

# Applying for a widow's or widower's pension

If your spouse or registered partner dies, you can receive a widow's or widower's pension in many cases.

## Competent Department

- [Deutsche Rentenversicherung Oldenburg-Bremen](#)

## Basic information

The widow's or widower's pension supports you in the event of the death of your partner. It can help to cushion the financial hardship often associated with this. The regulations apply equally to surviving spouses and registered partners.

A widow's or widower's pension is paid from the pension account of the deceased. The amount of your widow's or widower's pension depends on this pension account.

In the first three calendar months after death, your widow's or widower's pension is as high as the pension of the deceased (so-called death quarter).

### Large and small widow's pension

You will then receive the so-called large or small widow's or widower's pension.

- Large widow's and widower's pension: You receive 55% of the pension that the deceased was or would have been receiving at the time of death.
- Small widow's and widower's pension: You will receive 25% of the pension that the deceased was or would have been receiving at the time of death. This pension is generally paid for a maximum of 24 months.

The pension paid to you may be lower due to deductions. It depends on how old your partner was. Under certain conditions, you can receive a child supplement.

If you have other income that exceeds a certain allowance, this will be partially offset against your widow's or widower's pension. The amount of the allowance is calculated individually. Exception: In the first three calendar months (quarter of death) after the death, your own income is not taken into account.

### Widow's or widower's pension under the old law

The laws governing widow's or widower's pensions were changed from 2002. Depending on the date of death and your marriage or civil partnership, you may be able to receive a widow's or widower's pension under the old law. The calculation may then differ:

- It will be based on 60 percent of the pension of the deceased instead of 55 percent.
- You can also receive the small widow's or widower's pension indefinitely.
- Fewer types of income are taken into account.
- There is no child supplement.

## Requirements

### General requirements

- You have not remarried.
- The deceased has paid into the pension insurance scheme for at least 5 years (general waiting period) or has already received a pension.
  - Exception: If your partner had an accident at work, for example, shorter periods may be sufficient.
- You had been married or in a civil partnership for at least one year at the time of death.
  - Exception: Sometimes it is sufficient if you were married for less than one year. This applies, for example, if your partner has died in an accident.

If you remarry, your widow's or widower's pension will end. However, you can then apply for a settlement to help you start a new chapter in your life.

If you decided as a couple to share your pension entitlements (pension splitting), you cannot receive a widow's or widower's pension.

### Small widow's or widower's pension

You can receive a small widow's pension if

- you are younger than the current age limit:
  - Age limit in the event of death in 2020: 45 years and 9 months
  - This age limit will gradually increase to 47 years by 2029.
- you are not disabled and
- you are not raising a child under the age of 18.

### Large widow's or widower's pension

You can receive the large widow's pension if you have either

- have reached the current age limit specified above or
- are incapacitated for work or
- are bringing up your own child or a child of the deceased under the age of 18 or
- are caring for a disabled child of your own or of the deceased, regardless of their age.

### Widow's or widower's pension under the old law

You may be entitled to a widow's or widower's pension under the old law if

- your partner died before January 1, 2002 or
- you married before January 1, 2002 and
- your partner was born before January 2, 1962.

In these cases, you can also receive the pension if you

- were married for less than 1 year.

Widow's or widower's pension for spouses divorced before July 1, 1977

If you were divorced before July 1, 1977, you can, under certain conditions

- despite an already divorced marriage or
- a new marriage or civil partnership that has been dissolved again

receive a special widow's or widower's pension.

Widow's or widower's pension after the penultimate spouse

You can receive a so-called widow's or widower's pension after the penultimate spouse if you

- remarried or registered a civil partnership after the death of your former partner and
- the new relationship has now been dissolved or annulled.

## **What documents do I need?**

- Required documents
  - Application for a survivor's pension
  - Personal document (such as identity card, passport, birth certificate or family register)
  - death certificate
  - Marriage certificate
  - Details of your income
  - Last pension adjustment notification of the deceased or other pension documents

## **Procedure**

You can submit your application online, in person or in writing.

Online application:

- On the German Pension Insurance (DRV) website under "Online services" you will find detailed information on the process.
- If you follow the "Submit application" link, you will be guided through the next steps and can select the desired application.

- Alternatively, you can use the online services with registration. For example, you can immediately see which insurance periods have already been recorded. You also save time and do not have to re-enter data you already know.
- Complete the application in full and upload the required documents.
- Submit your application online.
- You will receive a confirmation of submission.
- The responsible pension insurance provider will check your application.
- You will receive notification of your application.

#### Personal application:

- Compile the necessary documents for your application and make an appointment with the DRV.
- When making an appointment online, your personal details and, if possible, your insurance number will be required.
- You can select a desired advice center and your preferred date. Depending on the availability of free appointments, you will receive a proposal for a binding consultation appointment.
- During your personal consultation, your application will be recorded electronically and forwarded online to the relevant pension insurance provider.
- The responsible pension insurance provider will check your application.
- You will receive a decision on your application.

#### Written application:

- Go to the DRV website.
- Download the required application form.
- You can also collect the form in person from the information and advice centers.
- Complete the application form, sign it and attach the required documents.
- Send all documents
  - by post to your pension insurance provider or
  - hand them in at one of the local advice centers.
- The responsible pension insurance provider will check your application.
- You will receive a decision on your application.

A person you trust can also submit your pension application on your behalf. Please submit a power of attorney to the pension insurance fund for this purpose. As long as the power of attorney is valid, the pension insurance company will only contact the person you have authorized.

If you give your consent to electronic communication, all correspondence can take place online. You can either use the electronic mailbox under the online services with registration or De-Mail.

#### Legal bases

- [§ 46 Sozialgesetzbuch Sechstes Buch \(SGB VI\)](#)
- [§ 243 Sozialgesetzbuch Sechstes Buch \(SGB VI\)](#)
- [§ 242a Sozialgesetzbuch Sechstes Buch \(SGB VI\)](#)
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## **More information**

Legal remedy:

- Appeal.

Detailed information can be found in the decision on your pension application.

- Legal action before the Social Court.

Detailed information can be found in the notice of objection.

## **What deadlines must be paid attention to?**

Payment of the pension: If the deceased person

- already received their own pension, your widow's or widower's pension will begin at the earliest in the month following the death.
- If the deceased did not yet receive a pension of their own, your widow's or widower's pension begins on the date of death.

Application deadlines:

Submit the application no later than 12 calendar months after the date of death.

If you apply later, the pension will only start from the month of application.

## **How long does it take to process**

Small widows' and widowers' pensions: usually 4 months.

Large widows' and widowers' pensions: usually 3 months.

Note: If your partner has already received a pension, you can apply for an advance payment in the first 30 days after the death. To do this, contact the Deutsche Post Pension Service with the death certificate and submit the formal pension application later. You must be registered as a surviving dependant on the death certificate.

## **What are the costs?**

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