



2002 CHAPTER 14

State pension credit: entitlement and amount

Savings credit

^{F1}3.—^{F2}(1) The first of the conditions mentioned in section 1(2)(c)(ii) is that the claimant—

- (a) has attained pensionable age before 6 April 2016 and has attained the age of 65 (before, on or after that date), or
- (b) is a member of a couple, the other member of which falls within paragraph (a).]

(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.

Changes to legislation: *State Pension Credit Act (Northern Ireland) 2002, Section 3 is up to date with all changes known to be in force on or before 21 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(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.

F1 mod. by SR 2003/28

F2 [S. 3\(1\)](#) substituted (6.4.2016 unless brought into operation earlier by an order under s. 53(1) of the amending Act) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\)](#), [Sch. 12 para. 73](#)

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Changes and effects yet to be applied to :

- [s. 3\(1\)\(a\)](#) words substituted by [2008 c. 1 \(N.I.\) Sch. 1 para. 41](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [S.R. 2019/211 art. 2\(2\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Affecting Order revoked (19.12.2020) without ever being in force by S.R. 2020/347, arts. 1(1), 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 [S.I. 2015/2006 \(N.I.\) Sch. 4 para. 2](#)
- [s. 1\(3\)\(c\)](#) and word inserted by [S.I. 2015/2006 \(N.I.\) Sch. 4 para. 3\(a\)](#)
- [s. 3A](#) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 4 para. 4](#)
- [s. 3A\(5\)\(a\)](#) words omitted by [S.I. 2016/999 \(N.I.\) art. 15\(9\)](#) (Unable to complete this amendment. S. 3A was inserted by 2015/2006 (NI 1), Sch. 4 para. 4 but the Schedule is not yet in force.)
- [s. 7\(10\)](#) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 4 para. 5](#)