

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

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

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

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

Effect of guaranteed minimum pension on social security benefits

Section 18: Equal treatment for widows and widowers

Final provisions

Section 19: Regulations and orders

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

- 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