



2008 CHAPTER 13

PART 2

SIMPLIFICATION ETC.

State pensions etc.

State pension credit: extension of assessed income period for those aged 75 or over

84.—(1) Section 9 of the State Pension Credit Act (Northern Ireland) 2002 (c. 14) (duration of assessed income period) is amended as set out in subsections (2) to (4).

(2) For subsection (1) substitute—

“(1) An assessed income period shall (subject to the following subsections) be—

- (a) in the case of a claimant who is under the age of 75 on the day on which the relevant decision takes effect, the period of 5 years beginning with that day;
- (b) in the case of a claimant who is aged 75 or over on that day, an indefinite period beginning with that day.”.

(3) In paragraph (b) of subsection (2), for the words from “may” to “years” substitute “shall specify a period that is shorter than 5 years”.

(4) After subsection (5) add—

“(6) Where—

- (a) an assessed income period is brought to an end by the expiry of a period of 5 years or more, and

(b) the claimant is aged 80 or over at that time,

the assessed income period shall be treated as not ending at that time but, subject to subsection (4) and provision made under subsection (5), as continuing indefinitely.”.

(5) The amendments made by subsections (2) and (3) apply only where the relevant decision (within the meaning given by section 6(5) of the State Pension Credit Act (Northern Ireland) 2002) takes effect on or after 6th April 2009.

(6) The subsection added by subsection (4) ceases to have effect on 6th April 2014.