



State Pension Credit Act 2002

2002 CHAPTER 16

State pension credit: entitlement and amount

4 Exclusions

- (1) A claimant is not entitled to state pension credit if he is a member of a [^{F1}couple] the other member of which is entitled to state pension credit.
- [^{F2}(1A) A claimant is not entitled to state pension credit if he is a member of a couple the other member of which has not attained the qualifying age.]
- (2) In section 115(1) of the Immigration and Asylum Act 1999 (c. 33) (exclusion of certain persons from benefits) in the words preceding paragraph (a), after “Jobseekers Act 1995” insert “ or to state pension credit under the State Pension Credit Act 2002 ”.
- (3) Where the amount payable by way of state pension credit would (apart from this subsection) be less than a prescribed amount, it shall not be payable except in prescribed circumstances.

Textual Amendments

- F1** Words in s. 4(1) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(8\)\(d\), Sch. 24 para. 140](#); [S.I. 2005/3175, art. 2\(1\), Sch. 1](#)
- F2** [S. 4\(1A\)](#) inserted (15.5.2019) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 2 para. 64](#); [S.I. 2019/37, art. 3 \(with arts. 4, 6-8\)](#) (as amended by [S.I. 2019/935, art. 2](#))

Commencement Information

- I1** S. 4 partly in force; s. 4 not in force at Royal Assent, see s. 22(3); s. 4 in force for certain purposes at 2.7.2002 by [S.I. 2002/1691, art. 2](#)
- I2** S. 4 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 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\(2\)](#)