



State Pension Credit Act (Northern Ireland) 2002

2002 CHAPTER 14

An Act to make provision for and in connection with a new social security benefit called state pension credit; and to amend section 43(1) of the Pension Schemes (Northern Ireland) Act 1993. [22nd November 2002]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

State pension credit: entitlement and amount

Entitlement

1.—(1) A social security benefit to be known as state pension credit shall be payable in accordance with the following provisions of this Act.

(2) A claimant is entitled to state pension credit if—

- (a) he is in Northern Ireland;
- (b) he has attained the qualifying age; and
- (c) he satisfies—

- (i) the condition in section 2(1) (guarantee credit); or
- (ii) the conditions in section 3(1) and (2) (savings credit).

(3) A claimant who is entitled to state pension credit is entitled—

- (a) to a guarantee credit, calculated in accordance with section 2, if he satisfies the condition in subsection (1) of that section; or
 - (b) to a savings credit, calculated in accordance with section 3, if he satisfies the conditions in subsections (1) and (2) of that section,
- (or to both, if he satisfies both the condition mentioned in paragraph (a) and the conditions mentioned in paragraph (b)).
- (4) Subsections (2) and (3) are subject to the following provisions of this Act.
 - (5) Regulations may make provision for the purposes of this Act—
 - (a) as to circumstances in which a person is to be treated as being or not being in Northern Ireland; or
 - (b) continuing a person's entitlement to state pension credit during periods of temporary absence from Northern Ireland.
 - (6) In this Act “the qualifying age” means—
 - (a) in the case of a woman, pensionable age; or
 - (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man.

Guarantee credit

- 2.—(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 married or unmarried couple; and
 - (b) a lower uniform single amount in the case of every claimant who is not a member of such 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—

(a) the claimant is entitled to an allowance under section 70 of the Contributions and Benefits Act (invalid care allowance); or

(b) if the claimant is a member of a married or unmarried couple, the other member of the couple is entitled to such an allowance,

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.

Savings credit

3.—(1) The first of the conditions mentioned in section 1(2)(c)(ii) is that the claimant—

(a) has attained the age of 65; or

(b) is a member of a married or unmarried couple, the other member of which has attained that age.

(2) The second of the conditions mentioned in section 1(2)(c)(ii) is that—

(a) the claimant's qualifying income exceeds the savings credit threshold; and

(b) the claimant's income is such that, for the purposes of subsection (3), amount A exceeds amount B.

(3) Where the claimant is entitled to a savings credit, the amount of the savings credit shall be the amount by which amount A exceeds amount B.

(4) For the purposes of subsection (3)—

“amount A” is the smaller of—

(a) the maximum savings credit; and

(b) a prescribed percentage of the amount by which the claimant's qualifying income exceeds the savings credit threshold; and

“amount B” is—

(a) a prescribed percentage of the amount (if any) by which the claimant's income exceeds the appropriate minimum guarantee; or

(b) if there is no such excess, nil.

(5) Where, by virtue of regulations under section 2(6), the claimant's appropriate minimum guarantee does not include the standard minimum guarantee, regulations may provide that the definition of "amount B" in subsection (4) shall have effect with the substitution for the reference in paragraph (a) to the appropriate minimum guarantee of a reference to a prescribed higher amount.

(6) Regulations may make provision as to income which is, and income which is not, to be treated as qualifying income for the purposes of this section.

(7) For the purposes of this section—

“the savings credit threshold” is such amount as may be prescribed;

“the maximum savings credit” is a prescribed percentage of the difference between—

(a) the standard minimum guarantee; and

(b) the savings credit threshold.

(8) Regulations may prescribe descriptions of persons in whose case the maximum savings credit shall be taken to be nil.

Exclusions

4.—(1) A claimant is not entitled to state pension credit if he is a member of a married or unmarried couple the other member of which is entitled to state pension credit.

(2) In section 115(2) of the Immigration and Asylum Act 1999 (c. 33) (exclusion from benefits) after “entitled to” insert “state pension credit under the State Pension Credit Act (Northern Ireland) 2002, or to”.

(3) Where the amount payable by way of state pension credit would (apart from this subsection) be less than a prescribed amount, it shall not be payable except in prescribed circumstances.

Aggregation

Income and capital of claimant, spouse, etc.

5. Where the claimant is a member of a married or unmarried couple, the income and capital of the other member of the couple shall, except in prescribed circumstances, be treated for the purposes of this Act as income and capital of the claimant.

*Retirement provision***Duty to specify assessed income period**

6.—(1) In any case falling within subsection (3) or (4), the Department shall, on the making of the relevant decision, specify a period as the assessed income period, unless prevented by subsection (2).

(2) The Department is prevented from specifying a period as the assessed income period under subsection (1)—

- (a) if the relevant decision takes effect at a time when an assessed income period is in force in the case of the claimant by virtue of a previous application of this section; or
- (b) in such other circumstances as may be prescribed.

(3) The first case is where—

- (a) the Department determines the amount of a claimant's income for the purposes of a decision relating to state pension credit;
- (b) the decision is a decision under Article 9(1), 10 or 11 of the 1998 Order (decisions by the Department and decisions revising or superseding decisions);
- (c) the decision takes effect on or after—
 - (i) the day on which the claimant attains the age of 65; or
 - (ii) if earlier, in a case where the claimant is a member of a married or unmarried couple, the day on which the other member of the couple attains that age; and
- (d) the decision is not to the effect that the claimant is not entitled to state pension credit.

(4) The second case is where—

- (a) the amount of the claimant's income is determined on, or for the purposes of, an appeal against a decision that the claimant is not entitled to state pension credit;
- (b) on the appeal, it is decided that the claimant is entitled to state pension credit; and
- (c) the decision takes effect as mentioned in subsection (3)(c).

(5) In this section “the relevant decision” means—

- (a) so far as relating to the first case, the decision mentioned in subsection (3)(a);
- (b) so far as relating to the second case, the decision on appeal mentioned in subsection (4)(b).

(6) This section is subject to section 9.

(7) This section and sections 7 to 10 shall be construed as one.

Fixing of claimant's retirement provision for assessed income period

7.—(1) This section applies where, pursuant to section 6(1), the Department on the making of the relevant decision specifies a period as the assessed income period.

(2) This section has effect for the purpose of determining, as at any time in the assessed income period,—

- (a) the claimant's entitlement to state pension credit; or
- (b) the amount of state pension credit to which the claimant is entitled.

(3) Where the claimant's income, as determined for the purposes of the relevant decision, includes an amount (the "assessed amount") in respect of an element of the claimant's retirement provision, the amount of that element as at any time in the assessed income period shall be taken to be the assessed amount as for the time being varied in accordance with regulations under subsection (4).

(4) The assessed amount shall be deemed, except in prescribed circumstances, —

- (a) to increase; or
- (b) in the case of income from capital, to increase or decrease,

on such date or dates and by such amounts as may be prescribed.

(5) Where it is determined for the purposes of the relevant decision that the claimant's income does not include any, or any further, elements of retirement provision, the claimant's income throughout the assessed income period shall be taken not to include those elements.

(6) For the purposes of this Act "retirement provision" means income of any of the following descriptions—

- (a) retirement pension income, other than benefit under the Contributions and Benefits Act;
- (b) income from annuity contracts (other than retirement pension income);
- (c) income from capital,

and an "element" of a person's retirement provision is income of any of those descriptions from a particular source.

(7) For the purposes of this section, regulations may make provision—

- (a) for treating income of any particular description as income of another description; or
- (b) for treating income from different sources as income from the same source.

(8) Nothing in subsections (3) to (5) prevents the revision under Article 10 of the 1998 Order of the relevant decision or of any earlier or later decision under Article 11 of that Order.

(9) This section is subject to section 8.

Fresh determination increasing claimant's entitlement

8.—(1) Subsections (3) to (5) of section 7 do not prevent the making of a fresh determination as to the elements, or any of the elements, or the amount of any of the elements, of the claimant's retirement provision as at any time during the assessed income period, if—

- (a) the fresh determination is for the purpose of making a decision under Article 11 of the 1998 Order (“the new decision”);
- (b) the new decision increases the amount of state pension credit to which the claimant is entitled; and
- (c) the increase is in whole or in part the result of any fresh determination.

(2) The conditions in paragraphs (b) and (c) of subsection (1) shall be taken to be satisfied if—

- (a) the new decision reduces the amount of state pension credit to which the claimant is entitled; but
- (b) the reduction is less than it would have been apart from any fresh determination.

(3) Where a fresh determination is made by virtue of subsection (1), then, as respects the part of the assessed income period that begins with (and includes) the day on which the new decision takes effect, subsections (3) to (5) of section 7 shall have effect in accordance with the fresh determination, instead of the determination which it replaces, but as if—

- (a) the fresh determination were (and the determination which it replaces were not) a determination for the purposes of the relevant decision;
- (b) any assessed amount resulting from the fresh determination were not subject to variation under subsection (4) of that section at any time before the day on which the new decision takes effect; and
- (c) the claimant's income, as determined for the purposes of the relevant decision, were constituted accordingly.

Duration of assessed income period

9.—(1) Subject to subsections (2) to (4), an assessed income period shall be the period of 5 years beginning with (and including) the day on which the relevant decision takes effect.

(2) If the Department considers that the particulars of the claimant's retirement provision, as determined for the purposes of the relevant decision, are not likely, after taking account of any assumed variations under subsection (3), to be typical of the claimant's retirement provision throughout the period of 12 months beginning with (and including) the day on which that decision takes effect—

- (a) it need not specify a period under section 6(1); and
- (b) if it does so, it may specify a period shorter than 5 years (but beginning as mentioned in subsection (1)).

(3) It shall be assumed for the purposes of subsection (2) that the same variations fall to be made in relation to the amount of an element of the claimant's retirement provision as determined for the purposes of the relevant decision as would fall to be made under section 7(4) if an assessed income period were to be specified in accordance with subsection (1).

(4) An assessed income period shall, except in prescribed circumstances, end at any time at which—

- (a) the claimant becomes a member of a married or unmarried couple;
- (b) the claimant ceases to be a member of a married or unmarried couple;
- (c) the claimant attains the age of 65; or
- (d) in a case where the claimant is a member of a married or unmarried couple, the other member of the couple attains the age of 65.

(5) Regulations may prescribe further times at which, or circumstances in which, an assessed income period shall end.

Effect of variations under section 7(4)

10.—(1) This section applies where—

- (a) an assessed income period is in force; and
- (b) there is an alteration in an element of the claimant's retirement provision which affects the computation of the amount of state pension credit to which the claimant is entitled.

(2) Where, as a result of the alteration, the amount of state pension credit to which the claimant is entitled is increased or reduced, then, as from the commencing date, the amount of state pension credit payable in the case of the claimant shall be the increased or reduced amount, without any further decision of the Department (and the award of state pension credit shall have effect accordingly).

(3) Where, notwithstanding the alteration, the claimant continues on and after the commencing date to be entitled to the same amount of state pension credit as before, the award shall continue in force accordingly.

(4) In this section—

“alteration” means a variation in the amount of an element of the claimant’s retirement provision in accordance with regulations under section 7(4);

“commencing date”, in relation to an alteration, means the date on which the alteration comes into force.

Miscellaneous and supplementary

Administration

11. Schedule 1 shall have effect and in that Schedule—

- (a) Part I makes amendments to Part I of the Administration Act (claims for, and payments and general administration of, benefit);
- (b) Part II makes amendments to Part II of the 1998 Order (decisions and appeals); and
- (c) Part III makes miscellaneous and supplementary provision.

Polygamous marriages

12.—(1) This section applies to any case where—

- (a) a person (“the person in question”) is a husband or wife by virtue of a marriage entered into under a law which permits polygamy;
- (b) either party to the marriage has for the time being any spouse additional to the other party; and
- (c) the person in question, the other party to the marriage and the additional spouse are members of the same household.

(2) Regulations under this section may make provision—

- (a) as to the entitlement of the person in question to state pension credit;
- (b) as to any guarantee credit or savings credit to which that person is entitled;
- (c) for prescribing a different amount as the standard minimum guarantee in the case of the person in question;
- (d) in a case where the person in question is the claimant, for treating the income and capital of the other party and of the additional spouse as income and capital of the person in question.

(3) Any such regulations may provide—

- (a) that prescribed provisions shall apply instead of prescribed provisions of this Act; or
- (b) that prescribed provisions of this Act shall not apply or shall apply subject to prescribed modifications or adaptations.

(4) Except in relation to the amount of the standard minimum guarantee, any power to prescribe amounts by virtue of this section includes power to prescribe nil as an amount.

Transitional provisions

13.—(1) The Department may by regulations make such transitional provision, consequential provision or savings as it considers necessary or expedient for the purposes of, or in connection with,—

- (a) the coming into operation of any of the state pension credit provisions of this Act; or
- (b) the operation of any statutory provision repealed or amended by any of those provisions during any period when the repeal or amendment is not wholly in operation.

(2) The provision that may be made by regulations under this section includes in particular—

- (a) provision for a person who attains or has attained the qualifying age on or before the appointed day and who immediately before that day is entitled to income support—
 - (i) to be treated as having been awarded on, and with effect as from, that day state pension credit of an amount specified in or determined in accordance with the regulations; or
 - (ii) to be treated as having made a claim for state pension credit; and
- (b) provision for an assessed income period under section 6 of such length as may be specified in or determined in accordance with the regulations (which may be longer than the maximum period provided for by section 9(1)) to have effect in the case of a person who attains or has attained the qualifying age on or before the appointed day.

(3) In this section—

- “the appointed day” means such day as the Department may by order appoint;
- “the state pension credit provisions of this Act” means this Act other than section 18.

Minor and consequential amendments

14. Schedule 2 (which makes minor and consequential amendments relating to state pension credit) shall have effect.

*Interpretation of state pension credit provisions***Income and capital**

15.—(1) In this Act “income” means income of any of the following descriptions—

- (a) earnings;
- (b) working tax credit;
- (c) retirement pension income;
- (d) income from annuity contracts (other than retirement pension income);
- (e) prescribed social security benefits (other than retirement pension income and state pension credit);
- (f) foreign social security benefits of any prescribed description;
- (g) a war disablement pension or war widow’s or widower’s pension;
- (h) a foreign war disablement pension or foreign war widow’s or widower’s pension;
- (i) income from capital;
- (j) income of any prescribed description.

(2) Regulations may provide that a person’s capital shall be deemed to yield him income at a prescribed rate.

(3) Income and capital shall be calculated or estimated in such manner as may be prescribed.

(4) A person’s income in respect of any period shall be calculated in accordance with prescribed rules.

(5) The rules may provide for the calculation to be made by reference to an average over a period (which need not consist of or include the whole or any part of the period concerned).

(6) Circumstances may be prescribed in which—

- (a) a person is treated as possessing capital or income which he does not possess;
- (b) capital or income which a person does possess is to be disregarded;
- (c) income is to be treated as capital; or
- (d) capital is to be treated as income.

Retirement pension income

16.—(1) In this Act “retirement pension income” means any of the following—

- (a) a Category A or Category B retirement pension payable under sections 43 to 55 of—
 - (i) the Contributions and Benefits Act; or
 - (ii) the Social Security Contributions and Benefits Act 1992 (c. 4);
 - (b) a shared additional pension payable under section 55A of either of those Acts (utilisation of State scheme pension credits on divorce);
 - (c) graduated retirement benefit payable under section 62 of either of those Acts;
 - (d) a Category C or Category D retirement pension payable under section 78 of either of those Acts;
 - (e) age addition payable under section 79 of either of those Acts;
 - (f) income from an occupational pension scheme or a personal pension scheme;
 - (g) income from an overseas arrangement;
 - (h) income from a retirement annuity contract;
 - (i) income from an annuity or insurance policy purchased or transferred for the purpose of giving effect to rights under a personal pension scheme or an overseas arrangement;
 - (j) income from an annuity purchased or entered into for the purpose of discharging liability under—
 - (i) Article 26(1)(b) of the [Welfare Reform and Pensions \(Northern Ireland\) Order 1999 \(NI 11\)](#) (pension credits on divorce); or
 - (ii) section 29(1)(b) of the [Welfare Reform and Pensions Act 1999 \(c. 30\)](#) (corresponding provision for Great Britain).
- (2) The Department may by regulations amend subsection (1); and any such regulations may—
- (a) add to or vary the descriptions of income for the time being listed in that subsection; or
 - (b) remove any such description from that subsection.
- (3) In this section—
- “overseas arrangement” has the meaning given by section 176(1) of the Pension Schemes Act;
- “retirement annuity contract” means a contract or scheme approved under Chapter III of Part XIV of the Income and Corporation Taxes Act 1988 (c. 1).

Other interpretation provisions

17.—(1) In this Act—

“the 1998 Order” means the [Social Security \(Northern Ireland\) Order 1998 \(NI 10\)](#);

“the Administration Act” means the Social Security Administration (Northern Ireland) Act [1992 \(c. 8\)](#);

“appropriate minimum guarantee” shall be construed in accordance with section 2(3);

“assessed income period” shall be construed in accordance with sections 6 and 9;

“capital” shall be construed in accordance with section 15;

“claimant” means a claimant for state pension credit;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act [1992 \(c. 7\)](#);

“the Department” means the Department for Social Development;

“earnings” has the same meaning as in Parts I to V of the Contributions and Benefits Act (see sections 3(1) and 112, and the definition of “employment” in section 121(1), of that Act);

“element”, in relation to the claimant’s retirement provision, shall be construed in accordance with section 7(6);

“entitled”, in relation to state pension credit, shall be construed in accordance with—

- (a) this Act;
- (b) section 1 of the Administration Act (entitlement to benefit dependent on claim); and
- (c) Article 27 of the 1998 Order (restrictions on entitlement to benefit in certain cases of error),

(and, in relation to any other benefit within the meaning of section 1 of the Administration Act or Article 27 of the 1998 Order, in accordance with that section or that Article or (as the case may be) both that section and that Article in addition to any other conditions relating to that benefit);

“foreign social security benefit” means any benefit, allowance or other payment which is paid under the law of a country outside the United Kingdom and is in the nature of social security;

“foreign war disablement pension” means any retired pay, pension, allowance or similar payment granted by the government of a country outside the United Kingdom—

- (a) in respect of disablement arising from forces' service or war injury; or
- (b) corresponding in nature to any retired pay or pension to which subsection (1) of section 315 of the Income and Corporation Taxes Act [1988 \(c. 1\)](#) applies;

“foreign war widow’s or widower’s pension” means any pension, allowance or similar payment granted to a widow or widower by the government of a country outside the United Kingdom—

- (a) in respect of a death due to forces' service or war injury; or
- (b) corresponding in nature to a pension or allowance for a widow or widower under any scheme mentioned in section 315(2)(e) of the Income and Corporation Taxes Act 1988;

“guarantee credit” shall be construed in accordance with sections 1 and 2;

“income” shall be construed in accordance with section 15;

“married couple” means a man and a woman who are married to each other and are members of the same household;

“occupational pension scheme” has the meaning given by section 1 of the Pension Schemes Act;

“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 2 to the [Pensions \(Northern Ireland\) Order 1995 \(NI 22\)](#) (equalisation of pensionable ages for men and women);

“the Pension Schemes Act” means the Pension Schemes (Northern Ireland) Act [1993 \(c. 49\)](#);

“personal pension scheme” means a personal pension scheme—

- (a) as defined in section 1 of the Pension Schemes Act; or
- (b) as defined in section 1 of the Pension Schemes Act [1993 \(c. 48\)](#);

“prescribed” means specified in, or determined in accordance with, regulations;

“the qualifying age” has the meaning given by section 1(6);

“regulations” means regulations made by the Department;

“retirement pension income” shall be construed in accordance with section 16;

“retirement provision” shall be construed in accordance with section 7(6);

“savings credit” shall be construed in accordance with sections 1 and 3;

“social security benefits” means benefits payable under the enactments relating to social security in any part of the United Kingdom;

“standard minimum guarantee” shall be construed in accordance with section 2(3) to (5) and (9);

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) [1954 \(c. 33\)](#);

“unmarried couple” means a man and a woman who are not married to each other but are living together as husband and wife otherwise than in prescribed circumstances;

“war disablement pension” means—

- (a) any retired pay, pension or allowance granted in respect of disablement under powers conferred by or under—
 - (i) the Air Force (Constitution) Act 1917 (c. 51);
 - (ii) the Personal Injuries (Emergency Provisions) Act 1939 (c. 82);
 - (iii) the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939 (c. 83);
 - (iv) the Polish Resettlement Act 1947 (c. 19); or
 - (v) Part VII or section 151 of the Reserve Forces Act 1980 (c. 9); or
- (b) without prejudice to paragraph (a), any retired pay or pension to which subsection (1) of section 315 of the Income and Corporation Taxes Act 1988 (c. 1) applies;

“war widow’s or widower’s pension” means—

- (a) any widow’s or widower’s pension or allowance granted in respect of a death due to service or war injury and payable by virtue of any enactment mentioned in paragraph (a) of the definition of “war disablement pension”; or
- (b) a pension or allowance for a widow or widower granted under any scheme mentioned in section 315(2)(e) of the Income and Corporation Taxes Act 1988;

“working tax credit” means a working tax credit under the Tax Credits Act 2002 (c. 21) to which a person is entitled whether alone or jointly with another.

- (2) Regulations may make provision for the purposes of this Act—
 - (a) as to circumstances in which persons are to be treated as being or not being members of the same household;
 - (b) as to circumstances in which persons are to be treated as being or not being severely disabled.
- (3) The following provisions of the Contributions and Benefits Act, namely—
 - (a) section 168 (references to Northern Ireland or United Kingdom to include reference to adjacent territorial waters, etc.), and
 - (b) section 169 (meaning of attaining an age, etc.),

shall apply for the purposes of this Act as they apply for the purposes of that Act.

Effect of guaranteed minimum pension on social security benefits

Equal treatment for widows and widowers

18. In section 43(1) of the Pension Schemes Act (further provisions concerning entitlement to guaranteed minimum pensions for the purposes of section 42)—

- (a) after “an earner” insert “in any case where he is entitled to a benefit other than a widowed parent’s allowance”;
- (b) for paragraph (a) substitute—
 - “(a) he is also entitled to a Category B retirement pension by virtue of the earner’s contributions (or would be so entitled but for section 43(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992); or”; and
- (c) in paragraph (b), for “section 41(7) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992” substitute “section 41(5) of that Act”.

Final provisions

Regulations and orders

19.—(1) Where any power under this Act to make regulations or an order is expressed to be exercisable for alternative purposes it may be exercised in relation to the same case for any or all of those purposes.

(2) Any such power includes power—

- (a) to make such incidental, supplemental, consequential or transitional provision as appears to the authority making the regulations or order to be expedient; and
- (b) to provide for a person to exercise a discretion in dealing with any matter.

(3) Any power to make regulations or an order for the purposes of any provision of this Act is without prejudice to any power to make regulations or an order for the purposes of any other provision.

(4) Regulations containing (whether alone or with other provisions) the first regulations under—

- (a) section 2(3)(b), (4) or (6);
- (b) section 3(4), (5), (6), (7) or (8);
- (c) section 4(3);
- (d) section 12; or
- (e) section 15(1)(e), (f) or (j), (2), (3), (4) or (6),

shall be laid before the Assembly after being made and shall take effect on such date as may be specified in the regulations, but shall (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of six months from that date unless at some time before the expiration of that period the regulations have been approved by a resolution of the Assembly.

(5) Regulations made under this Act, other than the regulations specified in subsection (4), shall be subject to negative resolution.

Repeals

20. The statutory provisions mentioned in Schedule 3 are hereby repealed to the extent specified in the second column of that Schedule.

Short title and commencement

21.—(1) This Act may be cited as the State Pension Credit Act (Northern Ireland) 2002.

(2) This Act (except section 19 and this section) shall come into operation on such day or days as the Department may by order appoint.

(3) Any order under this section may make such transitional provision as appears to the Department to be necessary or expedient in connection with the provisions brought into operation by the order.

SCHEDULES

SCHEDULE 1

Section 11.

ADMINISTRATION

PART I

AMENDMENTS OF THE ADMINISTRATION ACT

Introductory

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

Entitlement dependent on making of claim

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;”.

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

3. In section 5 (regulations about claims for and payments of benefit)—

(a) in subsection (2) (benefits to which the section applies) after paragraph (aa) insert—

“(ab) state pension credit;”;

(b) after subsection (2) insert—

“(2A) 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 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 (Northern Ireland) 2002 in relation to any decision; and
- (b) if so, the length of the period to be so specified.”.

PART II

AMENDMENTS OF THE 1998 ORDER

Introductory

4. Part II of the 1998 Order (decisions and appeals) is amended as follows.

Use of computers

5. In Article 4(2) (meaning of “relevant statutory provision”) at the end add “; or
(i) the State Pension Credit Act (Northern Ireland) 2002.”.

Decisions by the Department

6. In Article 9—
- (a) in paragraph (3) (meaning of “relevant benefit” in Chapter II of Part II (social security decisions and appeals)) after sub-paragraph (b) insert—
“(bb) state pension credit;”;
 - (b) in paragraph (4) (meaning of “relevant statutory provision”) for “or the Jobseekers Order” substitute “, the Jobseekers Order or the State Pension Credit Act (Northern Ireland) 2002”.

Regulations with respect to decisions

7. In Article 12(3), in the definition of “the current legislation”, for “and the Recovery of Benefits Order” substitute “, the Recovery of Benefits Order and the State Pension Credit Act (Northern Ireland) 2002”.

Suspension of benefit for failure to furnish information, etc.

8. In Article 22, after paragraph (3) (which defines “information requirement”) add—
“(4) Subsection (2A) of section 5 of the Administration Act shall apply in relation to paragraph (3) as it applies in relation to paragraph (hh) of subsection (1) of that section.”.

Restrictions on entitlement to benefit in certain cases of error

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

Correction of errors and setting aside of decisions

- 10.** In Article 28(3) (meaning of “relevant statutory provision”) at the end add “; or
- (f) the State Pension Credit Act (Northern Ireland) 2002.”.

Decisions against which no appeal lies

- 11.** In Schedule 2, in paragraph 6(b), at the end add “; or
- (iii) section 139B(1)(b) of that Act (state pension credit).”.

Decisions against which an appeal lies

- 12.** In Schedule 3 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 (Northern Ireland) 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.”.

PART III

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.

SCHEDULE 2

Section 14.

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS OF CONTRIBUTIONS AND BENEFITS ACT

Introductory

1. The Contributions and Benefits Act is amended as follows.

Income support

2. In section 123(1) (entitlement to income support)—

(a) after paragraph (a) (claimant must be 16 or over) insert—

“(aa) he has not attained the qualifying age for state pension credit;”;

(b) after paragraph (f) (claimant must not be entitled to jobseeker’s allowance etc.) add “; and

(g) if he is a member of a married or unmarried couple, the other member of the couple is not entitled to state pension credit.”.

Effect of attaining qualifying age for state pension credit

3. After section 132 (income and capital) insert—

“132A Effect of attaining qualifying age for state pension credit

(1) Subsections (2) and (3) below apply in relation to housing benefit in the case of any person who has attained the qualifying age for state pension credit.

(2) Regulations may make provision for section 130(1) above or any provision of section 132 above not to have effect in relation to that benefit in the case of any such person.

(3) In relation to that benefit, regulations may make provision for the determination of the income and capital of any such person, and any such

regulations may include provision applying (with such modifications as the Department thinks fit)—

- (a) section 5 of the State Pension Credit Act (Northern Ireland) 2002 (provision for treating income of spouse as income of claimant, etc.); and
 - (b) section 15 of that Act (determination of income and capital for purposes of state pension credit).
- (4) Regulations under subsection (3) above may also include provision—
- (a) authorising or requiring the use of any calculation or estimate of a person’s income or capital made by the Department for the purposes of the State Pension Credit Act (Northern Ireland) 2002; or
 - (b) requiring that, if and so long as an assessed income period is in force under section 6 of that Act in respect of a person falling within subsection (1) above,—
 - (i) the assessed amount of any element of his retirement provision shall be treated as the amount of that element for the purposes of housing benefit; and
 - (ii) his income shall be taken for those purposes not to include any element of retirement provision which it is taken not to include for the purposes of state pension credit by virtue of a determination under subsection (5) of that section.
- (5) In subsection (4) above “assessed amount”, “element” and “retirement provision” have the same meaning as in the State Pension Credit Act (Northern Ireland) 2002.
- (6) The Department may by regulations make provision for the provisions of this section to apply with modifications in cases to which section 12 of the State Pension Credit Act (Northern Ireland) 2002 (polygamous marriages) applies.”.

Interpretation of Part VII and supplementary provisions

4. In section 133, in subsection (1), insert the following definitions at the appropriate places—

““pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995;

“the qualifying age for state pension credit” is (in accordance with section 1(2) (b) and (6) of the State Pension Credit Act (Northern Ireland) 2002)—

- (a) in the case of a woman, pensionable age; or

- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

“state pension credit” means state pension credit under the State Pension Credit Act (Northern Ireland) 2002;”.

Entitlement of pensioners to Christmas bonus

5. In section 144—

- (a) in subsection (2) (conditions for entitlement in case of couples), in paragraph (c)(ii) (condition that person be in receipt of income support only) for “income support” substitute “state pension credit”;
- (b) after that subsection insert—
- “(2A) In a case falling within paragraph (c)(ii) of subsection (2) above, paragraph (a) of that subsection has effect with the substitution of “qualifying age for state pension credit” for “pensionable age”.”;
- (c) omit subsection (4) (persons receiving income support only entitled to bonus if attaining pensionable age by end of relevant week).

Entitlement to Christmas bonus: supplementary

6. In section 145, in subsection (2) (circumstances in which a person is treated as entitled to qualifying benefit)—

- (a) in paragraph (a), for “other than income support” substitute “other than state pension credit”;
- (b) in paragraph (b), for “income support”, in both places where it occurs, substitute “state pension credit”.

Interpretation of provisions relating to Christmas bonus

7. In section 146—

- (a) in subsection (1) (definition of “qualifying benefit”) in paragraph (k) for “income support” substitute “state pension credit”;
- (b) in subsection (2) (interpretation of Part X) insert the following definitions at the appropriate places—

““the qualifying age for state pension credit” is (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act (Northern Ireland) 2002)—

- (a) in the case of a woman, pensionable age; or
- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

“state pension credit” means state pension credit under the State Pension Credit Act (Northern Ireland) 2002;”.

PART II

AMENDMENTS OF ADMINISTRATION ACT

Introductory

8. The Administration Act is amended as follows.

Payment out of benefit of sums in respect of mortgage interest, etc.

9. In section 13A—

- (a) after subsection (1) (application of section to persons entitled to income support or income-based jobseeker’s allowance) insert—

“(1A) This section also applies in relation to cases where—

- (a) mortgage interest is payable to a qualifying lender by a person (also referred to as “the borrower”) who is entitled, or whose partner, former partner or qualifying associate is entitled, to state pension credit; and
- (b) a sum in respect of that mortgage interest is or was brought into account in determining the appropriate minimum guarantee for the purposes of state pension credit in the case of the borrower or the partner, former partner or qualifying associate;

and any reference in this section to “the relevant beneficiary” includes a reference to the person whose appropriate minimum guarantee for the purposes of state pension credit is or was determined as mentioned in paragraph (b) above.”;

- (b) in subsection (2) (regulations about paying benefit directly to mortgagees) in paragraph (a), after “any relevant benefits” insert “(other than state pension credit)”;

- (c) in that subsection, after paragraph (a) insert—

“(aa) authorising or requiring that, in prescribed circumstances, a prescribed part of any state pension credit to which the relevant beneficiary is entitled may (or, as the case may be, shall) be paid by the Department directly to the qualifying lender and shall be applied by that lender towards the discharge of the liability in respect of the mortgage interest;”;

- (d) in subsection (4)—

(i) before the definition of “mortgage interest” insert—

““appropriate minimum guarantee” has the meaning given by section 2(3) of the State Pension Credit Act (Northern Ireland) 2002;”;

- (ii) in the definition of “qualifying associate”, for “or an income-based jobseeker’s allowance,” substitute “, an income-based jobseeker’s allowance or state pension credit,” and for “or (as the case may be) under the Jobseekers (Northern Ireland) Order 1995” substitute “, the Jobseekers (Northern Ireland) Order 1995 or the State Pension Credit Act (Northern Ireland) 2002, as the case may be,”;
- (iii) in the definition of “relevant benefits”, after paragraph (b) add—
 - “(c) state pension credit;”.

Overpayments: general

10. In section 69(11) (benefits to which section applies) after paragraph (aa) insert—

- “(ab) state pension credit;”.

Adjustment of income support and other payments

11. In section 72—

- (a) in subsection (1)(b) (recovery of income support etc. paid because prescribed income not paid until after prescribed date) for “or an income-based jobseeker’s allowance” substitute “, an income-based jobseeker’s allowance or state pension credit”;
- (b) in subsection (2)(b) (recovery of income support etc. paid because prescribed payment from public funds not paid until after prescribed date) for “or an income-based jobseeker’s allowance” substitute “, an income-based jobseeker’s allowance or state pension credit”.

Interpretation of Part VI

12. In section 115CA(1) (definition of “the relevant social security legislation”) after paragraph (h) insert—

- “(hh) the State Pension Credit Act (Northern Ireland) 2002;”.

Regulations as to notification of deaths

13. In section 118(1) (regulations as to notification of deaths by Registrar General)—

- (a) after “the Social Security (Northern Ireland) Order 1998” insert “, the State Pension Credit Act (Northern Ireland) 2002”;

- (b) for “either of those” substitute “any of those”.

*Provision of information by personal
representatives as to estate of deceased person*

14. In section 119(1) (duty to furnish information as to assets and liabilities of a person in receipt of certain benefits) after “income-based jobseeker’s allowance” insert “, state pension credit”.

Effect of alterations affecting state pension credit

15. After section 139A (effect of alteration of rates of a jobseeker’s allowance) insert—

“139B Effect of alterations affecting state pension credit

(1) Subject to such exceptions and conditions as may be prescribed, subsection (2) or (3) below shall have effect where—

- (a) an award of state pension credit is in force in favour of any person (“the recipient”); and
- (b) an alteration—
 - (i) in any component of state pension credit,
 - (ii) in the recipient’s benefit income,
 - (iii) in any component of a contribution-based jobseeker’s allowance, or
 - (iv) in the recipient’s war disablement pension or war widow’s or widower’s pension,

affects the computation of the amount of state pension credit to which he is entitled.

(2) Where, as a result of the alteration, the amount of state pension credit to which the recipient is entitled is increased or reduced, then, as from the commencing date, the amount of state pension credit payable in the case of the recipient under the award shall be the increased or reduced amount, without any further decision of the Department, and the award shall have effect accordingly.

(3) Where, notwithstanding the alteration, the recipient continues on and after the commencing date to be entitled to the same amount of state pension credit as before, the award shall continue in force accordingly.

(4) Subsection (5) below applies where a statement is made in the House of Commons by or on behalf of the Secretary of State which specifies—

- (a) in relation to any of the items referred to in subsection (1)(b)(i) to (iv) above, the amount of the alteration which he proposes to

make by an order under section 150 or 152 of the Great Britain Administration Act or by or under any other enactment; and

(b) the date on which he proposes to bring the alteration into force (“the proposed commencing date”).

(5) If, in a case where this subsection applies, an award of state pension credit is made in favour of a person before the proposed commencing date and after the date on which the statement is made, the award—

(a) may provide for state pension credit to be paid as from the proposed commencing date at a rate determined by reference to the amounts of the items specified in subsection (1)(b)(i) to (iv) above which will be in force on that date; or

(b) may be expressed in terms of the amounts of those items in force at the date of the award.

(6) In this section—

“alteration” means—

(a) in relation to any component of state pension credit, its alteration by or under any enactment;

(b) in relation to a person’s benefit income, the alteration of any of the applicable sums by any enactment or by an order under section 132 or 133 above to the extent that any such alteration affects the amount of his benefit income;

(c) in relation to any component of a contribution-based jobseeker’s allowance, its alteration by or under any enactment; and

(d) in relation to a person’s war disablement pension or war widow’s or widower’s pension, its alteration by or under any enactment;

“benefit income”, in relation to a person, means so much of his income as consists of benefit under the Contributions and Benefits Act;

“the commencing date”, in relation to an alteration, means the date on which the alteration comes into force in relation to the recipient;

“component”—

(a) in relation to contribution-based jobseeker’s allowance, means any of the sums specified in regulations under the Jobseekers (Northern Ireland) Order 1995 which are relevant in calculating the amount payable by way of a jobseeker’s allowance;

(b) in relation to state pension credit, means any of the sums specified in regulations under section 2, 3 or 12 of the State Pension Credit Act (Northern Ireland) 2002;

“war disablement pension” means—

- (a) any retired pay, pension or allowance granted in respect of disablement under powers conferred by or under—
 - (i) the Air Force (Constitution) Act 1917;
 - (ii) the Personal Injuries (Emergency Provisions) Act 1939;
 - (iii) the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939;
 - (iv) the Polish Resettlement Act 1947; or
 - (v) Part VII or section 151 of the Reserve Forces Act 1980; or
 - (b) without prejudice to paragraph (a), any retired pay or pension to which subsection (1) of section 315 of the Income and Corporation Taxes Act 1988 (c. 1) applies;
- “war widow’s or widower’s pension” means—
- (a) any widow’s or widower’s pension or allowance granted in respect of a death due to service or war injury and payable by virtue of any enactment mentioned in paragraph (a) of the definition of “war disablement pension”; or
 - (b) a pension or allowance for a widow or widower granted under any scheme mentioned in section 315(2)(e) of the Income and Corporation Taxes Act 1988.”.

Adjustments between National Insurance Fund and Consolidated Fund

16. In section 145—

- (a) after subsection (5) (payments from National Insurance Fund into Consolidated Fund) insert—
 - “(5A) There shall be excluded from the estimate under subsection (5) (a) above any expenses attributable to the carrying into effect of provisions of this Act so far as relating to state pension credit.”;
- (b) in subsection (6)(a) (expenses excluded from Department’s estimate under subsection (5)(b)), after “relating to” insert “state pension credit or”.

Adjustments between social fund and other sources of finance

17. In section 148(1) (adjustments of social fund, Consolidated Fund and National Insurance Fund in relation to repayment or offsetting of benefit or other payment) at the end add “or the State Pension Credit Act (Northern Ireland) 2002”.

*Functions of Social Security Advisory Committee
in relation to legislation and regulations*

18. In section 149(5) (interpretation), in the definition of “the relevant enactments”, after paragraph (ag) insert—

“(ah) the provisions of the State Pension Credit Act (Northern Ireland) 2002;”.

Reciprocal agreements with countries outside the United Kingdom

19. In section 155—

(a) in subsection (3)(a) (modifications for securing that acts, omissions and events have corresponding effect for the purposes of United Kingdom legislation) after “the Social Security (Northern Ireland) Order 1998” insert “, the State Pension Credit Act (Northern Ireland) 2002”;

(b) in subsection (4) (legislation to which the section applies) after paragraph (ab) insert—

“(ac) to the State Pension Credit Act (Northern Ireland) 2002;”;

(c) in subsection (5) (regulations which may be modified) after paragraph (aa) insert—

“(ab) state pension credit;”.

Payment of travelling expenses by Department

20. In section 156—

(a) in paragraph (a) (expense of attending interview) after “the Social Security (Northern Ireland) Order 1998” insert “, the State Pension Credit Act (Northern Ireland) 2002”;

(b) in paragraph (b)(i) (expense of attending social security office) after “the Social Security (Northern Ireland) Order 1998” insert “, the State Pension Credit Act (Northern Ireland) 2002”.

Certain benefit to be inalienable

21. In section 163(1), after paragraph (aa) insert—

“(ab) state pension credit;”.

Interpretation

22. In section 167(1)—

(a) in the definition of “benefit” at the end add “and state pension credit”;

(b) after the definition of “regulations” insert—

““state pension credit” means state pension credit under the State Pension Credit Act (Northern Ireland) 2002;”.

PART III

AMENDMENTS OF OTHER STATUTORY PROVISIONS

The Children (Northern Ireland) Order 1995

23. In Article 24 of the [Children \(Northern Ireland\) Order 1995 \(NI 2\)](#) (recoupment of cost of providing services, etc.) after paragraph (3) (no charge for certain services if receiving certain benefits) insert—

“(3A) No person shall be liable to pay any charge under paragraph (1) for a service provided under Article 19(3) or (6) at any time when—

- (a) he is in receipt of guarantee state pension credit under section 1(3) (a) of the State Pension Credit Act (Northern Ireland) 2002; or
- (b) he is a member of a married or unmarried couple (within the meaning of that Act) the other member of which is in receipt of guarantee state pension credit.”.

The Jobseekers (Northern Ireland) Order 1995

24. The [Jobseekers \(Northern Ireland\) Order 1995 \(NI 15\)](#) is amended as follows.

25. In Article 5(1) (the income-based conditions)—

- (a) in sub-paragraph (b) (claimant must not be entitled to income support), after “income support” insert “or state pension credit”;
- (b) after sub-paragraph (d) insert—

“(dd) is not a member of a married or unmarried couple the other member of which is entitled to state pension credit;”.

26. In Article 5A(1) (conditions for claims by joint-claim couples), after sub-paragraph (c) insert—

“(cc) that neither member of the couple is entitled to state pension credit;”.

The Road Traffic (Northern Ireland) Order 1995

27. In Article 25(2) of the [Road Traffic \(Northern Ireland\) Order 1995 \(NI 18\)](#) (payments in respect of applicants for exemption from wearing seat belts) after sub-paragraph (b) insert—

- “(bb) those in receipt of guarantee state pension credit (under section 1(3)(a) of the State Pension Credit Act (Northern Ireland) 2002) and those persons who (within the meaning of that Act) are members of a married or unmarried couple the other member of which is in receipt of guarantee state pension credit;”.

The Pensions (Northern Ireland) Order 1995

28. In Schedule 2 to the [Pensions \(Northern Ireland\) Order 1995 \(NI 22\)](#) (equalisation of pensionable ages for men and women), in paragraph 1 (statutory provisions to which the rules for determining pensionable age apply) for “and the Pension Schemes Act” substitute “, the Pension Schemes Act and the State Pension Credit Act (Northern Ireland) 2002”.

The Deregulation and Contracting Out (Northern Ireland) Order 1996

29. In Article 17 of the [Deregulation and Contracting Out \(Northern Ireland\) Order 1996 \(NI 11\)](#) (social security: amendments following certain orders) at the end of paragraph (2) add “the State Pension Credit Act 2002”.

The 1998 Order

30. In Article 34(3) of the 1998 Order (determination of housing benefit claims and reviews) for “or to income support” substitute “, income support or state pension credit”.

The Immigration and Asylum Act 1999

31. In section 123(9)(d) of the Immigration and Asylum Act 1999 (c. 33) (back-dating of benefits where person recorded as refugee)—

- (a) after “a benefit under the Social Security Contributions and Benefits (Northern Ireland) Act 1992” insert “or state pension credit”;
- (b) for “or the Social Security Administration (Northern Ireland) Act 1992” substitute “, the Social Security Administration (Northern Ireland) Act 1992 or the State Pension Credit Act (Northern Ireland) 2002”.

The Social Security Fraud Act (Northern Ireland) 2001

32. The Social Security Fraud Act (Northern Ireland) 2001 (c. 17) is amended as follows.

33. In section 6 (loss of benefit for commission of benefit offences)—

- (a) after subsection (4) (cases where sanctionable benefit is jobseeker’s allowance) insert—

“(4A) The Department may by regulations provide that, where the sanctionable benefit is state pension credit, the benefit shall be payable in the offender’s case for any period comprised in the disqualification period as if the rate of the benefit were reduced in such manner as may be prescribed.”;

(b) in subsection (8) (interpretation)—

(i) in the definition of “disqualifying benefit”, after paragraph (a) insert—

“(aa) any benefit under the State Pension Credit Act (Northern Ireland) 2002 or the State Pension Credit Act 2002;”;

(ii) in the definition of “sanctionable benefit”, after paragraph (a) insert—

“(aa) any benefit under the State Pension Credit Act (Northern Ireland) 2002;”.

34. In section 8 (effect of offence on benefits for members of offender’s family)

(a) in subsection (1) (benefits to which section applies) after paragraph (b) insert—

“(bb) state pension credit;”;

(b) after subsection (4) (reduction of jobseeker’s allowance) insert—

“(4A) In relation to cases in which the benefit is state pension credit, the provision that may be made by virtue of subsection (2) is provision that, in the case of the offender’s family member, the benefit shall be payable for the whole or any part of any period comprised in the relevant period as if the rate of the benefit were reduced in such manner as may be prescribed.”.

35. In section 9(3) (power to supplement and mitigate loss of benefit provisions), after paragraph (b) insert—

“(bb) any benefit under the State Pension Credit Act (Northern Ireland) 2002 or the State Pension Credit Act 2002;”.

36. In section 10(3) (loss of benefit regulations), in paragraph (c)—

(a) after “section 6(4)” insert “, (4A)”;

(b) after “or 8(4)” insert “, (4A)”.

37. In section 12 (interpretation) after the definition of “sanctionable benefit” insert—

““state pension credit” means state pension credit under the State Pension Credit Act (Northern Ireland) 2002;”.

SCHEDULE 3

Section 20.

REPEALS

Short Title	Extent of repeal
The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7).	In section 123(1), the word “and” immediately preceding paragraph (f). Section 144(4).
The Social Security Administration (Northern Ireland) Act 1992 (c. 8).	In section 155(4), the word “and” immediately preceding paragraph (b).
The Jobseekers (Northern Ireland) Order 1995 (NI 15).	In Schedule 2, paragraph 23(3).
The Social Security (Northern Ireland) Order 1998 (NI 10).	In Article 4(2), the word “or” immediately preceding subparagraph (h). In Article 28(3), the word “or” immediately preceding subparagraph (e). In paragraph 6(b) of Schedule 2, the word “or” immediately preceding subparagraph (ii).