

## **WIDOW'S/SURVIVORS PENSION ENTITLEMENT.**

BELOW ARE THE UP TO DATE FACTORS DECIDING IF YOUR PARTNER/SURVIVOR IS TO RECEIVE A PENSION ON YOUR DEMISE.

IF YOU HAVE BEEN DIVORCED THE PERSON YOU ARE MARRIED TO AT THE TIME OF YOUR DEATH IS CLASSED AS THE SURVIVOR.

This piece is repeated below and is very important!!!

Partner pension (no legal status) – there is no partner pension payable under the 1992 pension regulations.

I had originally made enquiries, circa 2017, in regard to a Survivor whose former fire-fighter Partner had died and was informed that ONLY married Partners were entitled to a Widows Pension and she was to receive nothing.

The info, as per my previous recent input, in regard to Barrack Room and Philadelphia Lawyers who appeared to believe that those "living over the brush" aka Common Law Partners (no such thing) were entitled to a pension, they were Not!!

Alas, Mea culpa, mea culpa, mea maxima culpa; the rules, following a challenge by the FBU, were changed to the benefit of Partnerships as per below in 2019 and this information is not circulated to retirees.

Since my last post I have spoken to a Pension Officer @ Your Pension Services (LPP) and they have provided the following up to date regs.

. Firefighter pension Scheme 1992 - Survivor pension benefits

Prior to 1966

Spouse's pensions for service prior to 26 August 1966 are paid on a flat rate basis according to the rank of the deceased firefighter.

1966 option

All serving firefighters were given the option during the late 1960's of uprating the spouse's pension from the flat rate to that based on 1/3rd of their own pension. The uprating was paid by either increased pension contributions, lump sum payment or a % reduction to their own pension upon retirement.

1972 option

All serving firefighters were given the option in 1973 of uprating the spouse's pension due from that based on 1/3rd of their own pension to one based on 1/2. Also firefighters who chose not to uprate in 1966 were given this option again. The uprating was paid by either increased pension contributions, lump sum payment or a % reduction to their own pension upon retirement.

The rate of pension to be paid is determined in accordance with the elections

made by the firefighters who were in service before 1966 and 1972.

Pension payable

Legal spouse - Both parties were living together at the time of death -assuming that the pension is all based on ½ (see 1972 option above). The pension payable is ½ of the pension in payment to the member, disregarding commutation.

**Civil partners – Both parties were living together at the time of death - assuming that the pension is all based on ½ (see 1972 option above). The pension payable is ½ of the pension in payment to the member, disregarding commutation. It has to be officially registered.**

Same Sex marriage - Both parties were living together at the time of death - assuming that the pension is all based on ½ (see 1972 option above). The pension payable is ½ of the pension in payment to the member, disregarding commutation.

Post retirement marriage - assuming that the pension is all based on ½ (see 1972 option above). The pension will be ½ of the pension calculated based on service after 6 April 1978 only, disregarding commutation

**Partner pension (no legal status) – there is no partner pension payable under the 1992 pension regulations.**

**Registering a civil partnership - Citizens Advice**

<https://www.citizensadvice.org.uk/.../registering-a-civil...>

A civil partnership is a legal relationship which can be registered by two people who aren't related to each other. Civil partnerships are available to both same-sex couples and opposite-sex couples. Registering a civil partnership will give your relationship legal recognition. This will give you added legal rights, as well as responsibilities.

***"The information given in this document is provided for guidance only and reflects our understanding of the scheme regulations on 27<sup>th</sup> April 2021. Final entitlements can only be determined by the Scheme Manager at the date when any benefit becomes payable."***