
STATUTORY INSTRUMENTS

2002 No. 1792

SOCIAL SECURITY

The State Pension Credit Regulations 2002

Made - - - - *11th July 2002*
Coming into force *6th October 2003*

THE STATE PENSION CREDIT REGULATIONS 2002

PART I

General

1. Citation, commencement and interpretation
- 1A Disapplication of section 1(1A) of the Social Security Administration Act

PART II

Entitlement and amount

2. Persons not in Great Britain
3. Persons temporarily absent from Great Britain
- 3A Persons temporarily absent from Great Britain on 6th October 2008
4. Persons receiving treatment outside Great Britain
5. Persons treated as being or not being members of the same household
6. Amount of the guarantee credit
7. Savings Credit
8. Special groups
9. Qualifying income for the purposes of savings credit
10. Assessed income period
11. Retirement provision in assessed income period
12. End of assessed income period
13. Small amounts of state pension credit
- 13A Part-weeks
- 13B Date on which benefits are treated as paid

PART III

Income

14. Calculation of income and capital
15. Income for the purposes of the Act

Status: Point in time view as at 12/04/2010.

*Changes to legislation: There are currently no known outstanding effects for the
The State Pension Credit Regulations 2002. (See end of Document for details)*

- 16. Retirement pension income
- 17. Calculation of weekly income
- 17ZA Treatment of final payments of income
- 17A Earnings of an employed earner
- 17B Earnings of self-employed earners
- 18. Notional income
- 19. Calculation of capital in the United Kingdom
- 20. Calculation of capital outside the United Kingdom
- 21. Notional capital
- 22. Diminishing notional capital rule
- 23. Capital jointly held
- 24. Income paid to third parties
- 24A Rounding of fractions

PART IV

Loss of benefit

- 25. Loss of benefit
Signature

SCHEDULE I —

PART I — Circumstances in which persons are treated as being or not being severely disabled

- 1. Severe disablement
- 2. Persons residing with the claimant whose presence is ignored
- 3. (1) For the purposes of paragraphs 1 and 2, a...
PART II — Amount applicable for carers
- 4. (1) For the purposes of regulation 6(6)(a), this paragraph is...
- 5. For the purposes of paragraph 4, a person shall be...
PART III — Amount applicable for former claimants of income support, income-based jobseeker's allowance or income-related employment and support allowance
- 6. (1) If on the relevant day the relevant amount exceeds...

SCHEDULE II — HOUSING COSTS

- 1. Housing costs
- 2. Remunerative work
- 3. Circumstances in which a person is liable to meet housing costs
- 4. Circumstances in which a person is to be treated as occupying a dwelling as his home
- 5. Housing costs not met
- 6. Apportionment of housing costs
- 7. The calculation for loans
- 8. General provisions applying to housing costs
- 9. The standard rate
- 10. Excessive Housing Costs
- 11. Loans on residential property
- 12. Loans for repairs and improvements to the dwelling occupied as the home
- 13. Other housing costs
- 14. Persons residing with the claimant
- 15. Rounding of fractions

Status: Point in time view as at 12/04/2010.

Changes to legislation: There are currently no known outstanding effects for the
The State Pension Credit Regulations 2002. (See end of Document for details)

SCHEDULE III — SPECIAL GROUPS

1. Polygamous marriages
2. Persons serving a sentence of imprisonment detained in hospital

SCHEDULE IV — AMOUNTS TO BE DISREGARDED IN THE CALCULATION OF INCOME OTHER THAN EARNINGS

1. In addition to any sum which falls to be disregarded...
2. The whole of any amount included in a pension to...
3. Any mobility supplement under article 20 of the Naval, Military...
4. Any supplementary pension under article 23(2) of the Naval, Military...
5. In the case of a pension awarded at the supplementary...
6. (1) Any payment which is— (a) made under any of...
7. £10 of any widowed parent's allowance to which the claimant...
- 7A £10 of any widowed mother's allowance to which the claimant...
8. (1) Where the claimant occupies a dwelling as his home...
9. If the claimant— (a) owns the freehold or leasehold interest...
10. Where a claimant receives income under an annuity purchased with...
11. (1) Any payment, other than a payment to which sub-paragraph...
12. Any increase in pension or allowance under Part 2 or...
13. Any payment ordered by a court to be made to...
14. Periodic payments made to the claimant or the claimant's partner...
15. Any income which is payable outside the United Kingdom for...
16. Any banking charges or commission payable in converting to Sterling...
17. Any special war widows payment made under—
18. Except in the case of income from capital specified in...

SCHEDULE V — INCOME FROM CAPITAL

PART I — Capital disregarded for the purpose of calculating income

1. Any premises acquired for occupation by the claimant which he...
- 1A The dwelling occupied by the claimant as his home but...
2. Any premises which the claimant intends to occupy as his...
3. Any premises which the claimant intends to occupy as his...
4. Any premises occupied in whole or in part—
5. Any future interest in property of any kind, other than...
6. (1) Where a claimant has ceased to occupy what was...
7. Any premises where the claimant is taking reasonable steps to...
8. All personal possessions.
9. The assets of any business owned in whole or in...
- 9A The assets of any business owned in whole or in...
10. The surrender value of any policy of life insurance.
11. The value of any funeral plan contract; and for this...
12. Where an ex-gratia payment has been made by the Secretary...
13. (1) Subject to sub-paragraph (2), the amount of any trust...
14. (1) The amount of any payment, other than a war...
15. (1) Any payment made under or by the Macfarlane Trust,...
- 15A (1) An amount equal to any interim assistance grant paid...
16. (1) An amount equal to the amount of any payment...
17. Any amount specified in paragraphs 18 to 20 or 20B—...
18. Amounts paid under a policy of insurance in connection with...
19. So much of any amounts paid to the claimant or...
20. (1) Any amount paid— (a) by way of arrears of...
- 20A (1) Subject to sub-paragraph (3), any payment of £5,000 or...

Status: Point in time view as at 12/04/2010.

Changes to legislation: There are currently no known outstanding effects for the
The State Pension Credit Regulations 2002. (See end of Document for details)

- 20B Any arrears of supplementary pension which is disregarded under paragraph...
 - 21. Where a capital asset is held in a currency other...
 - 22. The value of the right to receive income from an...
 - 23. The value of a right to receive income from a...
- 23A Where a person elects to be entitled to a lump...
- 23B Any payment made under Part 8A of the 1992 Act...
 - PART II — Capital disregarded only for the purposes of determining deemed income
 - 24. The value of the right to receive any income under...
 - 25. The value of the right to receive any rent except...
 - 26. The value of the right to receive any income under...
 - 27. The dwelling together with any garage, garden and outbuildings, normally...
 - 28. Where property is held under a trust, other than—

SCHEDULE VI — SUMS DISREGARDED FROM CLAIMANT'S EARNINGS

- 1. (1) In a case where a claimant is a lone...
- 2. In a case of earnings from employment to which sub-paragraph...
- 2A Where a person is engaged in one or more of...
- 2B Where only one member of a couple is in employment...
 - 3. (1) If the claimant or one of the partners is...
 - 4. (1) £20 is disregarded if the claimant or, if he...
- 4A (1) £20 is the maximum amount which may be disregarded...
 - 5. Except where the claimant or his partner qualifies for a...
 - 6. Any earnings, other than any amount referred to in regulation...
 - 7. Any banking charges or commission payable in converting to Sterling...

Explanatory Note

Status:

Point in time view as at 12/04/2010.

Changes to legislation:

There are currently no known outstanding effects for the The State Pension Credit Regulations 2002.