

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](#)

SCHEDULES

SCHEDULE 1

Section 11

ADMINISTRATION

PART 1

AMENDMENTS OF THE ADMINISTRATION ACT

Introductory

- 1
- Part 1 of the Administration Act (claims, evidence, and regulations about claims and payment) is amended as follows.

Commencement Information

- I1
- [Sch. 1 para. 1](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by S.I. 2002/1691, [art. 2](#)
- I2
- [Sch. 1 para. 1](#) in force at 7.4.2003 in so far as not already in force by [S.I. 2003/966](#), [art. 2\(a\)](#)

Entitlement dependent on making of claim etc

- 2
- In section 1 (which makes entitlement dependent on the making of a claim and production etc of national insurance numbers and other evidence, and limits backdating to 12 months etc) in subsection (4) (benefits to which the section applies) after “(aa) a jobseeker’s allowance;” insert—
“(ab) state pension credit;”.

Commencement Information

- I3
- [Sch. 1 para. 2](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by S.I. 2002/1691, [art. 2](#)
- I4
- [Sch. 1 para. 2](#) in force at 7.4.2003 in so far as not already in force by [S.I. 2003/966](#), [art. 2\(a\)](#)

Power by regulations to make rules relating to claims, time limits, evidence etc

- 3
- (1) Section 5 is amended as follows.
(2) In subsection (2) (benefits to which the section applies) after paragraph (aa) insert—
“(ab) state pension credit;”.
(3) After subsection (3) insert—
“(3A) The references in paragraphs (h) and (hh) of subsection (1) above to information or evidence needed for the determination of a claim or of any

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question arising in connection with a claim or (as the case may be) for a determination whether a decision on an award should be revised or should be superseded, includes, in the case of state pension credit, a reference to information or evidence as to the likelihood of future changes in a person's circumstances which is needed for determining—

- (a) whether a period should be specified as an assessed income period under section 6 of the State Pension Credit Act 2002 in relation to any decision; and
- (b) if so, the length of the period to be so specified.”

Commencement Information

- I5** [Sch. 1 para. 3](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)
- I6** [Sch. 1 para. 3](#) in force at 7.4.2003 in so far as not already in force by [S.I. 2003/966](#), [art. 2\(a\)](#)

PART 2

AMENDMENTS OF THE SOCIAL SECURITY ACT 1998

Introductory

- 4 Part 1 of the Social Security Act 1998 (c. 14) (decisions and appeals) is amended as follows.

Commencement Information

- I7** [Sch. 1 para. 4](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)
- I8** [Sch. 1 para. 4](#) in force at 7.4.2003 in so far as not already in force by [S.I. 2003/966](#), [art. 2\(a\)](#)

Use of computers

- 5 In section 2(2) (which defines “relevant enactment”) at the end insert “; or
(i) the State Pension Credit Act 2002”.

Commencement Information

- I9** [Sch. 1 para. 5](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)
- I10** [Sch. 1 para. 5](#) in force at 7.4.2003 in so far as not already in force by [S.I. 2003/966](#), [art. 2\(a\)](#)

Decisions by Secretary of State

- 6 (1) Section 8 is amended as follows.
- (2) In subsection (3) (meaning of “relevant benefit” in Chapter 2 of Part 1 (social security decisions and appeals)) after paragraph (b) insert—
“(bb) state pension credit;”.

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- (3) In subsection (4) (meaning of “relevant enactment” in that section) for “or the Jobseekers Act” substitute “, the Jobseekers Act or the State Pension Credit Act 2002 ”.

Commencement Information

- I11** [Sch. 1 para. 6](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)
- I12** [Sch. 1 para. 6](#) in force at 7.4.2003 in so far as not already in force by [S.I. 2003/966](#), [art. 2\(a\)](#)

Regulations with respect to decisions

- 7 In section 11(3), in the definition of “the current legislation”, for “the Social Security (Recovery of Benefits) Act 1997” substitute “, the Social Security (Recovery of Benefits) Act 1997 and the State Pension Credit Act 2002 ”.

Commencement Information

- I13** [Sch. 1 para. 7](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)
- I14** [Sch. 1 para. 7](#) in force at 7.4.2003 in so far as not already in force by [S.I. 2003/966](#), [art. 2\(a\)](#)

Suspension of benefit for failure to furnish information etc

- 8 In section 22, after subsection (3) (which defines “information requirement” as a requirement made in pursuance of regulations under section 5(1)(hh) of the Administration Act to furnish certain information or evidence) insert—

“(4) Subsection (3A) of section 5 of the Administration Act (which glosses paragraph (hh) in the case of state pension credit) shall apply in relation to subsection (3) above as it applies in relation to paragraph (hh) of subsection (1) of that section.”

Commencement Information

- I15** [Sch. 1 para. 8](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)
- I16** [Sch. 1 para. 8](#) in force at 6.10.2003 in so far as not already in force by [S.I. 2003/1766](#), [art. 2\(a\)](#)

Restrictions on entitlement to benefit in cases of error: definitions

- 9 In section 27(7), in the definition of “benefit”—
- (a) after paragraph (d) insert—
- “(dd) state pension credit;”,
- and
- (b) in paragraph (e) for “paragraphs (a) to (d) above” substitute “ paragraphs (a) to (dd) above ”.

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- I17** Sch. 1 para. 9 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2
- I18** Sch. 1 para. 9 in force at 6.10.2003 in so far as not already in force by S.I. 2003/1766, art. 2(a)

Correction of errors and setting aside of decisions

- 10 In section 28 (correction of errors and setting aside of decisions) in subsection (3) (meaning of “relevant enactment”) at the end insert “; or
(f) the State Pension Credit Act 2002”.

Commencement Information

- I19** Sch. 1 para. 10 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2
- I20** Sch. 1 para. 10 in force at 7.4.2003 in so far as not already in force by S.I. 2003/966, art. 2(a)

Decisions against which no appeal lies

- 11 In Schedule 2 (decisions against which no appeal lies) in paragraph 6(b)(ii), at the end insert “; or
(iii) section 159B(1)(b) of that Act (state pension credit)”.

Commencement Information

- I21** Sch. 1 para. 11 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2
- I22** Sch. 1 para. 11 in force at 6.10.2003 in so far as not already in force by S.I. 2003/1766, art. 2(a)

Decisions against which appeal lies

- 12 In Schedule 3 (decisions against which appeal lies) after paragraph 8 insert—

“State pension credit

- 8A A decision whether to specify a period as an assessed income period under section 6 of the State Pension Credit Act 2002.
- 8B If so, a decision as to the period to be so specified.
- 8C A decision whether an assessed income period comes to an end by virtue of section 9(4) or (5) of that Act.
- 8D If so, a decision as to when the assessed income period so ends.”

Commencement Information

- I23** Sch. 1 para. 12 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2

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I24 [Sch. 1 para. 12](#) in force at 7.4.2003 in so far as not already in force by [S.I. 2003/966](#), [art. 2\(a\)](#)

PART 3

MISCELLANEOUS AND SUPPLEMENTARY

Amount payable for periods of less than a week

- 13 (1) Where a person is entitled to state pension credit—
- (a) for a period of less than a week, which is the whole period for which state pension credit is payable, or
 - (b) for any other period of less than a week for which it is payable,
- the amount payable for that period shall be such amount as may be prescribed.
- (2) The power conferred by sub-paragraph (1) to prescribe an amount includes power to prescribe nil as an amount.

Commencement Information

- I25** [Sch. 1 para. 13](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)
- I26** [Sch. 1 para. 13](#) in force at 6.10.2003 in so far as not already in force by [S.I. 2003/1766](#), [art. 2\(a\)](#)

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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\(2\)](#)