

SCHEDULE

Regulation 3

Modification of the State Pension Credit Act 2002

1.—(1) In sections 1 to 5(1) (entitlement and amount), for “claimant”, wherever that word appears, substitute “beneficiary”.

(2) In section 3, for “claimant’s”, wherever that word appears, substitute “beneficiary’s”.

2. In section 1(2)(b), for “the qualifying age” substitute “the age of 65 years”.

3. Omit section 1(6) (definition of “qualifying age”).

4. Omit sections 4(2) (amendment of the Immigration and Asylum Act 1999), 6 to 10 (assessed income periods), 11 (administration), 12 (polygamous marriages), 13 (transitional provisions) and 14 (minor and consequential amendments).

5. In section 15—

(a) omit subsections (1)(a) to (i) and (4) to (6);

(b) in subsection (7), for “(2) to (6)” substitute “(2) and (3)”.

6. Omit section 16 (retirement pension income).

7.—(1) Section 17(2) (other interpretation provisions) is modified as follows.

(2) In subsection (1)—

(a) after the definition of “appropriate minimum guarantee” insert—

““beneficiary” means a person selected in accordance with regulations made under section 18A(8)(c);”;

(b) for the definition of “couple” substitute—

““couple” means a man and a woman who appear to the Secretary of State to be—

(a) married to each other; and

(b) members of the same household;”;

(c) for the definition of “entitled” substitute—

““entitled”, in relation to state pension credit, shall be construed in accordance with this Act and section 1 of the Social Security Administration Act 1992 (c. 5);”;

(d) omit the definitions of “the Administration Act”, “assessed income period”, “claimant”, “earnings”, “element”, “foreign social security benefit”, “foreign war disablement pension”, “foreign war widow’s or widower’s pension”, “occupational pension scheme”, “pensionable age”, “personal pension scheme”, “PPF periodic payments”, “the qualifying age”, “retirement pension income”, “retirement provision”, “social security benefits”, “war disablement pension”, “war widow’s or widower’s pension” and “working tax credit”.

(3) Omit subsections (1A) and (2)(a).

8. Omit sections 18 (equal treatment for widows and widowers), 19(2) and (3) (parliamentary control of subordinate legislation), 21 (enactments repealed) and 22(2) to (5) (commencement).

9. In section 22(6), for “Subject to that, this” substitute “This”.

10. Omit Schedules 1 to 3 (amendments and repeals).

(1) Sections 2, 3, 4 and 5 were amended by paragraphs 140 and 141 of Schedule 24 to the Civil Partnership Act 2004 (c. 33).

(2) Section 17 was amended by paragraph 263 of Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 (c. 1), by paragraphs 142 and 143 of Schedule 24 and Schedule 30 to the Civil Partnership Act 2004 (c. 33) and by S.I. 2006/343.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*