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**Abstract:**

As a result of the death suffered by a particular person as a consequence of a tortious act, the persons to whom the deceased provided means of subsistence may become indirectly injured. The claim to which the injured persons are entitled in such a situation is the pension regulated by Article 446 § 2 of the Civil Code. Despite its significant practical importance, the provisions on pension have not received wider attention from legal science. This state of affairs remains unsatisfactory, as Article 446 § 2 of the Civil Code raises numerous interpretative doubts in case law. For that reason, the analysis carried out in this article will focus on the most disputable (and at the same time the most significant from the practical point of view) issue related to pensions, i.e. their legal nature, and in particular the prerequisites resulting from that nature, which determine their amount. The author's concept for determining the amount of the annuity will also be formulated. The analysis will make use of a number of case-law rulings and the latest views of representatives of the doctrine of civil law.