



Saving Gateway Accounts Act 2009

2009 CHAPTER 8

Eligibility

2 Notices of eligibility

- (1) The Commissioners must issue a notice of eligibility to each eligible person (within the meaning given by section 3).
- (2) A notice of eligibility—
 - (a) must include an expiry date and such other information as is prescribed by regulations, and
 - (b) must be issued in the way prescribed by regulations.
- (3) Regulations may provide that the Commissioners may, in prescribed circumstances, issue a further notice of eligibility to an eligible person where—
 - (a) a notice of eligibility has previously been issued to the person, and
 - (b) the expiry date specified in the notice has passed.

3 Eligible persons

- (1) A person is an “eligible person” for the purposes of this Act if—
 - (a) the person is entitled to one or more of the benefits or tax credits specified in subsection (2), and
 - (b) the person has a connection with the United Kingdom of a kind prescribed by regulations.
- (2) Those benefits and tax credits are—
 - (a) income support;
 - (b) employment and support allowance;
 - (c) jobseeker’s allowance;
 - (d) incapacity benefit;
 - (e) severe disablement allowance;

Status: This is the original version (as it was originally enacted).

- (f) a carer's allowance under section 70 of the Social Security Contributions and Benefits Act 1992 (c. 4) (but this is subject to subsection (4));
 - (g) child tax credit (but this is subject to any regulations made under subsection (5));
 - (h) working tax credit (but this is subject to any regulations made under subsection (5)).
- (3) For the purposes of subsection (1), a person is "entitled" to a benefit or tax credit whether the person is entitled to the benefit or tax credit alone or with another person.
- (4) A person is not an eligible person by reason of entitlement to a carer's allowance unless—
- (a) such an allowance is payable to the person; and
 - (b) the amount payable has not, by reason of the person's receipt of other benefits, been reduced to nil under regulations made under section 73 of the Social Security Administration Act 1992 (c. 5).
- (5) Regulations may provide that a person is an eligible person by reason of entitlement (alone or with another person) to child tax credit or working tax credit only if prescribed conditions are satisfied.
- (6) Regulations under subsection (5) may, in particular—
- (a) prescribe conditions by reference to a person's income;
 - (b) prescribe conditions by reference to a person's entitlement to social security benefits;
 - (c) apply, or make provision similar to, any provision of or made under the Tax Credits Act 2002 (c. 21), with or without modifications.
- (7) An order may add a benefit or tax credit to the list in subsection (2), or remove or amend a paragraph of that subsection.
- (8) An order under subsection (7) may make consequential amendments to this section and may, in particular, amend subsection (5) or (6) or make provision corresponding to either or both of those subsections.