



# Social Security Contributions and Benefits Act 1992

## 1992 CHAPTER 4

### PART X

#### CHRISTMAS BONUS FOR PENSIONERS

#### 150 Interpretation of Part X.

- (1) In this Part of this Act “qualifying benefit” means—
- (a) a retirement pension;
  - [<sup>F1</sup>(b) long-term incapacity benefit;]
  - [<sup>F2</sup>(ba) a qualifying employment and support allowance;]
  - [<sup>F3</sup>(bb) personal independence payment;]
  - [<sup>F4</sup>(bc) armed forces independence payment;]
  - [<sup>F5</sup>(bd) adult disability payment;]
  - (c) a widowed mother’s allowance[<sup>F6</sup>, widowed parent’s allowance] or widow’s pension;
  - <sup>F7</sup>(d) .....
  - (e) [<sup>F8</sup>a carer’s allowance];
  - [<sup>F9</sup>(ea) carer support payment;]
  - (f) industrial death benefit;
  - (g) an attendance allowance;
  - (h) an unemployability supplement or allowance;
  - (i) a war disablement pension;
  - (j) a war widow’s pension;
  - (k) [<sup>F10</sup>state pension credit];
  - [<sup>F11</sup>(l) a mobility supplement].
- (2) In this Part of this Act—

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[<sup>F12</sup>“adult disability payment” means disability assistance given in accordance with the Disability Assistance for Working Age People (Scotland) Regulations 2022,]

[<sup>F13</sup>“armed forces independence payment” means armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 (S.I. 2011/517);]

“attendance allowance” means—

- (a) an attendance allowance;
- (b) a disability living allowance;
- (c) an increase of disablement pension under section 104 or 105 above;
- (d) a payment under regulations made in exercise of the powers in section 159(3)(b) of the 1975 Act or paragraph 7(2) of Schedule 8 to this Act;
- (e) an increase of allowance under Article 8 of the <sup>M1</sup>Pneumoconiosis, Byssinosis and Miscellaneous Diseases Benefit Scheme 1983 (constant attendance allowance for certain persons to whom that Scheme applies) or under the corresponding provision of any Scheme which may replace that Scheme;
- (f) an allowance in respect of constant attendance on account of disablement for which a person is in receipt of war disablement pension, including an allowance in respect of exceptionally severe disablement;
- (g) [<sup>F14</sup>a child disability payment given in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018 (asp 9);]

[<sup>F15</sup>“carer support payment” means carer’s assistance given in accordance with the Carer’s Assistance (Carer Support Payment) (Scotland) Regulations 2023;]

[<sup>F16</sup>“mobility supplement” means a supplement awarded in respect of disablement which affects a person’s ability to walk and for which the person is in receipt of war disablement pension;]

[<sup>F17</sup>“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995];

[<sup>F18</sup>“the qualifying age for state pension credit” is (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 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;]

[<sup>F19</sup>“qualifying employment and support allowance” means [<sup>F20</sup>a contributory allowance] under Part 1 of the Welfare Reform Act 2007 the calculation of the amount of which includes an addition in respect of the support component or the work-related activity component;]

[<sup>F21</sup>“retirement pension” means—

- (a) a state pension under Part 1 of the Pensions Act 2014,
- (b) a retirement pension under this Act, or
- (c) graduated retirement benefit;]

[<sup>F18</sup>“state pension credit” means state pension credit under the State Pension Credit Act 2002;]

“unemployability supplement or allowance” means—

- (a) an unemployability supplement payable under Part I of Schedule 7 to this Act; or

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- (b) any corresponding allowance payable—
  - (i) by virtue of paragraph 6(4)(a) of Schedule 8 to this Act;
  - (ii) by way of supplement to retired pay or pension exempt from income tax under [<sup>F22</sup>section 641 of the Income Tax (Earnings and Pensions) Act 2003];
  - (iii) under the <sup>M2</sup>Personal Injuries (Emergency Provisions) Act 1939; <sup>F23</sup>...
  - (iv) by way of supplement to retired pay or pension under the <sup>M3</sup>Polish Resettlement Act 1947; [<sup>F24</sup>or
  - (v) <sup>F25</sup> . . . . . ]

“war disablement pension” means—

- (a) any retired pay, pension or allowance granted in respect of disablement under powers conferred by or under the <sup>M4</sup>Air Force (Constitution) Act 1917, the <sup>M5</sup>Personal Injuries (Emergency Provisions) Act 1939, the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, the Polish Resettlement Act 1947, or Part VII or section 151 of the <sup>M6</sup>Reserve Forces Act 1980;
- (b) without prejudice to paragraph (a) of this definition, any retired pay or pension to which [<sup>F26</sup>any of paragraphs (a) to (f) of section 641(1) of the Income Tax (Earnings and Pensions) Act 2003] applies;

“war widow’s pension” means any widow’s [<sup>F27</sup>or surviving civil partner'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 preceding definition or a pension or allowance for a widow [<sup>F28</sup>or surviving civil partner] granted under any scheme mentioned in [<sup>F29</sup>section 641(1)(e) or (f) of the Income Tax (Earnings and Pensions) Act 2003];

and each of the following expressions, namely “attendance allowance”, “unemployability supplement or allowance”, “war disablement pension” and “war widow’s pension”, includes any payment which the Secretary of State accepts as being analogous to it.

[<sup>F30</sup>(3) In this Part of this Act, “couple” has the meaning given by section 137(1) above.]

- (4) In this Part of this Act “the relevant week”, in relation to any year, means the week beginning with the first Monday in December or such other week as may be specified in an order made by the Secretary of State.

#### Textual Amendments

- F1** S. 150(1)(b) substituted (13.4.1995) by [Social Security \(Incapacity for Work\) Act 1994 \(c. 18\), s. 16\(3\), Sch. 1 para. 33](#); S.I. 1994/2926, art. 2(4), Sch. Pt. 4
- F2** S. 150(1)(ba) inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\), s. 70\(2\), Sch. 3 para. 9\(11\)\(a\)](#); S.I. 2008/787, art. 2(4)(f)
- F3** S. 150(1)(bb) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 9 para. 6](#); S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F4** S. 150(1)(bc) inserted (8.4.2013) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Consequential Provisions: Primary Legislation\) Order 2013 \(S.I. 2013/796\), arts. 1, 3\(4\)\(a\)](#)
- F5** S. 150(1)(bd) inserted (21.3.2022) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance and Information-Sharing\) \(Consequential Provision and Modifications\) Order 2022 \(S.I. 2022/332\), arts. 1\(2\), 14\(2\)\(a\)](#)

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- F6** Words in s. 150(1)(c) inserted (24.4.2000 for specified purposes, 9.4.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\), s. 89\(1\)](#), **Sch. 8 para. 12**; S.I. 2000/1047, art. 2(2)(a), Sch. Pt. I
- F7** S. 150(1)(d) repealed (with savings for those entitled to severe disablement allowance for days immediately before 6.4.2001) (3.11.2000 for specified purposes, 6.4.2001 in so far as not already in force) by [Welfare Reform and Pensions Act 1999 \(c. 30\), s. 89\(1\)](#), **Sch. 13 Pt. IV**; S.I. 2000/2958, art. 2(3)(g)(4)(5) (with art. 4)
- F8** Words in s. 150(1)(e) substituted (1.9.2002 for specified purposes, 1.4.2003 in so far as not already in force) by [The Regulatory Reform \(Carers Allowance\) Order 2002 \(S.I. 2002/1457\)](#), arts. 1(1)(b), 2(2), **Sch. para. 2(e)**
- F9** S. 150(1)(ea) inserted (16.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Modifications\) Order 2023 \(S.I. 2023/1214\)](#), art. 1(2), **reg. 4(2)(a)**
- F10** Words in s. 150(1)(k) substituted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by [State Pension Credit Act 2002 \(c. 16\), s. 22\(3\)](#), **Sch. 2 para. 7(2)**; S.I. 2003/1766, art. 2(a)
- F11** S. 150(1)(l) inserted (19.7.1995) by [Pensions Act 1995 \(c. 26\)](#), **ss. 132(2)**, 180(2)(a) (with Sch. 4)
- F12** Words in s. 150(2) inserted (21.3.2022) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance and Information-Sharing\) \(Consequential Provision and Modifications\) Order 2022 \(S.I. 2022/332\)](#), arts. 1(2), **14(2)(b)**
- F13** Words in s. 150(2) inserted (8.4.2013) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Consequential Provisions: Primary Legislation\) Order 2013 \(S.I. 2013/796\)](#), arts. 1, **3(4)(b)**
- F14** Words in s. 150(2) inserted (17.11.2021) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance for Children and Young People\) \(Consequential Modifications\) \(No. 2\) Order 2021 \(S.I. 2021/1301\)](#), arts. 1(2), **3(2)**
- F15** Words in s. 150(2) inserted (16.11.2023) by [The Carer's Assistance \(Carer Support Payment\) \(Scotland\) Regulations 2023 \(Consequential Modifications\) Order 2023 \(S.I. 2023/1214\)](#), art. 1(2), **reg. 4(2)(b)**
- F16** Words in s. 150(2) inserted (19.7.1995) by [Pensions Act 1995 \(c. 26\)](#), **ss. 132(3)(a)**, 180(2)(a) (with Sch. 4)
- F17** Words in s. 150(2) substituted (19.7.1995) by [Pensions Act 1995 \(c. 26\)](#), s. 180(2)(a), **Sch. 4 para. 13(b)**
- F18** Words in s. 150(2) inserted (2.7.2002 for specified purposes, 6.10.2003 in so far as not already in force) by [State Pension Credit Act 2002 \(c. 16\), s. 22\(3\)](#), **Sch. 2 para. 7(3)**; S.I. 2003/1766, art. 2(a)
- F19** Words in s. 150(2) inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\), s. 70\(2\)](#), **Sch. 3 para. 9(11)(b)**; S.I. 2008/787, art. 2(4)(f)
- F20** Words in s. 150(2) substituted (12.11.2009) by [Welfare Reform Act 2009 \(c. 24\)](#), **ss. 37(3)**, 61(1)
- F21** Words in s. 150(2) substituted (6.4.2016) by [Pensions Act 2014 \(c. 19\), s. 56\(4\)](#), **Sch. 12 para. 86**
- F22** Words in s. 150(2) substituted (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\), s. 723](#), **Sch. 6 para. 180(2)(a)** (with Sch. 7)
- F23** Word in s. 150(2) omitted (19.7.1995) by virtue of [Pensions Act 1995 \(c. 26\)](#), **ss. 132(3)(c)**, 180(2)(a) (with Sch. 4)
- F24** Words in s. 150(2) inserted (19.7.1995) by [Pensions Act 1995 \(c. 26\)](#), **ss. 132(3)(c)**, 180(2)(a) (with Sch. 4)
- F25** Words in s. 150(2) repealed (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\), s. 723](#), Sch. 6 para. 180(2)(b), **Sch. 8 Pt. 1** (with Sch. 7)
- F26** Words in s. 150(2) substituted (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\), s. 723](#), **Sch. 6 para. 180(3)** (with Sch. 7)
- F27** Words in s. 150(2) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(8\)\(d\)](#), **Sch. 24 para. 49(2)(a)**; S.I. 2005/3175, art. 2(1), Sch. 1
- F28** Words in s. 150(2) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(8\)\(d\)](#), **Sch. 24 para. 49(2)(b)**; S.I. 2005/3175, art. 2(1), Sch. 1

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- F29** Words in s. 150(2) substituted (6.4.2003 with effect in accordance with s. 723(1)(a)(b) of the amending Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), s. 723, [Sch. 6 para. 180\(4\)](#) (with [Sch. 7](#))
- F30** S. 150(3) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(8)(d), [Sch. 24 para. 49\(3\)](#); S.I. 2005/3175, art. 2(1), Sch. 1

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**Marginal Citations**

- M1** [S.I.1983/136](#).
- M2** 1939 c. 82.
- M3** 1947 c. 19.
- M4** 1917 c. 51.
- M5** 1939 c. 83.
- M6** 1980 c. 9.

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**Changes and effects yet to be applied to :**

- s. 150(1)(b) repealed by [2007 c. 5 Sch. 8](#)
- s. 150(2) words repealed by [2012 c. 5 Sch. 14 Pt. 9](#)
- s. 150(2) words substituted by [2012 c. 5 Sch. 3 para. 3](#)

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

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2010/875 revoked (27.8.2010) before coming into force by S.I. 2010/1906, regs. 1(2), 2)
- Act restricted by [S.I. 1995/471 art. 32\(4\)](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- Pt. 8ZA inserted by [2009 c. 24 s. 16\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by [2012 c. 5, s. 73](#); S.I. 2012/3090, art. 2(1)(b))
- Pt. 12ZE inserted by [2023 c. 20 Sch. para. 5](#)
- s. 4(1)(a)(viii) and word inserted by [2023 c. 20 Sch. para. 11\(b\)](#)
- s. 4C(5)(i)(j) repealed by [2007 c. 22 Sch. 4 para. 42\(3\)\(c\)Sch. 7 Pt. 7](#)
- s. 11A(1)(eb) inserted by [2021 c. 26 Sch. 27 para. 12](#) (This amendment not applied to [legislation.gov.uk](#). The existing section 11A of Act repealed by paragraph 4(1) of the Schedule to the National Insurance Contributions (Reduction in Rates) Act 2023 (c. 57))
- s. 30B(4)(aa) inserted by [2012 c. 5 Sch. 9 para. 4](#)
- s. 35(1)(e) and word inserted by [2012 c. 5 s. 63\(2\)\(a\)](#)
- s. 35(3)(za) inserted by [2012 c. 5 s. 63\(2\)\(b\)](#)
- s. 45(2A)(a) words substituted by [2011 c. 19 Sch. 3 para. 2\(3\)\(b\)](#)
- s. 45(2A)(b) substituted by [2011 c. 19 Sch. 3 para. 2\(3\)\(c\)](#)
- s. 46(5)(6) inserted by [2008 c. 30 Sch. 4 para. 6\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 4 para. 6(3) repealed (1.10.2014) without ever being in force by [2014 c. 19, Sch. 12 para. 96\(c\)](#); S.I. 2014/2377, art. 2(1)(a)(ii)(3)(c))
- s. 46(5)(a) words substituted by [2011 c. 19 Sch. 3 para. 3](#)
- s. 47(4A) inserted by [2008 c. 30 s. 102\(6\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 102 repealed (1.10.2014) without ever being in force by [2014 c. 19, Sch. 12 para. 96\(a\)](#); S.I. 2014/2377, art. 2(1)(a)(ii)(3)(c))
- s. 124(1)(ea) inserted by [2012 c. 5 s. 59\(2\)\(a\)](#)
- s. 124(1)(ga) inserted by [2009 c. 24 s. 5\(1\)\(a\)](#)
- s. 124(1C) inserted by [2012 c. 5 s. 59\(2\)\(b\)](#)
- s. 124(6A)(6B) inserted by [2009 c. 24 s. 5\(1\)\(b\)](#)
- s. 124A inserted by [2012 c. 5 s. 59\(3\)](#)
- s. 130C(2)(za) inserted by [2016 asp 19 Sch. 4 para. 5](#)
- s. 138(2A) inserted by [2009 c. 24 s. 17](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by [2012 c. 5, s. 73](#); S.I. 2012/3090, art. 2(1)(b))
- s. 138(2B) inserted by [2009 c. 24 s. 19\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Ss. 16-21 repealed (1.4.2013) by [2012 c. 5, s. 73](#); S.I. 2012/3090, art. 2(1)(b))

- s. 140(4)(ca) inserted by 2009 c. 24 s. 19(6) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- s. 140(4A) inserted by 2009 c. 24 s. 19(7) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- s. 164(2)(aa) inserted by 2012 c. 5 s. 63(3)(a)
- s. 164(9)(da) inserted by 2012 c. 5 s. 63(3)(b)
- s. 171ZA(2)(ba) inserted by 2012 c. 5 s. 63(4)(a)
- s. 171ZA(3A) inserted by 2012 c. 5 s. 63(4)(b)
- s. 171ZB(2)(ba) inserted by 2012 c. 5 s. 63(5)(a)
- s. 171ZB(3A) inserted by 2012 c. 5 s. 63(5)(b)
- s. 171ZE(2A) inserted by 2014 c. 6 s. 123(3)(b)
- s. 171ZE(2B) inserted by 2014 c. 6 s. 123(3)(c)
- s. 171ZL(2)(ba) inserted by 2012 c. 5 s. 63(8)(a)
- s. 171ZL(8)(za) inserted by 2012 c. 5 s. 63(8)(c)
- s. 171ZEA(2)(ba) inserted by 2012 c. 5 s. 63(6)(a)
- s. 171ZEA(3)(za) inserted by 2012 c. 5 s. 63(6)(b)
- s. 171ZEB(2)(ba) inserted by 2012 c. 5 s. 63(7)(a)
- s. 171ZEB(3)(za) inserted by 2012 c. 5 s. 63(7)(b)
- s. 173A inserted by 2012 c. 5 s. 63(9)
- s. 176(3A) inserted by 2011 c. 19 Sch. 3 para. 5(2)
- Sch. 4 Pt. 1 para. 2A applied by S.I. 1995/310 reg. 18(1)(a)
- Sch. 4 Pt. 1 para. 6 power to amend conferred by 1992 c. 5 s. 154(2)(a)
- Sch. 4 Pt. 1 para. 2 repealed by 2007 c. 5 Sch. 8
- Sch. 4 Pt. 1 para. 2A repealed by 2007 c. 5 Sch. 8
- Sch. 4 Pt. 5 para. 7 power to amend conferred by 1992 c. 5 s. 154(2)(d)(e)
- Sch. 4 Pt. 5 para. 12 power to amend conferred by 1992 c. 5 s. 154(2)(d)(e)
- Sch. 4 Pt. 3 para. 1 power to amend conferred by 1992 c. 5 s. 150(3)(a)151
- Sch. 4 Pt. 3 para. 2 power to amend conferred by 1992 c. 5 s. 150(3)(a)151
- Sch. 4 Pt. 3 para. 4 power to amend conferred by 1992 c. 5 s. 150(3)(a)151
- Sch. 4 Pt. 3 para. 5 power to amend conferred by 1992 c. 5 s. 150(3)(a)151
- Sch. 4 Pt. 3 para. 6 power to amend conferred by 1992 c. 5 s. 150(3)(a)151
- Sch. 4 Pt. 4 para. 2 applied by S.I. 1995/310 reg. 15(7)
- Sch. 4 Pt. 4 para. 1A repealed by 2007 c. 5 Sch. 8
- Sch. 4 Pt. 4 para. 2 repealed by 2007 c. 5 Sch. 8
- Sch. 4B para. 1(1)(a)para. 1(1)(b)(2) words inserted by 2011 c. 19 Sch. 3 para. 6(2)(b)
- Sch. 4C inserted by 2008 c. 30 s. 102(5)Sch. 3 (This amendment not applied to legislation.gov.uk. S. 102, Sch. 3 repealed (1.10.2014) without ever being in force by 2014 c. 19, Sch. 12 para. 96(a)(b); S.I. 2014/2377, art. 2(1)(a)(ii)(3)(c))
- Sch. 4C para. 7(2)(c) inserted by 2011 c. 19 Sch. 3 para. 7(7)(b)
- Sch. 4C para. 7(3) inserted by 2011 c. 19 Sch. 3 para. 7(8)
- Sch. 4C para. 3 omitted by 2011 c. 19 Sch. 3 para. 7(3)
- Sch. 4C para. 7(2)(b) words inserted by 2011 c. 19 Sch. 3 para. 7(7)(a)
- Sch. 4C para. 1 words substituted by 2011 c. 19 Sch. 3 para. 7(2)
- Sch. 4C para. 2 words substituted by 2011 c. 19 Sch. 3 para. 7(2)
- Sch. 4C para. 5(b) words substituted by 2011 c. 19 Sch. 3 para. 7(4)
- Sch. 4C para. 6 words substituted by 2011 c. 19 Sch. 3 para. 7(5)
- Sch. 4C para. 7(1) words substituted by 2011 c. 19 Sch. 3 para. 7(4)
- Sch. 4C para. 7(1) words substituted by 2011 c. 19 Sch. 3 para. 7(6)
- Sch. 11 para. 2(i) inserted by 2012 c. 5 s. 63(10)(a)
- Sch. 11 para. 9 inserted by 2012 c. 5 s. 63(10)(b)