Widow's, Widower's or Surviving Civil Partner's Contributory Pension

Frequently Asked Questions

1. What is Widow's, Widower's or Surviving Civil Partner's Contributory Pension?

Widow's, Widower's or Surviving Civil Partner's Contributory Pension is a social insurance payment made to widows, widowers and surviving civil partners. It is based on the social insurance (PRSI) record of either the claimant or their late spouse or civil partner.

The pension is not means tested, so your rate of payment is not affected by other income you may have such as an occupational pension, earnings from employment, etc.

You qualify for Widow's, Widower's or Surviving Civil Partner's Contributory Pension if you:

- are widowed or a surviving civil partner **or**
- are divorced from your late spouse (as recognised in this State) and have not remarried **or**
- have had your civil partnership with your late civil partner dissolved and have not registered in a new civil partnership

and

- you are not cohabiting as a couple

and

- you satisfy certain social insurance contribution conditions

  or

- your late spouse or civil partner got a certain rate State Pension (Transition) or a certain rate State Pension (Contributory) which included an increase for you as a Qualified Adult or would have included this increase but for the fact that you were getting a State Pension (Non-Contributory), a Blind Pension or Carer's Allowance in your own right.

2. What are the social insurance conditions I must satisfy to qualify for this pension?

To qualify for Widow's, Widower's or Surviving Civil Partner's Contributory Pension either you or your late spouse or civil partner must satisfy certain social insurance conditions. All of these conditions must be met on one person's record; you may not combine both of your records. All contributions must have been made before the death of your spouse or civil partner.

PRSI contributions at Classes A, B, C, D, E, F, G, H, P, N and S are counted when assessing your entitlement to Widow's, Widower's or Surviving Civil Partner's Contributory Pension. Voluntary contributions are also counted.

To qualify for Widow's, Widower's or Surviving Civil Partner's Contributory Pension either you or your late spouse or civil partner must have:

a) 156 **paid** social insurance contributions (increasing to 260 from 27th December 2013) paid to the date of death of the spouse/civil partner or before pension age (currently, age 66), whichever is earlier **and**
b) have a yearly average of either
   - 39 **paid or credited** social insurance contributions in either the 3 or 5 years before death of the spouse/civil partner or before they reached pension age (called the 'Short Yearly Average') **or**
   - at least 24 **paid or credited** social insurance contributions from the year of first entry into social insurance until either the year of death of the spouse/civil partner or the year they reached pension age, whichever is earlier (called the 'Long Yearly Average').

3. What new arrangements are being introduced regarding late claims and from when?

From 6th April 2012 late claims for Widow's, Widower's or Surviving Civil Partner's Contributory Pension may be backdated for a maximum period of 6 months.

4. Who is affected by this change?

Any person who submits a claim for Widow's, Widower's or Surviving Civil Partner's Contributory Pension on or after 6th April 2012, where the date of death of their spouse or civil partner is greater than 6 months prior to the date they submit the claim, is affected by this change.

5. What does this mean for a person applying for this pension?

A person applying for Widow's, Widower's or Surviving Civil Partner's Contributory Pension should do so as soon as possible after their spouse or civil partner dies.

If a claim is submitted more than six months after the date of death, it will be accepted and, if eligible, payment will only be backdated for a maximum of six months prior to the date the claim is received by the Department, regardless of date of death of the spouse or civil partner.

6. I am already in receipt of this pension; will the change to the backdating rule affect me?

No. This change only applies to new claims received on or after 6th April 2012.

7. Are there any circumstances where the Department will backdate a claim for more than 6 months?

In certain circumstances it may be possible to backdate claims for a period beyond six months:

- Where you failed to claim at the date of entitlement because of false or misleading information given to you, or a person acting on your behalf, by staff of the Department. If this is the case, you must give full details of the false or misleading information you got, including the name of the officer who gave the incorrect information (if known), the office where they gave the incorrect information and the date they gave it
- Where you failed to claim at the date of entitlement because you were so incapacitated by illness or infirmity that you could not apply or instruct another person to apply on your behalf. If this is the case, you must supply medical evidence from your doctor explaining why the illness or incapacity prevented you from applying yourself or appointing someone to apply for you.

Where illness or incapacity is claimed, your claim to pension must have been made before or within 6 months of the date you ceased to be ill or incapacitated.

Note: Your lack of knowledge of entitlement to pension or the lack of knowledge of entitlement to pension of an agent/person acting for you is not regarded as satisfying the criteria to backdate your claim.

The lack of knowledge by third parties, incorrect information or advice which is supplied to you, or failure to act by an individual or agency other that an employee of the Department will not be regarded as a basis for a further backdating of pension payment.

8. What is the change that is taking place to the minimum number of paid contributions required for Widow's, Widower's or Surviving Civil Partner's Contributory Pension and from what date will this change take effect?

From 27th December 2013, the minimum number of **paid** contributions required for Widow's, Widower's or Surviving Civil Partner's Contributory Pension will be 260.

9. Who is affected by this change?

Any person who submits a claim for Widow's, Widower's or Surviving Civil Partner's Contributory Pension where the date of death of their spouse or civil partner is on or after 27th December 2013 is affected by this change.

They will need to have at least 260 paid social insurance contributions on either their own record or on the record of their spouse or civil partner, as well as satisfy the condition mentioned at Part b) of Question 2.

10. I am already in receipt of this pension; will this change affect me?

No. This change only applies to new claims made by people whose spouse or civil partner dies on or after 27th December 2013.

11. How can I get a copy of my social insurance record?

You can request a copy of your social insurance record

- online in the Online Services area of our website www.welfare.ie **or**
- by writing to our Central Records Section (address below), and telling us your:
  - PPS Number
  - Name
  - Address
  - Date of Birth
  - Birth Surname (if you are a married woman)
  - Mother's Birth Surname
  - Pre-1979 Insurance Number (if you worked in Ireland pre-1979)
  - Telephone number (in case we need to contact you)

Central Records
Department of Social Protection
McCarter's Road
Ardarvan
Buncrana
Co. Donegal
LoCall 1890 690 690

12. Neither I nor my late spouse or civil partner have 156 paid Irish social insurance contributions, but I or my late spouse or civil partner worked abroad. Can social insurance contributions from another country be used to satisfy this requirement?

Social insurance in a country covered by EC Regulations or a country with which Ireland has a Bilateral Social Security Agreement can be used to satisfy this requirement. For a list of these countries, see Question 28.

From 27th December 2013, the minimum number of paid contributions required for Widow's, Widower's or Surviving Civil Partner's Contributory Pension will be 260.

Note: You or your late spouse or civil partner must have at least 52 Irish social insurance contributions/credits, of which at least one must be a paid contribution.

13. Do the social insurance contributions paid in a country covered by EC Regulations or with which Ireland has a Bilateral Social Security Agreement count towards Widow's, Widower's or Surviving Civil Partner's Contributory pension?

If you do not qualify for a Widow's, Widower's or Surviving Civil Partner's Contributory pension on the Irish social insurance record alone, these contributions may help you qualify for a pro-rata pension under EC Regulations or under a Bilateral Social Security Agreement. You may also qualify for a pension from the other country or countries.

When applying for your pension here, you should give details on your application form of any employment or periods of residence abroad. We will send the relevant papers, on your behalf, to the authorities in the country or countries listed at Question 28.

14. How do I know what type of contribution I am paying?

The type of contribution, or PRSI Class, you pay is shown on your P60. See Question 29 for an explanation of the different PRSI Classes.

15. What is a "Contribution Year"?

A "contribution year" is a year of assessment within the meaning of the Income Tax Acts, and is generally referred to as the "tax year".

16. What are "self-employed contributions"?

Self-employed rate social insurance contributions are PRSI contributions at Class S. These contributions are counted when assessing your entitlement to Widow's, Widower's or Surviving Civil Partner's Contributory Pension.

If you or your late spouse or civil partner were self-employed and started paying Class S PRSI contributions on 6th April 1988, your entitlement to Widow's, Widower's or Surviving Civil Partner's Contributory Pension may be calculated based on the social insurance record from that date, if it results in you getting a higher rate pension, provided you satisfy the other conditions for the pension.

You or your late spouse or civil partner must have paid self-employment contributions for at least one year before reaching the age of 66 or date of death, if earlier.

It is important to ensure any PRSI liabilities are paid on time, to avoid possible loss of pension payment.

17. How do I calculate my "Short Yearly Average"?

Count the number of social insurance contribution and credits on either your own or your late spouse's or civil partner's record in the 3 (or 5) full contribution years before either pension age (currently 66) or their date of death, if earlier. Call this '*Contributions and Credits*'.

Your '*Short Yearly Average*' is calculated as follows:

$$\text{Short Yearly Average} = \frac{\textit{Contributions and Credits}}{3 \textit{ or } 5}$$

Example:

A person starts paying social insurance on 1st January 2005 and continues to do so up until the death of their spouse on 1st April 2011. They have paid 52 contributions in each of the contribution years 2008, 2009 and 2010, giving a total of 156 'Contributions and Credits'. Their Short Yearly Average is calculated as follows:

Contribution Years = 3

Contributions and Credits = 156

$$\text{Short Yearly Average} = \frac{\textit{Contributions and Credits}}{\textit{Total Contribution Years}} = \frac{156}{3} = \mathbf{52}$$

18. How do I calculate my "Long Yearly Average"?

Count the number of contribution years, beginning with the year either you or your late spouse or civil partner first started paying social insurance up to and including the last full contribution year before

pension age (currently 66) or before your spouse's or civil partner's death, if earlier. Call this "*Total Contribution Years*".

Count all the paid contributions and credits on either your record or on your late spouse or civil partner's record over that period (see Question 2 above). Call this "*Contributions and Credits*".

Your "*Long Yearly Average*" is calculated as follows:

$$\text{Long Yearly Average} = \frac{\textit{Contributions and Credits}}{\textit{Total Contribution Years}}$$

Example:

A person is paying social insurance since 7th August 1962 and their spouse/civil partner dies on 12th March 2012. The last full contribution year before the date of death is 2011. They have a total of 1,400 contributions and credits which count towards Widow's, Widower's or Surviving Civil Partner's Contributory Pension.

Total Contribution Years = 50

Contributions and Credits = 1,400

$$\text{Long Yearly Average} = \frac{\textit{Contributions and Credits}}{\textit{Total Contribution Years}} = \frac{1{,}400}{50} = \mathbf{28}$$

19. How much will I get?

We first calculate your 'Short Yearly Average'. If this is 39 or greater, you will qualify for the maximum rate.

If it is below 39, we calculate your 'Long Yearly Average'; you need a 'Long Yearly Average' of 48 to qualify for the maximum rate but reduced rates are payable if your 'Long Yearly Average' is between 24 and 47, inclusive.

Widow's, Widower's or Surviving Civil Partner's Contributory Pension rates (2012)

Short Yearly Average only	Age under 66	Age 66 or over
39 or over	€193.50	€230.30

Long Yearly Average	Age under 66	Age 66 or over
48 or over	€193.50	€230.30
36-47	€190.70	€225.80
24-35	€188.00	€220.40

20. What other benefits or allowances can I get?

In addition to your pension, you may also qualify for the following payments:

- Bereavement Grant;
- Widowed or Surviving Civil Partner Grant;
- Death Benefit under the Occupational Injuries Scheme;
- Increase for a Qualified Child – this means a child normally living with you and aged under 18 or aged up to 22 if they are in full time education and are being supported by you;
- Living Alone Increase – if you are aged 66 or over and live alone or mainly alone;
- Island Allowance – if you are aged 66 or over and live on certain Irish offshore islands;
- Age 80 Allowance – automatically paid once you reach age 80;
- Fuel Allowance – a means-tested payment, payable if you live alone or with certain other people;
- Household Benefits Package – Electricity or Gas Allowance, Telephone Allowance and Free TV Licence. Available to people aged 70 or over resident in the State and to people aged under 70 resident in the State, in certain circumstances. Only one person in a household can qualify for the package at any time.

For more information on all of these benefits and allowances, see www.welfare.ie.

21. When and how do I apply for my pension?

You should apply for your Widow's, Widower's or Surviving Civil Partner's Contributory Pension as soon as possible after your spouse or civil partner dies.

Note: From 6th April 2012, if you do not apply for your pension within 6 months of becoming eligible, you could lose some payment.

If you are living in the Republic of Ireland, you should complete the application form WCP1 and send it with supporting documentation to:

Widow's, Widower's or Surviving Civil Partner's Contributory Pension
Department of Social Protection
College Road
Sligo
LoCall 1890 500 000

If you are living in one of the countries listed in Question 28 and you have paid social insurance in any of those countries, you should apply to the Social Security Agency in that country. They will send details of your application as well as the relevant social insurance records to us.

For more information, see www.welfare.ie.

22. I am not happy with the decision made by the Department on my application for pension. What can I do next?

You can request a review by the Deciding Officer by writing in to us and telling us why you think the decision we made was incorrect. The address you should write to is:

Widow's, Widower's or Surviving Civil Partner's Contributory Pension
Department of Social Protection
College Road
Sligo

If, following the review, you are still unhappy with the decision, you can appeal the decision by contacting the Appeals Office within 21 days of the date of review at:

Social Welfare Appeals Office
D'Olier House
D'Olier Street
Dublin 2

23. How will I get my payment?

Widow's, Widower's or Surviving Civil Partner's Contributory Pension is paid weekly:

- At your local Post Office by Social Services Card / Public Services Card **or**
- By direct payment into your current, deposit or savings account in a financial institution.

You must notify the Department immediately of any change in your circumstances.

24. Does the Department of Social Protection deduct Income Tax from my Widow's, Widower's or Surviving Civil Partner's Contributory Pension?

No. The Department does not deduct Income Tax from your pension.

However, your pension, including Increase for Qualified Child, Living Alone Increase, Island Allowance and Age 80 Allowance, is regarded as income for Income Tax purposes and your liability for tax will depend on your overall circumstances.

You should contact your local tax office if you have any questions about your tax liability.

25. If I go to live abroad, will I continue to receive my Widow's, Widower's or Surviving Civil Partner's contributory pension?

If you live or intend to live outside the State, you can get your pension by direct payment to your account in a financial institution either in Ireland or the country you choose to live in.

If you intend going abroad to live please send in details of your new address in writing, together with any change you want made to your payment arrangements to:

Maintenance Section (WSCPCP)
Department of Social Protection
College Road
Sligo

If you move abroad, remember that you must notify this Department immediately of any change in your circumstances.

26. I am a widow, widower or surviving civil partner but I do not qualify for this pension. What can I do?

If you have a qualified child, you should apply for One Parent Family Payment (Widow's) at your Social Welfare Local Office.

If you are aged under 66 and do not have a qualified child, you should apply for a Widow's, Widower's or Surviving Civil Partner's Non-Contributory Pension to the address below.

If you are aged 66 or over, you should apply for a State Pension (Non-Contributory) to the address below.

These are means-tested payment. You should apply within three months of your becoming a widow, widower or surviving civil partner.

For more information on this pension, see www.welfare.ie or contact:

State Pension (Non-Contributory)
Department of Social Protection
College Road
Sligo
LoCall 1890 500 000

27. Where can I get more information?

For more information on Widow's, Widower's or Surviving Civil Partner's Contributory Pension:

- See www.welfare.ie
- Contact your local Citizens Information Centre or Social Welfare Local Office
- LoCall 1890 500 000

28. What countries are covered by either EC Regulations or a Bilateral Agreement with Ireland?

Australia	Hungary	Poland
Austria	Iceland	Portugal
Belgium	Isle of Man	Republic of Cyprus (Cyprus South)
Bulgaria	Italy	Republic of Korea
Canada	Japan	Romania
Channel Islands	Latvia	Slovakia
Czech Republic	Liechtenstein	Slovenia
Denmark	Lithuania	Spain
Estonia	Luxembourg	Sweden
Finland	Malta	Switzerland
France	The Netherlands	The United Kingdom
Germany	New Zealand	The United States of America
Greece	Norway	

29. What are the different PRSI Classes?

PRSI Class	Who pays this Class PRSI?*	Does it count towards Widows, Widowers or Surviving Civil Partner's Contributory Pension?
A	Most people working in the private sector; Civil and Public Servants recruited on or after 6th April 1995	Yes
B	Doctors and dentists working in the Civil Service; permanent and pensionable Civil Servants and Gardaí recruited before 6th April 1995	Yes
C	Commissioned Army Officers and members of the Army Nursing Service recruited before 6th April 1995	Yes
D	Other permanent and pensionable employees in the public service recruited before 6th April 1995	Yes
E	Ministers of Religion employed by the Church of Ireland Representative Body; up until 1991, part-time share fishermen/fisherwomen and outworkers not employed under a contract of service	Yes
F	Up until 1991, outworkers employed under a contract of service	Yes
G	Up until 1991, outworker male weavers not employed under a contract of service	Yes
H	Non-Commissioned Officers and enlisted personnel of the Defence Forces	Yes
J	People with reckonable pay of less than €38 per week; people aged over 66; people in subsidiary employment	No
K	People on occupational pensions; certain office holders; people aged over 66 who previously paid Class S	No
M	Employees under age 16; people within Class K who have no contribution liability	No
N	Up until 1991, Non-Commissioned Officers and enlisted personnel in the Defence Forces	Yes
P	Share Fishermen/Fisherwomen already paying Class S	Yes
S	Self-employed people, including certain company directors and certain people with income from investments and rents	Yes

* This table shows a very general description of the PRSI Classes and who pays them. For more information, see www.welfare.ie.