

# State Pension Credit Act 2002

### **CHAPTER 16**

# STATE PENSION CREDIT ACT 2002

State pension credit: entitlement and amount

- 1 Entitlement
- 2 Guarantee credit
- 3 Savings credit
- 3ZA Power to limit savings credit for certain mixed-age couples
  - 4 Exclusions

# Aggregation

5 Income and capital of claimant, spouse etc

### Retirement provision

- 6 Duty to specify assessed income period for pre-6 April 2016 awards
- 7 Fixing of claimant's retirement provision for assessed income period
- 8 Fresh determinations increasing claimant's entitlement
- 9 Duration of assessed income period
- 10 Effect of variations under section 7(4)

### Miscellaneous and supplementary

- 11 Administration
- 12 Polygamous marriages
- 13 Transitional provisions
- 14 Minor and consequential amendments

Interpretation of state pension credit provisions

15 Income and capital

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to State Pension Credit Act 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 16 Retirement pension income
- 17 Other interpretation provisions

Effect of guaranteed minimum pension on social security benefits

18 Equal treatment for widows and widowers

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- 18A Pilot schemes
  - 19 Regulations and orders
  - 20 Financial provisions
  - 21 Enactments repealed
  - 22 Short title, commencement and extent

#### **SCHEDULES**

Schedule 1 — Administration

Part 1 — AMENDMENTS OF THE ADMINISTRATION ACT

- 1 *Introductory*
- 2 Entitlement dependent on making of claim etc
- Power by regulations to make rules relating to claims, time limits, evidence etc
  - Part 2 AMENDMENTS OF THE SOCIAL SECURITY ACT 1998
- 4 *Introductory*
- 5 *Use of computers*
- 6 Decisions by Secretary of State
- 7 Regulations with respect to decisions
- 8 Suspension of benefit for failure to furnish information etc
- 9 Restrictions on entitlement to benefit in cases of error: definitions
- 10 Correction of errors and setting aside of decisions
- 11 Decisions against which no appeal lies
- 12 Decisions against which appeal lies
  - Part 3 MISCELLANEOUS AND SUPPLEMENTARY
- 13 Amount payable for periods of less than a week
  - Schedule 2 Minor and consequential amendments
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- 4 Interpretation of Part 7 and supplementary provisions
- 5 Entitlement of pensioners to Christmas bonus
- 6 Entitlement to Christmas bonus: supplementary
- 7 Interpretation of provisions relating to Christmas bonus
  - Part 2 AMENDMENTS OF THE ADMINISTRATION ACT
- 8 *Introductory*
- 9 Payment out of benefit of sums in respect of mortgage interest etc
- 10 Overpayments of benefit: general
- 11 Adjustment of income support and other payments
- 12 Interpretation of Part 6: enforcement
- 13 Provisions relating to age, death or marriage
- 14 Regulations as to notification of death

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- 15 Provision of information by personal representatives as to estate of deceased person
- 16 Annual up-rating of benefits
- 17 Effect of alterations affecting state pension credit
- 18 Adjustments between National Insurance Fund and Consolidated Fund
- 19 Adjustments between social fund and other sources of finance
- 20 The Social Security Advisory Committee
- 21 Reciprocal agreements with countries outside the United Kingdom
- 22 Payment of travelling expenses by Secretary of State
- 23 Certain benefits to be inalienable
- 24 Interpretation: general

#### Part 3 — AMENDMENTS OF OTHER ACTS

- 25 Magistrates' Courts Act 1980
- 26 Transport Act 1982
- 27 Abolition of Domestic Rates Etc. (Scotland) Act 1987
- 28
- 29 Local Government Finance Act 1988
- 30 Children Act 1989
- 31 Criminal Justice Act 1991
- 32 Local Government Finance Act 1992
- 33 (1) Paragraph 6 of Schedule 4 (deductions from income support...
- In paragraph 12(1) of that Schedule (relationship between remedies available)—...
- 35 (1) Paragraph 6 of Schedule 8 (enforcement in Scotland) is...
- 36 Jobseekers Act 1995
- 37 In section 3 (the income-based conditions) in subsection (1)—
- 38 In section 3A (conditions for claims by joint-claim couples) in...
- 39 Pensions Act 1995
- 40 Social Security Act 1998
- 41 In section 34 (determination by local authorities of claims for...
- 42 Immigration and Asylum Act 1999
- 43 Local Government Act 2000
- 44 Social Security Fraud Act 2001
- 45 (1) Section 7 (loss of benefit for commission of benefit...
- 46 (1) Section 9 (effect of offence on benefits for members...
- 47 In section 10 (power to supplement and mitigate loss of...
- 48 In section 11(3) (loss of benefit regulations: draft regulations requiring...
- 49 In section 13 (interpretation) insert the following definition at the...

Schedule 3 — Enactments repealed

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Changes and effects yet to be applied to:
  s. 1(2)(b) word repealed by 2012 c. 5 s. 75(a)
 s. 1(3) words substituted by 2012 c. 5 Sch. 4 para. 3(b)
 s. 2(8)(a)(b) substituted by 2012 c. 5 s. 74(2)
 s. 12(2)(b) words inserted by 2012 c. 5 Sch. 4 para. 6
 s. 15(1)(b) repealed by 2012 c. 5 Sch. 14 Pt. 1
 s. 17(1) words inserted by 2012 c. 5 s. 74(3)
 s. 17(1) words inserted by 2012 c. 5 Sch. 4 para. 7
  s. 17(1) words repealed by 2012 c. 5 Sch. 14 Pt. 1
  s. 18A(7)(c) and word repealed by 2012 c. 5 Sch. 14 Pt. 1
  Sch. 2 para. 9(5)(b)(ii) repealed by 2007 c. 5 Sch. 8
  Sch. 2 para. 16(3) repealed by 2007 c. 5 Sch. 8
  Sch. 2 para. 18(3) repealed by 2007 c. 5 Sch. 8
  Sch. 2 para. 24(2) repealed by 2007 c. 5 Sch. 8
  Sch. 2 para. 37(a) repealed by 2007 c. 5 Sch. 8
  Sch. 2 para. 2 repealed by 2009 c. 24 Sch. 7 Pt. 1
  Sch. 2 para. 2-4 repealed by 2012 c. 5 Sch. 14 Pt. 1
  Sch. 2 para. 9(5)(a) repealed by 2012 c. 5 Sch. 4 para. 8
  Sch. 2 para. 49 repealed by 2012 c. 5 Sch. 14 Pt. 12
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### Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Act modified by S.I. 2023/1060 art. 2Sch.

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

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s. 1(2)(c)(iii) and word inserted by 2012 c. 5 Sch. 4 para. 2
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- s. 1(2)(d) and word inserted by 2012 c. 5 s. 75(b)
- s. 1(3)(c) and word inserted by 2012 c. 5 Sch. 4 para. 3(a)
- s. 3A inserted by 2012 c. 5 Sch. 4 para. 4
- s. 3A(5)(a) words omitted by 2016 c. 7 s. 20(8)
- s. 7(10) inserted by 2012 c. 5 Sch. 4 para. 5
- s. 19(2)(za) inserted by 2012 c. 5 s. 75(2)