



State Pension Credit Act 2002

2002 CHAPTER 16

Interpretation of state pension credit provisions

16 Retirement pension income

- (1) In this Act “retirement pension income” means any of the following—
- [^{F1}(za) a state pension under Part 1 of the Pensions Act 2014 or under any provision in Northern Ireland which corresponds to that Part;]
 - (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 (Northern Ireland) Act 1992 (c. 7);
 - [^{F2}(b) a shared additional pension payable under—
 - (i) section 55A of either of those Acts, or
 - (ii) section 55AA of the Contributions and Benefits Act or any corresponding provision under the law of Northern Ireland;]
 - (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 annuities or insurance policies purchased or transferred for the purpose of giving effect to rights under a personal pension scheme or an overseas arrangement;
 - (j) income from annuities purchased or entered into for the purpose of discharging liability under—
 - (i) section 29(1)(b) of the Welfare Reform and Pensions Act 1999 (c. 30) (pension credits on divorce); or

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- (ii) Article 26(1)(b) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) (corresponding provision for Northern Ireland).
- [^{F3}(k) any sum payable by way of pension under section 5 of the Civil List Act 1837 or section 7 of the Civil List Act 1952;]
- [^{F4}(l) any payment, other than a payment ordered by a court or made in settlement of a claim, made by or on behalf of a former employer of a person on account of the early retirement of that person on grounds of ill-health or disability]
- [^{F5}(m) any payment made at regular intervals under an equity release scheme.]
- [^{F6}(n) any payment made under the Financial Assistance Scheme Regulations 2005.]
- (2) The Secretary of State 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 181(1) of the Pension Schemes Act 1993 (c. 48);
- “retirement annuity contract” means a contract or scheme approved under Chapter 3 of Part 14 of the Income and Corporation Taxes Act 1988 (c. 1).

Textual Amendments

- F1** S. 16(1)(za) inserted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 12 para. 44**
- F2** S. 16(1)(b) substituted (6.4.2016) by Pensions Act 2014 (c. 19), s. 56(4), **Sch. 11 para. 15**
- F3** S. 16(1)(k) substituted (1.4.2012) by Sovereign Grant Act 2011 (c. 15), s. 15(1), **Sch. 1 para. 32**
- F4** S. 16(1)(l) added by virtue of S.I. 2002/1792, reg. 16 (as amended (6.10.2003) by The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) (No. 2) Regulations 2002 (S.I. 2002/3197), reg. 1(b), **Sch. para. 4(c)**)
- F5** S. 16(1)(m) added by S.I. 2002/1792, reg. 16 (as amended (4.10.2004) by The Social Security (Housing Benefit, Council Tax Benefit, State Pension Credit and Miscellaneous Amendments) Regulations 2004 (S.I. 2004/2327), regs. 1(1)(a), **7(4)**)
- F6** S. 16(1)(n) added by S.I. 2002/1792, reg. 16 (as amended (18.12.2005) by The State Pension Credit (Amendment) Regulations 2005 (S.I. 2005/3205), regs. 1, **2(3)**)

Commencement Information

- I1** S. 16 partly in force; s. 16 not in force at Royal Assent, see s. 22(3); s. 16 in force for certain purposes at 2.7.2002 by **S.I. 2002/1691, art. 2**
- I2** S. 16 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 the whole Act associated Parts and Chapters:

- Act modified by [S.I. 2023/1060 art. 2Sch.](#)

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\(2\)](#)