

Factsheet 5 War Widow(er)s - War Pensions Scheme only

A person may be entitled to a War Widow(er)s Pension if:

- their spouse or civil partner's death was due to or hastened by service in the UK Armed Forces prior to 6 April 2005
- their spouse or civil partner was a Civil Defence Volunteer whose death was due to or hastened by their service in the 1939-45 war
- their spouse or civil partner was a coastguard, a merchant seaman or a member of the naval auxiliary services whose death was due to or hastened by an injury or disease they sustained during a war or because they were a prisoner of war
- their spouse or civil partner's death was due to or hastened by service as a member of the Polish Forces under British Command who served in the 1939-45 war, or in the Polish Resettlement Forces
- at the time of their death their spouse or civil partner was in receipt of Constant Attendance Allowance with their War Pension, or would have been if they had not been in hospital (Civilian Attendance Allowance does not count)
- at the time of their death their spouse or civil partner was in receipt of a War Pension at the 80% rate or higher **AND** Unemployability Supplement

Dependent on the above eligibility, Service Personnel and Veterans Agency may pay a War Widow(er)s Pension to someone who lived with a partner as husband and wife provided they had lived together for six months or more prior to the start of their service and were still living with them at the time of their death **AND** War Pension Child Allowance is being paid for the children of the relationship.

Children's Allowances may be paid for the child dependants of a service person.

War Widow(er)s Pension is tax-free however it cannot be paid in addition to Bereavement Benefit. If you have already received a payment of Bereavement Benefit this will be recovered from any War Widow(er)s Pension we pay you.

Subsequent relationships

A War Widow(er) whose late spouse left service before 31 March 1973 can keep their War Widow(er)s Pension if they remarry or live with another person as their spouse or form a civil partnership or live with another person as their civil partner after 6 April 2005.

War Widow(er)s Pension for War Widow(er)s whose late spouse or civil partner left service after 31 March 1973 will cease upon remarriage, forming a civil partnership or living with

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Free Veterans Helpline 0800 169 2277

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someone, but any children's allowances may remain in payment. A claim can be made for the pension to be reinstated upon the death of their spouse or civil partner, if they cease to live with a partner, the marriage ends in divorce or judicial separation or the civil partnership is dissolved.

Temporary Allowance for Widow(er)s

Temporary Allowance for Widow(er)s (TAW) may be paid if their late spouse or civil partner was in receipt of Constant Attendance Allowance or Unemployability Supplement at the date of their death. This allowance is paid for 26 weeks following the date of death and is based on the rate of the late spouse or civil partner's War Pension. After the 26 weeks a War Widow(er)s Pension, Bereavement Benefit or Retirement Pension may be payable, but cannot be paid at the same time as TAW.

Funeral Expenses

Funeral expenses **up to a maximum of £1400** may be paid to a widow(er), next of kin or someone else responsible for paying for the funeral if:

- death was due to service prior to 6 April 2005
- at the time of their death their spouse or civil partner was in receipt of Constant Attendance Allowance with their War Pension, or would have been if they had not been in hospital
- at the time of their death their spouse or civil partner was in receipt of a War Pension at the 80% rate or higher **AND** Unemployability Supplement
- the person died whilst they were in hospital having treatment for a disablement for which they received a War Pension.

A claim for funeral expenses must be made within 3 months of the funeral.

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