

Status: Point in time view as at 02/07/2002.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to State Pension Credit Act 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

ADMINISTRATION

PART 2

AMENDMENTS OF THE SOCIAL SECURITY ACT 1998

Introductory

- 4 Part 1 of the Social Security Act 1998 (c. 14) (decisions and appeals) is amended as follows.

Commencement Information

- II** Sch. 1 para. 4 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2

Use of computers

- 5 In section 2(2) (which defines “relevant enactment”) at the end insert “; or
(i) the State Pension Credit Act 2002”.

Commencement Information

- I2** Sch. 1 para. 5 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2

Decisions by Secretary of State

- 6 (1) Section 8 is amended as follows.
- (2) In subsection (3) (meaning of “relevant benefit” in Chapter 2 of Part 1 (social security decisions and appeals)) after paragraph (b) insert—
“(bb) state pension credit;”.
- (3) In subsection (4) (meaning of “relevant enactment” in that section) for “or the Jobseekers Act” substitute “, the Jobseekers Act or the State Pension Credit Act 2002”.

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Commencement Information

- I3** Sch. 1 para. 6 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2

Regulations with respect to decisions

- 7 In section 11(3), in the definition of “the current legislation”, for “the Social Security (Recovery of Benefits) Act 1997” substitute “, the Social Security (Recovery of Benefits) Act 1997 and the State Pension Credit Act 2002”.

Commencement Information

- I4** Sch. 1 para. 7 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2

Suspension of benefit for failure to furnish information etc

- 8 In section 22, after subsection (3) (which defines “information requirement” as a requirement made in pursuance of regulations under section 5(1)(hh) of the Administration Act to furnish certain information or evidence) insert—

“(4) Subsection (3A) of section 5 of the Administration Act (which glosses paragraph (hh) in the case of state pension credit) shall apply in relation to subsection (3) above as it applies in relation to paragraph (hh) of subsection (1) of that section.”

Commencement Information

- I5** Sch. 1 para. 8 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2

Restrictions on entitlement to benefit in cases of error: definitions

- 9 In section 27(7), in the definition of “benefit”—
- (a) after paragraph (d) insert—
 - “(dd) state pension credit;”,
 - and
 - (b) in paragraph (e) for “paragraphs (a) to (d) above” substitute “ paragraphs (a) to (dd) above ”.

Commencement Information

- I6** Sch. 1 para. 9 not in force at Royal Assent, see s. 22(3); Sch. 1 in force for certain purposes at 2.7.2002 by S.I. 2002/1691, art. 2

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Correction of errors and setting aside of decisions

- 10 In section 28 (correction of errors and setting aside of decisions) in subsection (3) (meaning of “relevant enactment”) at the end insert “; or
(f) the State Pension Credit Act 2002”.

Commencement Information

- I7** [Sch. 1 para. 10](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)

Decisions against which no appeal lies

- 11 In Schedule 2 (decisions against which no appeal lies) in paragraph 6(b)(ii), at the end insert “; or
(iii) section 159B(1)(b) of that Act (state pension credit)”.

Commencement Information

- I8** [Sch. 1 para. 11](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)

Decisions against which appeal lies

- 12 In Schedule 3 (decisions against which appeal lies) after paragraph 8 insert—

“State pension credit

- 8A A decision whether to specify a period as an assessed income period under section 6 of the State Pension Credit Act 2002.
- 8B If so, a decision as to the period to be so specified.
- 8C A decision whether an assessed income period comes to an end by virtue of section 9(4) or (5) of that Act.
- 8D If so, a decision as to when the assessed income period so ends.”

Commencement Information

- I9** [Sch. 1 para. 12](#) not in force at Royal Assent, see [s. 22\(3\)](#); [Sch. 1](#) in force for certain purposes at 2.7.2002 by [S.I. 2002/1691](#), [art. 2](#)

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