

## **Section 10 - Bereavement Benefits**

Bereavement Benefits

Bereavement Payment

Widowed Parent's Allowance

Bereavement Allowance

## BEREAVEMENT BENEFITS

For a person who is widowed or becomes a surviving civil partner there are different benefits they may be able to get. The benefit they get may depend on their age or the number of children they have living with them. The amount a person can get is based on their husband's, wife's or civil partner's National Insurance (NI) contributions. Anyone who thinks they are entitled must not delay in making a claim or they may lose benefit.

"Bereavement Benefits" is the generic term for:

- Bereavement Allowance;
- Widowed Parent's Allowance; and
- Bereavement Payment.

To get bereavement benefits the late spouse or civil partner must have paid National Insurance (NI) contributions. The customer's own contributions do not count. Customers can claim bereavement benefits if they were legally married to their late spouse or in a civil partnership.

They cannot get bereavement benefits if they

- are divorced from their late spouse or their civil partnership has been dissolved;
- remarry or reform a different civil partnership;
- are living with someone else as husband, wife or civil partner and they are not legally married to them or not in a legal civil partnership;
- are in prison or being held in legal custody; or
- are over state pension age.

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## BEREAVEMENT PAYMENT

### 1. INTRODUCTION

#### 1.1 GENERAL

Bereavement Payment (BP) is a single lump sum payment, payable immediately on bereavement, of £2,000. It is payable to men and women widowed after 9 April 2001 or men and women who become surviving civil partners on or after 5 December 2005.

#### 1.2 BP is -

- (i) non-taxable;
- (ii) contributory; and
- (iii) not income-related.

#### 1.3 Claim form - BB1

#### 1.4 Telephone contact - 685176

### 2. BASIC QUALIFYING CONDITIONS

Bereavement Payment is payable to a person

- whose late spouse or civil partner had paid enough National Insurance contributions\*, or their death was caused by their job; and
- whose spouse or civil partner was not entitled to Retirement Pension when they died, or the customer is under State Pension Age when the spouse or civil partner dies.

It is not paid to a customer who is

- divorced from their husband or wife or their civil partnership has been dissolved; or
- living with someone else as their husband or wife or civil partner at the time of their spouse's or civil partner's death; or
- in prison or legal custody.

\* "Enough contributions" means that the late spouse or civil partner has -

**before 6 April 1975**, paid at least 25 Class 1, Class 2 or Class 3 contributions before reaching State pension age; or

**on or after 6 April 1975**, paid at least 25 Class 2 or 3 NI contributions or had earnings from employed earner's employment of at least 25 times the lower earnings limit for any tax year.

### 3. HOW TO CLAIM

A claim form should be completed and returned to the Pensions Group, First Floor, Markwell House, Market Street, Douglas or any district office (see page 121).

### 4. WHEN TO CLAIM

Claims should be made as soon as possible, and no later than 12 months after the spouse's or civil partner's death.

### 5. RATE OF BEREAVEMENT PAYMENT

The rate of Bereavement Payment is £2,000.

### 6. PAYMENT

Payment is made by cheque which is payable into a bank or building society account. If the customer does not have a bank or building society account, the BP may be paid in instalments, in which case the customer can cash their cheques at a Post Office.

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## WIDOWED PARENT'S ALLOWANCE

### 1. INTRODUCTION

#### 1.1 GENERAL

Widowed Parent's Allowance (WPA) is a weekly benefit paid to widows and surviving civil partners who have dependent children.

#### 1.2 WPA is -

- (i) taxable;
- (ii) contributory; and
- (iii) not income-related

#### 1.3 Claim form - BB1

#### 1.4 Telephone contact - 685176

### 2. BASIC QUALIFYING CONDITIONS

WPA is paid if the customer's late spouse or civil partner had paid enough NI contributions (see "Contribution conditions" below) or their death was caused by their job, and:

- they have a child for whom they are entitled to (or can be treated as entitled to) Child Benefit; or
- they are expecting their late husband's baby; or
- they are expecting a baby as a result of being artificially inseminated with the semen of someone other than their late husband and the insemination occurred before their husband's, or civil partner's, death and they were living with their husband or civil partner immediately before the death; or
- they are expecting a baby as a result of 'in vitro' fertilisation before their husband's, or civil partner's, death and they were living with their husband or civil partner immediately before the death; and
- the widowed person or surviving civil partner is under State pension age when the spouse or civil partner dies.

In addition the child must be:

- the customer's and their late husband's, wife's or civil partner's; or
- a child the customer's husband, wife or civil partner was entitled to Child Benefit for immediately before their death; or
- a child the customer was entitled to Child Benefit for if they and their husband, wife or civil partner were living together immediately before their death.

If the child is not living with the customer, but the customer is making payments towards the cost of providing for the child, they may be able to get WPA.

#### Contribution conditions

The late spouse, or civil partner, must have

- paid at least 50 Class 1, Class 2 or Class 3 contributions before 6<sup>th</sup> April 1975; or
- paid at least 50 Class 2 or Class 3 contributions or earned at least 50 times the lower earnings limit in any one tax year in the three tax years between 6 April 1975 and 5 April 1978, and paid Class 1 contributions on those earnings; or

## Section 10

- paid 52 Class 2 or Class 3 contributions or earned 52 times the lower earnings limit in any one tax year from 6 April 1978 onwards and paid Class 1 contributions on those earnings; and
- paid or been credited with contributions in a minimum number of qualifying years.

NI contributions must have been paid for 90% of the late spouse's, or civil partner's, working life for the allowance to be paid at the full rate. If not, a reduced rate of allowance is payable provided the late spouse has paid NI contributions for at least 25% of their working life.

### 3. HOW TO CLAIM

A claim form should be completed and returned to the Pensions Group, First Floor, Markwell House, Market Street, Douglas or any district office (see page 121).

### 4. WHEN TO CLAIM

Claims should be made as soon as possible, and no later than 3 months after the spouse's or civil partner's death.

### 5. PAYMENT

Payment is made either by

- weekly orders which can be cashed at a Post Office; or
- direct credit every 4 weeks into a bank or building society account.

### 6. CESSATION OF PAYMENT

Payment of WPA ceases if:

- the customer remarries or forms a new civil partnership; or
- the customer lives with someone else as their husband, wife or civil partner and they are not legally married to them or in a legal civil partnership; or
- the customer is in prison or legal custody; or
- the customer reaches state pension age.

### 7. RELATED BENEFITS

Christmas Bonus is payable to recipients of WPA.

The following benefits can be paid in addition to WPA but are reduced by the amount of WPA in payment

- Carer's Allowance
- Jobseeker's Allowance (Contribution-based)
- Incapacity Benefit
- Severe Disablement Allowance
- Maternity Allowance
- Income Support (£30.00 of the WPA is disregarded).

Retirement pension cannot be paid in addition to WPA.

### 8. WHAT HAPPENS WHEN CHILD BENEFIT CEASES

WPA stops when the customer no longer has a dependent child, i.e. at the same time as Child Benefit ceases. If this is within 52 weeks of bereavement the customer may be entitled to Bereavement Allowance, provided that the customer is aged between 45 and State pension age.

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## BEREAVEMENT ALLOWANCE

### 1. INTRODUCTION

#### 1.1 GENERAL

Bereavement Allowance (BA) is a weekly benefit paid for up to 52 weeks to a customer who is widowed or whose civil partner dies.

#### 1.2 BA is -

- (i) taxable;
- (ii) contributory; and
- (iii) not income-related.

#### 1.3 Claim form - BB1

#### 1.4 Telephone contact - 685176

### 2. BASIC QUALIFYING CONDITIONS

In order to qualify for BA, the customer must have no dependent children and be aged 45 years or over (but not State Pension age) when they became widowed or when their civil partner died.

#### Contribution conditions

The late husband/wife/civil partner must have

- paid at least 50 Class 1, Class 2 or Class 3 contributions before 6<sup>th</sup> April 1975; or
- paid at least 50 Class 2 or Class 3 contributions or earned 50 times the lower earnings limit in any one tax year in the three tax years between 6 April 1975 and 5 April 1978, and paid Class 1 contributions on those earnings; or
- paid 52 Class 2 or Class 3 contributions or earned 52 times the lower earnings limit in any one tax year from 6 April 1978 and paid Class 1 contributions on those earnings; and
- paid or been credited with contributions in a minimum number of qualifying years.

NI contributions must have been paid for at least 90% of the late spouse's or civil partner's working life for the allowance to be paid at the full rate. If not, a reduced rate of BA is payable provided the late spouse or civil partner paid NI contributions for at least 25% of their working life.

### 3. WHO CANNOT GET BEREAVEMENT ALLOWANCE

A customer cannot get BA and Widowed Parent's Allowance at the same time.

A customer cannot get BA when Widowed Parent's Allowance stops if they have received Widowed Parent's Allowance for one year or more.

A customer cannot get BA if they:

- are divorced from their late husband or wife, or their civil partnership has been dissolved, at the date of the former spouse's or civil partner's death;
- remarry or form a new civil partnership;
- are living with someone else as their husband, wife or civil partner;
- are in prison or are held in legal custody; or
- have reached state pension age.

## Section 10

### 4. HOW TO CLAIM

A claim form should be completed and returned to the Pensions Group, 1<sup>st</sup> Floor, Markwell House, Market Street, Douglas or any district office (see page 121).

### 5. WHEN TO CLAIM

Claims should be made as soon as possible, and not later than 3 months after the spouse's or civil partner's death.

### 6. PAYMENT

Payment is made either by

- weekly orders which can be cashed at a Post Office; or
- direct credit every 4 weeks into a bank or building society account.

BA is paid from the first pay day after the spouse's or civil partner's death or when WPA ceases.

BA is payable for a maximum of 52 weeks.

BA is a flat-rate basic allowance, however there are two factors which may lead to the amount of BA being reduced:

- only partial satisfaction of contribution conditions, or
- where the customer is aged less than 55.

The allowance is reduced by 7% for each year of age by which the customer was under the age of 55 when their spouse or civil partner died and will continue to be paid at this level throughout the period the customer receives the allowance.

### 7. RELATED BENEFITS

The following benefits can be paid in addition to BA but are reduced by the amount of BA in payment

- Carer's Allowance
- Jobseeker's Allowance
- Incapacity Benefit
- Severe Disablement Allowance
- Maternity Allowance
- Income Support.

Retirement pension cannot be paid in addition to BA.

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