STATUTORY INSTRUMENTS

1977 No. 544

SOCIAL SECURITY

The Social Security (Contributions) (Married Women and Widows) Amendment Regulations 1977

Laid before Parliament in Draft

Made - - - -	23*rd March* 1977
Coming into Operation	6*th April* 1977

Whereas a draft of the following regulations was laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State for Social Services in exercise of the powers conferred upon him by paragraph 9 of Schedule 3 to the Social Security (Consequential Provisions) Act 1975**(a)** and sections 3(2) and 63(1) of the Social Security Pensions Act 1975**(b)** and of all other powers enabling him in that behalf hereby makes the following regulations which only make provision consequential on the passing of the last-mentioned Act.

Citation, interpretation and commencement

1. These regulations, which may be cited as the Social Security (Contributions) (Married Women and Widows) Amendment Regulations 1977, shall be read as one with the Social Security (Contributions) Regulations 1975**(c)** as amended**(d)** (hereinafter referred to as "the principal regulations") and shall come into operation on the 6th April 1977 immediately after regulation 10 of the Social Security (Contributions) (Consequential Amendments) Regulations 1975**(e)** comes into operation.

Amendment of regulation 91 *of the principal regulations*

2. In regulation 91(8)(*a*)(ii) (elections by married women and widows) for the words "at the time of making the election is not less than the basic component specified" there shall be substituted the words "is not less than the basic component specified for the time being".

Amendment of regulation 92 *of the principal regulations*

3. In regulation 92 of the principal regulations (duration of effect of election) after paragraph (1)(*d*) there shall be added the following—

"or

(*e*) where, in any year, a payment is made by or on behalf of the woman on account of primary Class 1 contributions at the standard rate in the erroneous belief that such contributions were payable by her or on her

(a) 1975 c. 18. (b) 1975 c. 60. (c) S.I. 1975/492 (1975 I, p. 1516).
(d) The relevant amending instrument is S.I. 1975/1855 (1975 III, p. 6983).
(e) S.I. 1975/1855 (1975 III, p. 6983).

behalf in that year, and the woman wishes to pay primary Class 1 contributions at the standard rate from and including the beginning of the year next following that year, the end of the year in respect of which the payment is made."

Amendment of regulation 102 *of the principal regulations*

4. In regulation 102(3)(*b*) of the principal regulations (special transitional provisions regarding deemed elections) for the words "if in any year" there shall be substituted the words "if in the said first year".

Minor Consequential Amendments

5. The provisions of the principal regulations specified in column 2 of the Schedule to these regulations shall be amended in accordance with the provisions set out opposite thereto in column 4 of that Schedule.

David Ennals,
23rd March 1977. Secretary of State for Social Services.

SCHEDULE Regulation 5

MINOR CONSEQUENTIAL AMENDMENTS

Column 1	Column 2	Column 3	Column 4
Item	Provision of principal regulations	Description	Amendment
1	Regulation 92	Duration of effect of election.	In paragraph (2) for the words "paragraph (1)(*c*) or (*d*)" there shall be substituted the words "paragraph (1)(*c*), (*d*) or (*e*)".
2	Regulation 94	Continuation of elections on widowhood.	In paragraph (2)(*a*) for the words "paragraph (1)(*d*)" there shall be substituted the words "paragraph (1)(*d*) or (*e*)".
3			In paragraph (3) for the words "regulation 92(1)(*c*) and (*d*)" there shall be substituted the words "regulation 92(1)(*c*), (*d*) and (*e*)".
4			In paragraph (4) for the words "paragraph (1)(*c*) or (*d*)" there shall be substituted the words "paragraph (1)(*c*), (*d*) or (*e*)".
5	Regulation 98	Special transitional provisions consequent upon the passing of the Pensions Act.	In paragraph 4(*a*) for the words "sub-paragraph (*d*)" there shall be substituted the words "sub-paragraphs (*d*) and (*e*)".

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Social Security (Contributions) Regulations 1975 ("the principal regulations") and are consequential on the passing of the Social Security Pensions Act 1975. Accordingly, by virtue of section 61(1)(*e*) of that Act the Regulations are not required to be referred to the National Insurance Advisory Committee and no such reference has been made.

The Regulations, by amendment of Case D of Part VIII of the principal regulations, make provision for elections made by married women and widows to cease to have effect in the circumstances and at the time specified in regulation 3 of these Regulations. The Regulations also amend the conditions for being a "qualifying widow". The other amendments are of a consequential or minor nature.

SI 1977/544
ISBN 0-11-070544-0

