

Contents

1.	What is this guide about?	3
2.	What types of social insurance contributions are there?	3
3.	How do I qualify for Widow's or Widower's Contributory Pension?	4
4.	What are the PRSI conditions?	4
5.	How do I work out the short yearly average?	5
6.	How do I work out the long yearly average?	6
7.	What are self-employed contributions?	8
8.	What are the various rates of Widow's or Widower's Contributory Pension?	10
9.	What happens if I do not qualify for the standard rate Widow's or Widower's Contributory Pension?	10
10.	How can I protect my social insurance record?	11
11.	Where can I get more information?	13

Qualifying conditions for our schemes change from time to time. Always check with your local Social Welfare office or contact our Information Services at (01) 704 3000 to see if qualifying conditions have changed.

The information in this booklet is correct at the time of going to print.

1. What is this guide about?

This guide is to help you understand how entitlement to Widow's or Widower's Contributory Pension (WCP) is assessed. Actual entitlement can only be determined when a Deciding Officer examines a formal application and makes a decision in the light of all relevant facts.

2. What types of social insurance contributions are there?

Social insurance contributions, used for Widow's or Widower's Contributory Pension, fall into the four groups below

- **Full rate** social insurance contributions are PRSI contributions at classes A, E, F, G, H and S or at 'ordinary' rate before 6 April 1979.
- **Modified rate** social insurance contributions paid by civil and public servants are PRSI contributions at classes B, C and D and Widows and Orphans contributions paid before 6 April 1979.
- **Voluntary Contributions (VCs)** are made by people under age 66 who are no longer covered by compulsory PRSI provided they satisfy certain conditions. (See page 11 and information booklet **SW 8** for more details).
- **Credited contributions** ('credits') are similar to the social insurance contributions you pay while employed and are usually awarded at the same rate as your last paid social insurance contribution. You may get credits when you are claiming a social welfare payment. Credits are not allowed after self-employed contributions (Class S). For further details about credits see page 12 and information booklet **SW 12**.

3. How do I qualify for Widow's or Widower's Contributory Pension?

You will qualify for a Widow's or Widower's Contributory Pension, if you

- are widowed or are divorced from your late spouse and have not remarried, **and**
- are not cohabiting (that is living with someone as husband and wife), **and**
- satisfy the PRSI contribution conditions.

Note

You do not need to satisfy the contribution conditions if your late spouse qualified for a standard rate State Pension (Transition) or (Contributory) which included an increase for you as a qualified adult

or

would have included such an increase but for the fact that you qualified for a State Pension (Non-Contributory), Blind Pension or a Carer's Allowance in your own right.

4. What are the PRSI conditions?

PRSI Contribution conditions for WCP may be based on:

- your own Irish PRSI record,
- or
- your late spouse's Irish PRSI record.

Both PRSI records cannot be combined in order to qualify for WCP.

Whether your own or your late spouse's PRSI record is being used it must have:

- 156 weeks PRSI paid to age 66 or to the date of your spouse's death, if earlier,
and
- either a 'yearly average' of 39 weeks PRSI paid or credited over the 3 or 5 complete tax years (whichever is more beneficial) immediately before age 66 or before your spouse's death, if earlier. This gives entitlement to maximum WCP.

This is known as the short yearly average.

or

- a yearly average of 48 weeks PRSI - from the date of your first social insurance contribution up to the end of the tax year before reaching age 66 or before your spouse's death, if earlier, for a maximum rate WCP,
- a yearly average of between 24 and 47 contributions - from the date of your first social insurance contribution to the end of the tax year before reaching age 66 or before your spouse's death, if earlier - for a reduced rate WCP.

This is known as the long yearly average.

5. How do I work out the short yearly average?

A short yearly average is calculated using the contributions recorded in the last 3 full income tax years before age 66 or before your spouse's death, if earlier. It can also be calculated over the last 5 full income tax years before age 66 or before your spouse's death, if earlier.

To calculate the short yearly average:

- (A)** count the **number of contributions** in the 3 (or 5) full income tax years before age 66 or before your spouse's death, if earlier,
- (B)** divide the number of contributions (A) by 3 (or 5 if 5 years is being used),
- (C)** if the answer is 39 or more then maximum WCP is payable.

Example 1

A person aged 30 who started paying PRSI in January 2000 and who has continued to do so until their spouse died on 1 April 2006, will have 52 contributions paid for each year.

The 3 complete tax years prior to their spouse's death are 2003, 2004 and 2005 which gives a total of 156 contributions. (A)

Calculating the yearly average:

Divide 156 contributions by 3. (B)

In this case the yearly average is 52 (which is more than 39). (C)

Based on this record they will qualify for the under 66 maximum rate of WCP. See information booklet **SW19** Rates of Payment for rates.

6. How do I work out the long yearly average?

A long yearly average is calculated from the date you started paying insurance up to the end of the tax year before age 66 or before your spouse's death, if earlier. To calculate the long yearly average:

- (A) count the **number of tax years** beginning with the year you first started paying social insurance up to and including the last full tax year before you reach age 66 or before your spouse's death, if earlier,
- (B) count up all the reckonable contributions over these years,
- (C) divide the number of reckonable contributions (B) by the number of tax years (A).

If the answer is 48 or more then maximum WCP is payable.

If the answer is between 24 and 47 a reduced WCP is payable.

Example 2

A person started paying PRSI for the first time on 7 August 1961 and reached age 66 on 2 February 2005. Their spouse died on 1 July 2006.

As their spouse's date of death was after their 66th birthday, contributions are counted up to and including the full tax year before they reached age 66.

Calculating the yearly average:

The last full tax year before they reached age 66 was 2004.

Counting from 1961 up to and including 2004 gives a total of 44 tax years. (A)

They have a total of 1,232 reckonable contributions. (B)

Divide 1,232 by 44 to get the yearly average, which is 28. (C)

Based on this record, a yearly average of 28 contributions would give entitlement to an over 66 reduced rate of WCP. See information booklet **SW19** Rates of Payment for rates.

Example 3

A person aged 49 started paying PRSI for the first time on 8 February 1978. Their spouse died on 10 April 2004. The last tax year before their spouse died is 2003.

Counting from 1978 up to and including 2003 there are a total of 26 tax years. (A)

They have a total of 1,274 reckonable contributions. (B)
Calculating the yearly average.

Divide 1,274 by 26 to get the yearly average, which gives 49. (C)

Based on this record, they will qualify for the under 66 maximum rate of WCP. See information booklet **SW19** Rates of Payment for rates.

7. What are Self employed contributions?

Class S PRSI contributions are paid by self-employed persons and were introduced on 6 April 1988. If you started paying class S PRSI contributions on 6 April 1988 and have 52 class S PRSI contributions in the 1988/89 year then the yearly average may be counted from the start of the 1988/89 year and any earlier contributions will be ignored if it is to your advantage.

Example 4

A person started paying PRSI for the first time on 8 February 1958 and reached age 66 on 10 April 2004.

Their spouse died on 3 March 2005.

The last tax year before reaching age 66 was 2003.

Their contribution record shows that they had:

Ordinary rate contributions recorded up to 1962 and

Class S contributions for the 1988/89 year (52 for that year) up to and including the 1999/00 year.

Counting from 1958 up to and including 2003 there are a total of 46 tax years.

They have a total of 858 reckonable recorded contributions.

Calculating the yearly average.

Divide 858 by 46 to get the yearly average which gives 19.

Based on this record the person does not qualify for WCP.

However as they started paying class S PRSI on 6 April 1988 and have 52 contributions for the 1988/89 year then the yearly average may be counted from the start of the 1988/89 year. As it is to his advantage the earlier PRSI contributions can be ignored.

Counting from 1988/89 up to and including 2003 there are a total of 16 tax years. (A)

They have 610 reckonable recorded contributions. (B)

Calculating the yearly average.

Divide 610 by 16 to get the yearly average, which is 38. (C)

Based on this record they will qualify for an over 66 reduced rate of WCP. See information booklet **SW19** Rates of Payment for rates.

8. What are the various rates of Widow's or Widower's Contributory Pension?

Different rates of pension are payable, depending on the yearly average. The rates are also age related. Rates of pension change every year. The current rates of payment are contained in the latest edition of the Department's Rates booklet (**SW 19**).

9. What happens if I do not qualify for the standard rate Widow's or Widower's Contributory Pension?

A person who does not qualify for a **standard rate** WCP (as above) may qualify for pro-rata WCP if they or their late spouse have worked in a country covered by EC Regulations or a country with which Ireland has a Bilateral Social Security Agreement. Entitlement to pro-rata WCP is based on a mixture of Irish contributions and contributions in an EU country **or** a country with which Ireland has a Bilateral Social Security Agreement.

For examples on how to calculate entitlement to Pro-Rata Pension see information booklet **SW25** Widow's or Widower's Contributory Pension.

10. How can I protect my Social Insurance Record?

If you retire from your employment before reaching pensionable age (currently age 66) you may wish to protect your social insurance record for the purpose of satisfying the yearly average for Widow's or Widower's Contributory Pension. This can be done by paying Voluntary Contributions. Alternatively you may be entitled to credited contributions. See page 12 for details on 'credits'.

Voluntary Contributions

Voluntary Contributions (VC's) allow you to remain insured once you leave the compulsory PRSI system. You can choose to pay VC's provided you meet certain conditions and you are

- no longer covered by the compulsory PRSI scheme in Ireland,
- no longer covered by a compulsory or voluntary PRSI scheme in another EU country,
- under age 66,
- satisfy qualifying conditions.

How to become a Voluntary Contributor

To become a voluntary contributor you must have

- paid at least 260 weeks PRSI in employment or self-employment
- apply within 12 months of the contribution year when you last paid compulsory insurance or you were last awarded a credited contribution,

- agree to pay voluntary contributions from the start of the contribution week that follows the week in which you leave compulsory insurance.

For further information on Voluntary Contributions see Information leaflet **SW8**.

Credited Contributions

In order to qualify for credits, a person must first have entered insurable employment - they must have paid at least one PRSI contribution as an employed contributor. Self-employment contributions, however, do not count for credit purposes.

Credits may be awarded in circumstances such as unemployment, illness, early retirement, Carer's Leave and so on. The purpose of credits is to help protect the social insurance entitlements of insured people during periods when they may not be in a position to pay contributions.

You may qualify for credits even if you do not qualify for a Social Welfare Payment. These credits will keep your social insurance record up-to-date and will protect your right, and that of your spouse, to Widow's or Widower's Pension.

For more information on Credits see Information leaflet **SW12**. Information on credits for Public and Civil Servants is available in leaflet **SW20**.

Your Social Insurance Record

You can get details of your current social insurance record by writing to Central Records Section at the address across, quoting your PPS No. and your old insurance number, if known. Please also state your name and address(es) and your date of birth.

Central Records

Department of Social & Family Affairs
Gandon House
Amiens Street
Dublin 1

Telephone: (01) 704 3000

Social Welfare Local Offices are listed in the **SW4** Guide to Social Welfare Services.

11. Where can I get more information?

For more information on your pension, contact your local Social Welfare Office or the Widow(er)'s Section, at the address below

Widow(er)'s Section

Social Welfare Services Office
Department of Social & Family Affairs
College Road
Sligo

Telephone: LoCall 1890 500 000

You can also get information booklets and application forms:

- from your local Social Welfare Office,
or
- on the Internet at **www.welfare.ie**,
or
- by telephoning the Department's LoCall Leaflet Request Line at **1890 20 23 25**.

Other useful booklets:

Guide to Social Welfare Services	SW 4
Guide to Voluntary Contributions	SW 8
Credited Contributions	SW 12
Rates of Payment	SW 19
Giving up work due to Ill Health	SW 20
Widow's or Widower's Contributory Pension	SW 25



You can get independent information on rights and entitlements to all social services from your local Citizens Information Centre.

The service is free, confidential and independent.

Citizen information is available from over 220 locations nationwide. The contact details and opening hours of your nearest Citizens Information Centre are listed in the Golden Pages. Alternatively, LoCall Citizens Information Phone Service on 1890 777 121 or log on to www.oasis.gov.ie

Citizen Information Services are funded by Comhairle, who are responsible for the provision of independent information, advice and advocacy on social and civil services to the public. Comhairle is a statutory agency supported by the Department of Social and Family Affairs.



