STATUTORY INSTRUMENTS

1975 No. 75

SOCIAL SECURITY

The Social Security (Contributions) Amendment Regulations 1975

Made - - - -	*27th January* 1975
Laid before Parliament	*4th February* 1975
Coming into Operation	*25th February* 1975

The Secretary of State for Social Services, in exercise of the powers conferred upon her by paragraphs 1(1)(*b*), 5(1)(*a*) and (*b*), and 6(1)(*h*) and (*m*) of Schedule 1 to, the Social Security Act 1973**(a)** and by section 45 of that Act as amended by paragraph 5 of Schedule 1 to the Social Security Amendment Act 1974**(b)**, and with the concurrence of the Inland Revenue so far as relates to regulation 7 of these regulations and of all other powers enabling her in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations which may be cited as the Social Security (Contributions) Amendment Regulations 1975, shall be read as one with the Social Security (Contributions) Regulations 1973**(c)** as amended**(d)** (hereinafter referred to as "the principal regulations") and shall come into operation on 25th February 1975.

Amendment of regulation 10 *of the principal regulations*

2. In regulation 10(1) of the principal regulations (aggregation of earnings paid in respect of different employed earner's employments by different secondary contributors and apportionment of contribution liability)—

(*a*) in sub-paragraph (*b*)—

(i) for the words "regulations made under section 2(5) of the Act" there shall be substituted the words "the provisions of Schedule 3 to the Social Security (Categorisation of Earners) Regulations 1974**(e)**";

(ii) for the word "employments," there shall be substituted the words "employments; or";

(a) 1973 c. 38. **(b)** 1974 c. 58.
(c) S.I. 1973/1264 (1973 II, p. 3750).
(d) The relevant amending instruments are S I. 1974/988, 2035 (1974 II, p. 3695, 7871).
(e) S.I. 1974/1244 (1974 II, p. 4709).

(*b*) after sub-paragraph (*b*) there shall be inserted the following sub-paragraph—

"(*c*) by different persons, in respect of work performed for those persons by the earner in those employments and in respect of those earnings, some other person is by virtue of the provisions of the said Schedule 3 treated as the secondary contributor,"

Amendment of regulation 30 *of the principal regulations*

3. In regulation 30 of the principal regulations (calculation of return of contributions) for the words "under regulations 28 and 29 of these regulations" there shall be substituted the words "under either regulation 28 or regulation 29 of these regulations".

Amendment of regulation 43 *of the principal regulations*

4. In regulation 43(1)(*b*) of the principal regulations (provisions as to application for, and custody of, contribution cards etc.) for the words "in accordance with regulations made under the Act" there shall be substituted the words "in accordance with the provisions of these regulations".

Amendment of regulation 46 *of the principal regulations*

5. In regulation 46(3) of the principal regulations (method of, and time for, payment of Class 2 and Class 3 contributions etc.) after sub-paragraph (*b*) there shall be inserted the following sub-paragraph—

"(*c*) Where in respect of an earner arrangements are authorised under sub-paragraph (*a*) of this paragraph for payment of contributions by way of direct debit of a bank, including a bank within the meaning of section 40 of the Post Office Act 1969**(a)** (giro system), such arrangements shall be subject to the condition that any payment by way of such direct debit as on account of such contributions after the authority of the bank or, as the case may be, of the Post Office to make such payment has for any reason ceased to be effective, shall not be a payment of contributions for the purposes of the Act."

Addition of regulation 106A *to the principal regulations*

6. After regulation 106 of the principal regulations there shall be added the following regulation—

"*Modification of section* 45(3) *of the Act*

106A. In section 45 of the Act (destination of contributions and Treasury supplements), subsection (3) (meaning of "the appropriate national health service allocation" and "the appropriate allocation to the Redundancy Fund") shall be modified as follows—

(*a*) in the case of contributions paid at the rate reduced or further reduced in accordance with regulation 79(1)(*b*) of these regulations (modification of section 2(6)(*b*) of the Act in relation to mariners) the said subsection (3) shall apply as if, instead of the percentage figure specified in paragraph (*b*) thereof there were the percentage figure, "0·3";

(a) 1969 c. 48.

(*b*) in the case of contributions paid at the percentage rate reduced in accordance with regulation 79(1)(*a*) or, as the case may be, regulation 89(1)(*b*) of these regulations (reduction of rate of Class 1 contributions in respect of mariners and members of the forces), the said subsection (3) shall apply as if, instead of the words following the words "secondary Class 1 contributions, means" there were the words "no sum as on account of contributions to the Redundancy Fund"."

Amendment of Regulation 3A *of Schedule* 3 *to the principal regulations*

7. In Regulation 3A of Schedule 3 to the principal regulations (employers' earnings-related contributions) after the words "is liable" there shall be deleted the words "as employer".

Barbara Castle,
Secretary of State for Social Services.

24th January 1975.

The Commissioners of Inland Revenue hereby concur.
By Order of the Commissioners of Inland Revenue.

J. H. Gracey,
Secretary.

27th January 1975.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations, being made before the day appointed for the coming into force of section 2 of the Social Security Act 1973, by virtue of section 48(2) of, and paragraph 16 of Schedule 12 to, that Act, are not required to be referred to the National Insurance Advisory Committee and no such reference has been made.

The Regulations amend the provisions relating to aggregation of earnings paid to an earner by different persons in respect of different employments where the secondary contributor is a person who is treated as such by virtue of regulations under the Act but is not a person for whom the work is performed. They also make special provisions in relation to payments of Class 2 and Class 3 contributions made by way of direct debit of a bank (including the Post Office giro system) and make two modifications to section 45(3) of the Act (destination of contributions and Treasury supplements). The other amendments are of a minor nature.

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