
STATUTORY INSTRUMENTS

2002 No. 2006

The Tax Credits (Definition and
Calculation of Income) Regulations 2002

PART 2

Income for the purposes of tax credits

CHAPTER 3

Pension Income

Pension Income

5.—^{F1}(1) In these Regulations, except where the context otherwise require, “pension income” means—

- (a) any pension to which section 577 or 629 of ITEPA applies;
- (b) any pension to which section 569 of ITEPA applies;
- (c) any voluntary annual payment to which section 633 of ITEPA applies;
- ^{F2}(d) any pension, annuity or income withdrawal to which section 579A of ITEPA applies;
- (e) any unauthorised member payments to which section 208(2)(a) or (b) of the Finance Act 2004 applies;]
- (f) any periodical payment to which section 619 of ITEPA applies;
- ^{F3}(g)
- ^{F4}(h)
- ^{F5}(i)
- ^{F6}(j)
- ^{F7}(k) any annuity paid under a retirement annuity contract to which Chapter 9 of Part 9 of ITEPA applies;]
- (l) any annuity to which section 609, 610 or 611 of ITEPA applies; ^{F8}...
- ^{F8}(m)
- ^{F9}(n) any social security pension lump sum to which section 7 of the Finance (No. 2) Act 2005 applies; and
- (o) any lump sum payment to which section 636B or 636C of ITEPA applies.]]

(2) In calculating the amount of a person’s pension income there shall be disregarded any ^{F10}payment or benefit mentioned] in Column 1 of Table 2 to the extent specified in the corresponding entry in Column 2.

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Changes to legislation: There are currently no known outstanding effects for the The Tax Credits (Definition and Calculation of Income) Regulations 2002, Cross Heading: CHAPTER 3. (See end of Document for details)

Table 2

[^{F11}Pensions, other payments and benefits] disregarded in the calculation of pension income

1. Payment	2. Extent of disregard
1. A wounds pension or disability pension to which [^{F12} section 641 of ITEPA] applies.	So much of the payment as is disregarded by virtue of [^{F12} section 641 of ITEPA].
2. An annuity or additional pension payable to a holder of the Victoria Cross, George Cross or any other decoration mentioned in [^{F13} section 638 of ITEPA].	The whole of the annuity or additional pension and, if both are payable, the whole of both such annuity and additional pension.
3. A pension or allowance to which [^{F14} section 639 of ITEPA] applies.	[^{F15} The amount of the pension or allowance.]
4. A pension or allowance by reason of payment of which a pension or allowance specified in [^{F16} section 639 of ITEPA] is withheld or abated.	[^{F17} The amount treated as falling within section 639 of ITEPA by virtue of section 640(2) of that Act.]
^{F18} ...	^{F18} ...
6. A mobility supplement, or a payment in respect of attendance, paid in conjunction with a war pension.	The amount of the supplement or payment.
^{F19} ...	^{F19} ...
8. A pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983 ^{M1} .	The amount for the time being specified in paragraph 1(c) of Schedule 4 to the Scheme.
9. A pension awarded on retirement through disability caused by injury on duty or by a work-related illness.	[^{F20} The exempt amount of the pension calculated in accordance with section 644(3) of ITEPA.]
[^{F21} 10. A lump sum on which no liability to income tax arises by virtue of [^{F22} section 636A of ITEPA].	The amount of the lump sum.]
[^{F21} 11. Coal or smokeless fuel provided as mentioned in section 646(1) of ITEPA, or an allowance in lieu of such provision.	The amount on which no liability to income tax arises by virtue of that section.]

[^{F23}(3) From the amount of pension income, calculated in accordance with the preceding provisions of this regulation, there shall be deducted any amount deductible for income tax purposes in computing pension income (as defined in ITEPA) under section 713 of that Act.]

Textual Amendments

F1 Reg. 5(1) substituted (6.4.2003) by [The Tax Credits \(Definition and Calculation of Income\) \(Amendment\) Regulations 2003 \(S.I. 2003/732\)](#), regs. 1, **7(2)**

- F2** Reg. 5(1)(d)(e) substituted (6.4.2006) by The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **26(4)(a)**
- F3** Reg. 5(1)(g) omitted (6.4.2006) by virtue of The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **26(4)(b)**
- F4** Reg. 5(1)(h) omitted (6.4.2006) by virtue of The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **26(4)(b)**
- F5** Reg. 5(1)(i) omitted (6.4.2006) by virtue of The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **26(4)(b)**
- F6** Reg. 5(1)(j) omitted (6.4.2006) by virtue of The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **26(4)(b)**
- F7** Reg. 5(1)(k) substituted (6.4.2006) by The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **26(4)(c)**
- F8** Reg. 5(1)(m) and preceding word omitted (6.4.2008) by virtue of The Tax Credits (Miscellaneous Amendments) Regulations 2008 (S.I. 2008/604), regs. 1(b), **2(3)**
- F9** Reg. 5(1)(n)(o) added (6.4.2006) by The Tax Credits (Miscellaneous Amendments) Regulations 2006 (S.I. 2006/766), regs. 1, **10(2)**
- F10** Words in reg. 5(2) substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(3)**
- F11** Words in reg. 5 Table 2 heading substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(a)**
- F12** Words in reg. 5 Table 2 Item 1 substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(b)**
- F13** Words in reg. 5 Table 2 Item 2 substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(c)**
- F14** Words in reg. 5 Table 2 Item 3 substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(d)(i)**
- F15** Words in reg. 5 Table 2 Item 3 substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(d)(ii)**
- F16** Words in reg. 5 Table 2 Item 4 substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(e)(i)**
- F17** Words in reg. 5 Table 2 Item 4 substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(e)(ii)**
- F18** Reg. 5 Table 2 Item 5 omitted (31.12.2010) by virtue of The Tax Credits (Miscellaneous Amendments) (No. 3) Regulations 2010 (S.I. 2010/2914), regs. 1(2), **4(a)**
- F19** Reg. 5 Table 2 Item 7 omitted (31.12.2010) by virtue of The Tax Credits (Miscellaneous Amendments) (No. 3) Regulations 2010 (S.I. 2010/2914), regs. 1(2), **4(b)**
- F20** Words in reg. 5 Table 2 Item 9 substituted (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(f)**
- F21** Reg. 5 Table 2 Items 10, 11 added (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(4)(g)**
- F22** Words in reg. 5(1) Table 2 Item 10 substituted (6.4.2006) by The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **26(4)(c)**
- F23** Reg. 5(3) added (6.4.2003) by The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2003 (S.I. 2003/732), regs. 1, **7(5)**

Modifications etc. (not altering text)

- C1** Reg. 5(1)(o) modified (E.W.S.) (29.4.2013) by The Universal Credit (Transitional Provisions) Regulations 2013 (S.I. 2013/386), regs. 1(2), 17, **Sch. para. 19(a)**
- C2** Reg. 5(2) modified (E.W.S.) (29.4.2013) by The Universal Credit (Transitional Provisions) Regulations 2013 (S.I. 2013/386), regs. 1(2), 17, **Sch. para. 19(b)**
- C3** Reg. 5(3) modified (E.W.S.) (29.4.2013) by The Universal Credit (Transitional Provisions) Regulations 2013 (S.I. 2013/386), regs. 1(2), 17, **Sch. para. 19(c)**

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Changes to legislation: There are currently no known outstanding effects for the The Tax Credits (Definition and Calculation of Income) Regulations 2002, Cross Heading: CHAPTER 3. (See end of Document for details)

Marginal Citations

M1 [S.I. 1983/686](#).

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