



State Pension Credit Act 2002

2002 CHAPTER 16

State pension credit: entitlement and amount

2 Guarantee credit

- (1) The condition mentioned in section 1(2)(c)(i) is that the claimant—
 - (a) has no income; or
 - (b) has income which does not exceed the appropriate minimum guarantee.
- (2) Where the claimant is entitled to a guarantee credit, then—
 - (a) if he has no income, the guarantee credit shall be the appropriate minimum guarantee; and
 - (b) if he has income, the guarantee credit shall be the difference between the appropriate minimum guarantee and his income.
- (3) The appropriate minimum guarantee shall be the total of—
 - (a) the standard minimum guarantee; and
 - (b) such prescribed additional amounts as may be applicable.
- (4) The standard minimum guarantee shall be a prescribed amount.
- (5) The standard minimum guarantee shall be—
 - (a) a uniform single amount in the case of every claimant who is a member of a [^{F1}couple] ; and
 - (b) a lower uniform single amount in the case of every claimant who is not a member of [^{F2}a couple] .
- (6) Regulations may provide that, in prescribed cases, subsection (3) shall have effect with the substitution for the reference in paragraph (a) to the standard minimum guarantee of a reference to a prescribed amount.
- (7) Where the claimant is severely disabled, there shall be included among the additional amounts prescribed under subsection (3)(b) an amount in respect of that circumstance.
- (8) Where—

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- (a) the claimant is entitled to an allowance under section 70 of the Contributions and Benefits Act [^{F3}or carer support payment] , or
- (b) if the claimant is a member of a [^{F4}couple] , the other member of the couple is entitled to such an allowance [^{F5}or payment] ,

there shall be included among the additional amounts prescribed under subsection (3) (b) an amount in respect of that circumstance.

- (9) Except for the amount of the standard minimum guarantee, the powers conferred by this section to prescribe amounts include power to prescribe nil as an amount.

Textual Amendments

- F1** Words in s. 2(5)(a) 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** Words in s. 2(5)(b) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(8)(d), [Sch. 24 para. 141](#); [S.I. 2005/3175](#), art. 2(1), Sch. 1
- F3** Words in s. 2(8)(a) inserted (16.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Modifications\) Order 2023 \(S.I. 2023/1214\)](#), art. 1(2), [reg. 5\(2\)\(a\)](#)
- F4** Words in s. 2(8)(b) 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
- F5** Words in s. 2(8)(b) inserted (16.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Modifications\) Order 2023 \(S.I. 2023/1214\)](#), art. 1(2), [reg. 5\(2\)\(b\)](#)

Commencement Information

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

- s. 2(8)(a)(b) substituted by [2012 c. 5 s. 74\(2\)](#)

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\(2\)](#)