



State Pension Credit Act 2002

2002 CHAPTER 16

State pension credit: entitlement and amount

1 Entitlement

- (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 Great Britain;
 - (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 Great Britain; or
 - (b) continuing a person's entitlement to state pension credit during periods of temporary absence from Great Britain.
- (6) In this Act “the qualifying age” means—
 - (a) in the case of a woman, pensionable age; or

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- (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.

Commencement Information

- I1** S. 1 partly in force; s. 1 not in force at Royal Assent, see s. 22(3); s. 1 in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), **art. 2**
- I2** S. 1 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 :

- s. 1(2)(b) word repealed by [2012 c. 5 s. 75\(a\)](#)
- s. 1(3) words substituted by [2012 c. 5 Sch. 4 para. 3\(b\)](#)

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\(2\)](#)