

## **EXPLANATORY NOTES**

### **STATE PENSION CREDIT ACT 2002**

#### **INTRODUCTION**

#### **SUMMARY**

#### **BACKGROUND TO THE ACT**

##### **Minimum Income Guarantee (MIG)**

#### **THE NEW PENSION CREDIT**

##### **The guarantee credit**

##### **The savings credit**

##### **The claims process**

##### **The position of those claiming Housing Benefit and Council Tax Benefit**

##### **Pension Credit – legal framework**

#### **EQUAL TREATMENT FOR WIDOWS AND WIDOWERS**

##### **Background and Summary**

#### **COMMENTARY ON SECTIONS**

##### **Sections 1 to 4: Entitlement and amount**

Section 1: Entitlement

Section 2: Guarantee credit

Section 3: Savings credit

Section 4: Exclusions

##### **Aggregation**

Section 5: Income and capital of claimant, spouse etc.

Sections 6 to 10: Retirement provision

Section 6: Duty to specify assessed income period

Section 7: Fixing of claimant's retirement provision for assessed income period

Section 8: Fresh determinations increasing claimant's entitlement

Section 9: Duration of assessed income period

Section 10: Effect of variations under section 7(4)

**Sections 11 to 14: Miscellaneous and supplementary**

Section 11: Administration

Section 12: Polygamous marriages

Section 13: Transitional provisions

Section 14: Minor and consequential amendments

Sections 15 to 17: Interpretation of State Pension Credit provisions

Section 15: Income and capital

Section 16: Retirement pension income

Section 17: Other interpretation provisions

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**Schedules**

Schedule 1: Administration

Schedule 1, paragraph 2

Schedule 1, paragraph 3

Schedule 1, paragraphs 4 to 12

Schedule 1, paragraph 13

Schedule 2: Minor and consequential amendments

Schedule 2, paragraph 2

Schedule 2, paragraph 3

Schedule 2, paragraphs 5 to 7

Schedule 2, paragraph 9

Schedule 2, paragraph 10

Schedule 2, paragraph 11

*These notes refer to the State Pension Credit Act 2002 (c.16)*

Schedule 2, paragraph 12

Schedule 2, paragraph 13

Schedule 2, paragraph 14

Schedule 2, paragraph 15

Schedule 2, paragraph 16

Schedule 2, paragraph 17

Schedule 2, paragraph 23

Schedule 2, paragraph 25

Schedule 2, paragraph 26

Schedule 2, paragraphs 27 and 29

Schedule 2, paragraph 28

Schedule 2, paragraph 30

Schedule 2, paragraph 31

Schedule 2, paragraphs 32 to 35

Schedule 2, paragraphs 37 and 38

Schedule 2, paragraph 41

Schedule 2, paragraph 43

Schedule 2, paragraphs 44 to 49

## **COMMENCEMENT**