

# Applying for a pension due to death in the event of disappearance

If spouses, divorced spouses or parents are missing, the pension insurance company can determine the presumed date of death. You can then receive a corresponding pension.

## Competent Department

- [Deutsche Rentenversicherung Oldenburg-Bremen](#)

## Basic information

Pensions due to death are:

- Widow's and widower's pensions
- orphans' pensions and
- child-raising pensions

The pension due to death in the event of disappearance is a special regulation for pensions due to death. The usual requirements for the type of pension applied for apply.

The special regulation applies when applying for a pension due to death if the following relatives are missing:

- wife or husband
- divorced wife or husband or
- parents

The pension insurance company is entitled to determine the presumed date of death for the pension benefit itself, based on the circumstances, if

- the circumstances make death probable and
- no news of the person's life has been received for one year.

This date of death shall remain decisive even if a different date of death is established or certified by a court.

The pension insurance company may require the beneficiaries to declare in lieu of an oath that they are not aware of any information about the missing person other than that reported.

## Requirements

Determination of disappearance and the regular requirements for the type of pension applied for

### What documents do I need?

- Evidence of the disappearance
  - Affidavit in lieu of an oath, if applicable
- Depending on the type of pension applied for, further proof may be required

## 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 \(SGB VI\)](#)
- [§ 47 Sozialgesetzbuch Sechstes Buch \(SGB VI\)](#)
- [§ 48 Sozialgesetzbuch Sechstes Buch \(SGB VI\)](#)
- [§ 49 Sozialgesetzbuch Sechstes Buch \(SGB VI\)](#)
- [§ 243 Sozialgesetzbuch Sechstes Buch \(SGB VI\)](#)
- [§ 303 Sozialgesetzbuch Sechstes Buch \(SGB VI\)](#)

## More information

There are no indications or special features.

## What deadlines must be paid attention to?

Widow's and widower's pension:

If the deceased person

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

The application period for survivors' pensions is 12 calendar months from the date of death. This period also applies if a pension has already been discontinued and is applied for again at a later date. If the survivor's pension application is submitted later, the pension only starts from the month of application and cannot be paid retroactively.

Child-raising pension:

Your pension starts on the first of the calendar month at the beginning of which you meet

the requirements if you submit the application within 3 calendar months. If the application is submitted later, you will receive the pension from the month of application.

Orphan's pension:

Retroactive payment of the orphan's pension: up to 12 calendar months before the month of application.

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

Please note that no news about the life of the missing person must have been received for one year before the missing person can be declared missing. This period must be waited for in any case.

Apart from this period, the processing times are as follows

Widow's and widower's pensions (usually depending on the type of pension):

- small widow's and widower's pensions: 4 months
- large widows' and widowers' pensions: 3 months

Child-raising pension:

- Usually 4 months

Orphan's pension (usually depending on the type of pension):

- Half-orphans' pensions: 3 months
- Full orphan's pensions: 5 to 6 months

## **What are the costs?**

There are no costs for you.