefit, half of the amount calculated on the basis of the disability annuity benefit will be paid to.</p> <p>3. 遺屬加計：同一順序遺屬有 2 人以上時，每多 1 人加發 10%，最多加計 20%。</p> <p>3. Surviving family bonus: when there are more than 2 survivors in the same order, an additional 10% will be paid for each additional person, up to a maximum of 20%</p> <p>3.遺屬一次金：按被保險人死亡之當月（含）起前 6 個月之平均月投保薪資一次發給 40 個月。</p> <p>3. One-off benefit for survivors: one-time payment for 40 months based on the average monthly insured salary of the first 6 months from the month (inclusive) of the death of the insured</p> <p>4.遺屬津貼：按被保險人死亡之當月（含）起前 6 個月之平均月投保薪資一次發給 40 個月。</p> <p>4. Survivor's Allowance: It will be paid for 40 months at a time based on the average monthly insured salary for the first 6 months from the month (inclusive) of the death of the insured.</p> <p><b>遺屬年金請領條件：</b> <b>Conditions :</b></p> <p>1.配偶：符合下列情形之一。</p> <p>1. Spouse who meets one of the following conditions :</p> <p>1. 年滿 55 歲，且婚姻關係存續一年以上。</p> <p>1. At least 55 years old, and the marriage relationship has existed for more than 1 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 1 級。</p> <p>2. At least 45 years old, the marriage relationship has existed for more than 1 year, and the monthly working income does not exceed the first level of the insurance salary scale.</p> <p>3. 無謀生能力。</p> <p>3. Incapable of earning a living</p> <p>4. 扶養下述 2.項之子女。</p> <p>4. Raise children in the following paragraph 2.</p>

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		<p>2. 子女（養子女須有收養關係 6 個月以上）：符合下列情形之一。</p> <p>2. Children who meet one of the following conditions (adopted children must have an adoptive relationship for more than 6 months) :</p> <ol style="list-style-type: none"> <li>1. 未成年。</li> <li>1. Minors</li> <li>2. 無謀生能力。</li> <li>2. Incapable of earning a living</li> <li>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 1 級者。</li> <li>3. Under the age of 25, in school, and the monthly work income does not exceed level 1 of the insured salary scale.</li> </ol> <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 1 級者。</p> <p>3. Parents and Grandparents : At least 55 years old, and the monthly working income does not exceed level 1 of the insured salary scale.</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 : Those who are supported by the insured and meet one of the conditions for children in (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 : Dependent on the insured and meet one of the following conditions.</p> <ol style="list-style-type: none"> <li>1. 未成年。</li> <li>1. Minors.</li> <li>2. 無謀生能力。</li> <li>2. Incapable of earning a living.</li> <li>3. 年滿 55 歲，且每月工作收入未超過投保薪資分級表第 1 級者。</li> <li>3. At least 55 years old, and the monthly working income does not exceed level 1 of the insured salary scale</li> </ol>
2	<p>申請職業災害死亡給付應備哪些文件？</p> <p>What documents should I prepare for applying for occupational accident death benefit?</p>	<p><b>申請喪葬津貼應提具下列書據證件：</b></p> <p><b>To apply for funeral allowance, the following documents should be presented:</b></p> <ol style="list-style-type: none"> <li>1. 勞工職業災害保險本人死亡給付申請書及給付收據。</li> <li>1. Labor occupational accident insurance death benefit</li> </ol>

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		<p>application form and payment receipt</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. A death certificate, a public prosecutor's autopsy certificate, or a death declaration verdict</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)</p> <p>3. A copy of the insured's entire household registration with the date of death and a copy of the applicant's current residence registration if the application is made after the death date of the deceased (Please do not omit the note)</p> <p>4. 殯葬費用支出單據或證明文件。但支出殯葬費之人為當序受領遺屬年金、遺屬一次金或遺屬津貼者，得以切結書代替。</p> <p>4. Funeral expense receipts or supporting documents. However, if the person who pays the funeral expenses is to receive the survivor pension or survivor allowance in sequence, an affidavit letter may be used instead.</p> <p><b>申請遺屬年金應提具下列書據證件：</b></p> <p><b>Required documents for applying Survivor pension:</b></p> <p>1. 勞工職業災害保險本人死亡給付申請書及給付收據。</p> <p>1. Labor occupational accident insurance death benefit application form and payment receipt</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. A death certificate, a public prosecutor's autopsy certificate, or a death declaration verdict</p> <p>3. 載有被保險人死亡日期之全戶戶籍謄本，受益人為養子女時，並需載有收養及登記日期；受益人與死者非同一戶籍者，應同時提出各該戶籍謄本。請領遺屬年金給付之受益人為配偶時，戶籍謄本應載有結婚日期。(記事請勿省略)</p> <p>3. A transcript of the entire household registration containing the date of death of the insured. If the beneficiary is an adopted child, the date of adoption and registration must be included; if the beneficiary and the deceased are not in the same household registration, each household registration transcript should be submitted at the same time. (Please do not omit the note)</p> <p>4. 其他證明文件如下：</p> <p>4. Other supporting documents are as follows:</p>

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		<p>1. 以「在學」資格申請者(子女或孫子女)：年滿 20 歲，25 歲以下且為在學者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，重新檢具相關證明送保險人查核，經查核符合條件者，遺屬年金應繼續發給至翌年 8 月底止。</p> <p>1. Applicants who qualify as "in school" (children or grandchildren): should attach proof of enrollment or tuition fee receipt. The enrollment or tuition receipt should be re-examined before the end of September each year and sent to the insurer for verification. Those who meet the conditions after verification, the survivor pension should continue to be issued until the end of August of the following year.</p> <p>2. 以「無謀生能力」資格申請者：檢附重度以上身心障礙手冊或證明，或受禁治產宣告之證明文件。</p> <p>2. Applicants who qualify as "incapable of earning a living": Attach a handbook or certificate of severe disability or above, or a declaration of interdiction.</p> <p>3. 以「受被保險人扶養」申請者(孫子女或兄弟姐妹)：應檢附受被保險人扶養事實之相關文件。</p> <p>3. Applicants who are "supported by the insured" (grandchildren or siblings): The relevant documents of the fact of being supported by the insured should be attached.</p> <p>4. 遺屬如未於國內設有戶籍者，請領時應檢附身分及相關證明文件，並應每年重新檢附身分及相關證明文件送保險人查核。</p> <p>4. If the bereaved family members do not have household registration in Taiwan, they should submit their identity and relevant supporting documents when applying, and should re-attach their identity and relevant supporting documents every year to the insurer for verification.</p> <p><b>申請遺屬一次金應提具下列書據證件：</b>  <b>To apply for One time allowance for bereavement, the following documents should be presented：</b></p> <p>1. 勞工職業災害保險本人死亡給付申請書及給付收據。</p> <p>1. Labor occupational accident insurance death benefit application form and payment receipt</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. The death certificate or the prosecutor's certificate of</p>

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		<p>examining the corpse, and the one who declares the death is the verdict.</p> <p>3.載有被保險人死亡日期之全戶戶籍謄本，受益人為養子女時，須載有收養及登記日期；受益人與死者非同一戶籍者，應同時提出各該戶籍謄本。（記事請勿省略）</p> <p>3.The death certificate or the prosecutor's certificate of examining the corpse, and the death declaration is the verdict. A transcript of the entire household registration containing the date of death of the insured. If the beneficiary is an adopted child, the date of adoption and registration must also be included; if the beneficiary and the deceased are not in the same household registration, each household registration transcript should be submitted at the same time. (Please do not omit the note).</p> <p>4.當序遺屬不符合遺屬年金給付條件之相關證明文件。</p> <p>4.When the event of the death of the insured, all relevant certificates that do not meet the conditions for the payment of the survivor pension.</p> <p><b>申請遺屬津貼應提具下列書據證件：</b>  <b>To apply for survivor allowance, the following documents should be presented :</b></p> <p>1. 勞工職業災害保險本人死亡給付申請書及給付收據。</p> <p>1. Labor occupational accident insurance death benefit application form and payment receipt.</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. A death certificate, a public prosecutor's autopsy certificate, or a death declaration verdict</p> <p>3. 載有被保險人死亡日期之全戶戶籍謄本，受益人為養子女時，須載有收養及登記日期；受益人與死者非同一戶籍者，應同時提出各該戶籍謄本。（記事請勿省略）</p> <p>3. A transcript of the entire household registration containing the date of death of the insured. If the beneficiary is an adopted child, the date of adoption and registration must be included; if the beneficiary and the deceased are not in the same household registration, each household registration transcript should be submitted at the same time. (Please do not omit the note).</p>

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3	<p>被保險人沒有勞工職業災害保險及保護法規定的受益人時，可否指定受益人？如不可，喪葬津貼如何請領？</p> <p>If the insured does not have a beneficiary specified in the Labor Occupational Accident Insurance and Protection Act, can a beneficiary be designated? If not, how to apply for funeral allowance?</p>	<p>1. 職災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>1. The survivor's allowance or survivor's annuity paid for death benefit from occupational accident insurance is not an estate, and should be received in the order of beneficiaries specified. The insured may not designate the beneficiary by himself.</p> <p>2. 被保險人死亡，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>2. In the event of the death of the insured and no survivors, the person who paid the funeral expenses shall present the supporting documents and claim a funeral allowance for 10 months.</p>
4	<p>被保險人因職業災害死亡，雖遺有配偶，父母可以申請遺屬給付嗎？</p> <p>If the insured dies due to occupational accident, can the parents apply for surviving family benefits even though they are left with a spouse?</p>	<p>1. 勞工職業災害保險及保護法第 52 條第 2 項有明定請領遺屬年金、遺屬一次金及遺屬津貼之順序，有前順序受益人存在時，後順序之遺屬不得請領。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>1. Article 52, Paragraph 2 of the Labour Occupational Accident Insurance and Protection Act stipulates the order for claiming the survivor's pension, the one-off pension for the survivor and the survivor's allowance. If there are beneficiaries in the former order, the survivors in the latter order cannot claim. However, if the first-order beneficiaries (spouse and children) have any of the following circumstances, the second-order parents may apply for survivors' annuity payments:</p> <ol style="list-style-type: none"> <li>1. 死亡。</li> <li>1. Decease</li> <li>2. 提出放棄請領書。</li> <li>2. File a waiver</li> <li>3. 於符合請領條件起一年內未提出請領者。</li> <li>3. Those who have not filed a claim within one year of meeting the claim requirements.</li> </ol> <p>2. 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>2. If the surviving family members in the first order claim the claim or meet the requirements again, the payment will be stopped and the surviving family members in the first order will apply; Survivors of the order will not be reissued</p>



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		<p>3.例外情形：若配偶出具同意書敘明放棄請領遺屬津貼或遺屬一次金，則父母可以於請領時效內請領遺屬津貼或遺屬一次金。同意書應加蓋印鑑證明章，並檢附印鑑證明；或經法院或民間公證人認證。</p> <p>3. Exception: If the spouse issues a consent letter stating that they have waived the claim for the Survivor's Allowance or Survivor's lump sum, the parents can claim the Survivor's Allowance or Survivor's lump sum within the statute of limitations. The consent form should be stamped with a seal certificate, and the seal certificate should be attached; or it should 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，應如何申請職業災害死亡給付？</p> <p>If a migrant worker dies, or the insured's survivor does not have a household registration in China, how should he apply for occupational accident death benefit?</p>	<p>1.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>1. If the beneficiary comes to Taiwan to apply for it in person, he must submit a copy of the family relationship certificate, the beneficiary's passport, and a copy of the residence permit. For those who do not have a residence permit, a copy of the entry and exit permit should be attached (please affix the seal of the insured unit to the copy, and prove the match the original).</p> <p>2.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>2. When the beneficiary is unable to come to Taiwan to claim payment, the beneficiary may draw up a power of attorney and attach identification documents and proof of kinship, entrust the collection and forwarding on behalf of the beneficiary, or transfer it to the beneficiary's account abroad.</p> <p>3.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>3. The power of attorney and supporting documents</p>

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		<p>should include the original text and the Chinese translation (the English documents of the death certificate and the family relationship certificate that are sufficient for identification may not be accompanied by the Chinese translation), which should be sent to the Chinese overseas unit for verification. If the Chinese translation has not been verified, the court should Or private notary certification; documents issued by the mainland or Hong Kong and Macao regions must be notarized by the mainland notary office, and verified by the SEF or the Taiwan Economic and Cultural Office in Hong Kong, Macao and Taiwan. When filling in the application form, the "Applicant's Name" should fill in the information of the beneficiary, and the "Applicant's Signature" field should be signed by the entrusted person. If the entrusted person is an insurance applicant, the seal of the insurance applicant and the person in charge should be affixed. )</p> <p>4.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>4. The surviving family members applying for the Surviving Family Annuity should resubmit their identity and relevant supporting documents to this bureau for verification every year. If the attached identity and related documents are produced in foreign countries, Hong Kong, Macau or mainland China, the Chinese translation should be included, and the verification procedures must be signed in accordance with the regulations.</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, has divorced from his spouse, and his children are minors, how can I claim my death benefit?</p>	<p>1.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，並檢附法定代理人現住址戶籍謄本申領。</p> <p>1. If the insured dies, has divorced from his spouse, and his children are minors, how can I claim my death benefit? 1. If the beneficiary is underage, if his biological father (mother) is still alive, although he has divorced the insured, he is still the legal representative of the beneficiary according to law. Attach a copy of the legal representative's current address and household registration for application.</p> <p>2.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</p>

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		<p>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>2. Parents who are unable to exercise or bear the rights and obligations of their minor children may set up guardians in accordance with Article 1094 of the Civil Code. If there is no guardian, the insured unit to which the insured belongs may notify this bureau to apply for interest-bearing storage survivor allowance or survivor annuity.</p>
7	<p>請問何謂「婚姻關係存續 1 年以上」？</p> <p>May I ask what is meant by "marriage relationship lasted for more than 1 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 who is claiming the survivor's pension must have a marriage relationship with the insured for more than one year. The calculation of the period is one year from the date of the death of the insured.</p>
8	<p>遺屬年金的申請和發給，是不是和失能年金一樣？</p> <p>Is the application and payment of the survivor's annuity the same as the disability annuity?</p>	<p>不一樣。職保失能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>Different. The disability pension for occupational insurance is paid monthly from the month of application, but beneficiaries who meet the eligibility requirements for survivors' annuity can retroactively reissue the benefits they received within 5 years from the date of application.</p>
9	<p>遺屬年金也是領到終生嗎？</p> <p>Is the survivor's pension also 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。遺屬一旦不符合請領條件（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。</p> <p>Uncertain. Survivors of different identities have different requirements for claiming an annuity. Only when the claiming requirements are met, an annuity payment can be issued. Once the surviving family does not meet the application requirements (such as detention or detention due to the case, disappearance, remarriage of the spouse, and children who have reached adulthood and are not in school), the Bureau will stop paying the surviving family annuity from the month following the occurrence of the fact.</p>
10	<p>申請喪葬津貼或遺屬年金（津貼、一次金）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？</p> <p>How can I receive funeral</p>	<p>申請喪葬津貼或遺屬年金（津貼、一次金）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，按總給付金額平均發給。</p> <p>If there are more than 2 people applying for funeral</p>

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	allowance or survivor's pension (allowance, lump sum) for more than 2 people? If the agreement fails, how will the Labor Insurance Bureau issue it?	allowance or survivor's annuity (allowance, lump sum), they should receive it jointly. If they do not receive it jointly or another person applies before the Bureau approves the application, the Bureau will notify the applicant in writing to complete the agreement within 30 days; Those who cannot reach an agreement will be paid equally according to the total payment amount.
1 1	<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？</p> <p>Some of the survivors in the same order are entitled to the survivor's annuity, and some are entitled to the survivor's allowance. What should I do?</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，本局依勞工職業災害保險及保護法第 53 條第 2 項規定發給遺屬年金。</p> <p>The Bureau will notify the applicant in writing to complete the agreement within 30 days; if the agreement is not completed, the Bureau will issue an annuity to the survivors in accordance with Article 53(2) of the Labor Occupational Accident Insurance and Protection Act.</p>
1 2	<p>被保險人經評估為終身無工作能力，領取職業災害完全或嚴重失能年金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職業傷病及其引起之疾病死亡，還能請領死亡給付嗎？</p> <p>The insured is assessed to be incapable of working for life, receives an annuity payment for complete or severe disability due to occupational disasters and surrenders the insurance through the Labor Insurance Bureau in accordance with the law. Can I still claim death benefit if I die from the disease caused by it?</p>	<p>1.被保險人如係領取完全或嚴重失能年金期間死亡，遺屬得依勞工職業災害保險及保護法第 50 條規定請領遺屬年金給付，被保險人於 98 年 1 月 1 日勞保年金施行前有保險年資者，亦得選擇一次請領失能給付扣除已領年金給付總額之差額。</p> <p>1. If the insured dies during the period of receiving the total or severe disability pension, the surviving family may apply for the surviving family pension payment in accordance with Article 50 of the Labor Occupational Accident Insurance and Protection Act. Insured seniors can also choose to claim the difference between the total annuity payment and the total annuity payment.</p> <p>2.如被保險人係一次請領職業災害失能給付後死亡，因保險效力已終止，不得再請領被保險人職業災害死亡給付。</p> <p>2. If the insured dies after claiming the occupational accident disability payment once, the insurance effect has been terminated, and the insured cannot claim the occupational accident death payment again.</p>
1 3	<p>只要是遺屬都可以請領遺屬年金嗎？</p> <p>Can all survivors claim the survivor's 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's annuity is to take care of the life of the survivors of the insured for a long time, so not every family member can receive it, and you must meet the qualifications of the survivors!</p> <p>首先您要知道－「遺屬順位」： First of all you need to know - "surviving family order":</p>

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		<p>1. 配偶及子女。 1. spouse and children</p> <p>2. 父母。 2. parents</p> <p>3. 祖父母。 3. grandparents</p> <p>4. 受扶養之孫子女。 4. grandchildren supported by the insured</p> <p>5. 受扶養之兄弟、姊妹。 5. Siblings supported by the insured</p> <p>接著您要符合—「遺屬資格」： Then you have to meet - "surviving family qualification":</p> <p>1. 配偶要符合下列情形之一：</p> <p>1. Spouse who meets one of the following conditions：</p> <p>1. 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 1 級）之子女，就不在此限。 1. At least 55 years old, and the marriage relationship has existed for more than 1 year. However, this does not apply to those who are unable to earn a living or support the children specified below.</p> <p>2. 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 1 級。 2. At least 45 years old, the marriage relationship has existed for more than 1 year, and the monthly working income does not exceed the first level of the insurance salary scale.</p> <p>2. 子女要符合下列情形之一：</p> <p>2. Children who meet one of the following conditions (adopted children must have an adoptive relationship for more than 6 months)：</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 1 級。 (1) Minors.(2) Incapable of earning a living(3) Under the age of 25, in school, and the monthly work income does not exceed level 1 of the insured salary scale.</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 1 級者。 3. At least 55 years old, and the monthly working income does not exceed level 1 of the insured salary</p>

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		<p>scale.</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 : require support from the insured and have met one of the conditions according to (no.2).</p> <p>5. 兄弟姊妹：受被保險人扶養，且符合下列情形之一：</p> <p>5. Siblings : require support from the insured and have met one of the following conditions:  (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 1 級者。  (1) Minors(2) Incapable of earning a living.(3) Under the age of 25, in school, and the monthly work income does not exceed level 1 of the insured salary scale.</p>
1 4	<p>什麼情形才可以請領遺屬年金？</p> <p>Under what circumstances can I apply for the Survivor's Pension?</p>	<p>有下列情形時，符合條件之遺屬才可以請領遺屬年金：</p> <p>Eligible surviving family members can apply for surviving family pension under the following circumstances:</p> <p>1. 被保險人在加保期間遭遇職業傷病死亡者。</p> <p>1. The insured suffers from occupational injury and death during the insured period</p> <p>2. 被保險人退保，於領取完全或嚴重失能年金期間死亡者。</p> <p>2. The insured surrenders the policy and dies during the period of receiving the total or severe disability annuity.</p>
1 5	<p>被保險人在加保期間因職業災害死亡，遺屬年金如何計算？</p> <p>If the insured dies due to an occupational accident during the insured period, how is the survivor annuity calculated?</p>	<p>按被保險人死亡之當月（含）起前 6 個月之平均月投保薪資 50% 發給。</p> <p>50% of the average monthly insured salary for the first 6 months from the month (inclusive) of the death of the insured.</p>
1 6	<p>被保險人 98 年 1 月 1 日後首次加保，於 111 年 5 月 1 日後因職業災害死亡時，其當序遺屬全部不符合遺屬年金給付條件者，可以申請什麼給付？</p> <p>When the insured added the insurance for the first time after January 1, 1998, and died of occupational accident after May 1, 111, if all the</p>	<p>被保險人 98 年 1 月 1 日後首次加保，於 111 年 5 月 1 日後因職業災害死亡時，其當序遺屬僅得申請遺屬年金給付。惟如其當序遺屬於其死亡時，全部不符合遺屬年金給付條件，得選擇請領遺屬一次金。</p> <p>If the insured added insurance for the first time after January 1, 1998, and died of occupational accident after May 1, 111, the immediate survivors can only apply for survivor annuity payment. However, if the immediate surviving family member dies and all of them are not eligible for the surviving family annuity payment, they may choose to claim the surviving family member's</p>

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	immediate survivors did not meet the pension benefits for survivors, what benefits can they apply for?	one-off pension.
1 7	<p>被保險人 98 年 1 月 1 日後首次加保，因職業災害死亡時，父母為當序受益人，父親已符合遺屬年金請領條件，但已在領自身勞保老年年金，母親未符合遺屬年金請領條件，其遺屬可以申請什麼給付？</p> <p>The insured added insurance for the first time after January 1, 1998. When the insured died due to an occupational accident, the parents were the in-order beneficiaries. The father had met the requirements for the survivor's annuity, but he was already receiving his own labor insurance old-age annuity. The mother did not meet the requirements for the survivor's annuity. What kind of benefits can the survivors apply for?</p>	<p>其父親可以依勞工職業災害保險及保護法第 58 條規定，申請職災遺屬年金併領勞保老年年金減額調整，並以父親請領遺屬年金與老年年金之合計金額，超過遺屬年金所採計之平均月投保薪資數額，為應扣減金額，於遺屬年金中予以扣減，應扣減金額以本保險年金給付金額之 50% 為上限。</p> <p>The father may, in accordance with Article 58 of the Labor Occupational Accident Insurance and Protection Act, apply for occupational disaster survivors' pension and receive the labor insurance old-age pension reduction adjustment, and the total amount of the survivor's pension and the old-age pension requested by the father exceeds the amount calculated for the survivors' pension. The average monthly insured salary is the deductible amount, which is deducted from the survivor's annuity. The deductible amount is limited to 50% of the insurance annuity payment amount.</p>
1 8	<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>Survivor's annuity payment will deduct handling fee when it is remitted to overseas account every month. Can the Labor Insurance Bureau deduct a little less?</p>	<p>依照勞工職業災害保險及保護法條例施行細則第 44 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 Article 44 of the Implementing Rules of the Labor Occupational Accident Insurance and Protection Act, the insurance payment shall be directly transferred to the account of the beneficiary. If the claimant of the survivor's annuity does not have a household registration and a bank account in China, he can apply to this bureau for half-yearly payment to reduce the burden of monthly international remittance fees.</p>