



State Pension Credit Act 2002

2002 CHAPTER 16

Miscellaneous and supplementary

12 Polygamous marriages

- (1) This section applies to any case where—
 - (a) a person (“the person in question”) is a husband or wife by virtue of a marriage entered into under a law which permits polygamy;
 - (b) either party to the marriage has for the time being any spouse additional to the other party; and
 - (c) the person in question, the other party to the marriage and the additional spouse are members of the same household.
- (2) Regulations under this section may make provision—
 - (a) as to the entitlement of the person in question to state pension credit;
 - (b) as to any guarantee credit or savings credit to which that person is entitled;
 - (c) for prescribing a different amount as the standard minimum guarantee in the case of the person in question;
 - (d) in a case where the person in question is the claimant, for treating the income and capital of the other party and of the additional spouse as income and capital of the person in question.
- (3) Any such regulations may provide—
 - (a) that prescribed provisions shall apply instead of prescribed provisions of this Act; or
 - (b) that prescribed provisions of this Act shall not apply or shall apply subject to prescribed modifications or adaptations.
- (4) Except in relation to the amount of the standard minimum guarantee, any power to prescribe amounts by virtue of this section includes power to prescribe nil as an amount.

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](#)

Commencement Information

- I1** [S. 12](#) partly in force; [s. 12](#) not in force at Royal Assent, see [s. 22\(3\)](#); [s. 12](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)
- I2** [S. 12](#) in force at 6.10.2003 in so far as not already in force by [S.I. 2003/1766](#), [art. 2\(a\)](#)

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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 12(2)(b) words inserted by [2012 c. 5 Sch. 4 para. 6](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [S.S.I. 2024/62 art. 2](#)
- Act modified by [S.I. 2023/1060 art. 2Sch.](#)
- Act modified by [S.I. 2024/149 art. 2](#)

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

- s. 1(2)(c)(iii) and word inserted by [2012 c. 5 Sch. 4 para. 2](#)
- 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\(2\)](#)