1974. No. 234 **[C]**

SOCIAL SECURITY

Contributions

REGULATIONS, DATED 9TH SEPTEMBER 1974, MADE BY THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR NORTHERN IRELAND, WITH THE CONCURRENCE OF THE INLAND REVENUE, UNDER THE SOCIAL SECURITY ACT 1973.

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The Department of Health and Social Services for Northern Ireland with the concurrence of the Inland Revenue in so far as their concurrence is required, in exercise of powers conferred by sections 1(10), 2(2)(*b*) and (6), 3(5) and (6), 4(1), (2) and (3)(*a*), 5(6), (7) and (8), 6, 9(7), 92(3), 99(14) of, and paragraphs 1, 2, 3, 4(*a*), (*c*) and (*d*), 5(1)(*a*) and (*b*) and 6 of Schedule 1 and paragraphs 2(1), 3, 4 and 6(1) and (2)(*b*) of Schedule 26 to, the Social Security Act 1973(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Contributions) (Northern Ireland) Regulations 1974, and shall come into operation in the case of this regulation and regulations 62 and 63 on 18th September 1974 and in the case of the remainder of the regulations on 6th April 1975.

(2) In these regulations, unless the context otherwise requires—

"the Act" means the Social Security Act 1973;

"the former principal Act" means the National Insurance Act (Northern Ireland) 1966(**b**);

(a) 1973. c. 38. (b) 1966. c. 6 (N.I.).

"the Industrial Injuries Act" means the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(c);

"aggregation" means the aggregating and treating as a single payment under paragraph 1(1) of Schedule 1 to the Act of two or more payments of earnings, and "aggregated" shall be construed accordingly;

"the appointed day" means 6th April 1975;

"apportionment" means the apportioning under paragraph 1(2) of Schedule 1 to the Act to one or more employers of a single payment of earnings made to or for the benefit of an employed earner in respect of two or more employments, or, as the case may be, the apportioning under paragraph 1(3) of that Schedule of contribution liability between two or more employers in respect of earnings which have been aggregated under paragraph 1(1)(*b*) of that Schedule, and, in either case "apportioning" and "apportioned" shall be construed accordingly;

"contribution card" means a card issued in accordance with Part V of these regulations for the purposes of the payment of contributions by means of stamps affixed to the card;

"contribution week" means a period of 7 days beginning with midnight between Saturday and Sunday;

"the Department" means the Department of Health and Social Services for Northern Ireland;

"due date" in Part IV of these regulations means in relation to any contribution the due date for payment of that contribution, which date, for the purpose of a contribution which a person is entitled but not liable to pay, shall be treated as the date of the last day of the year in respect of which it is paid;

"earnings period" means the period prescribed in regulation 2;

"earnings-related contributions" means contributions payable under Part I of the Act in respect of earnings paid to or for the benefit of an earner in respect of employed earner's employment;

"inspector" includes any person having the powers of an inspector under paragraph 1 of Schedule 22 to the Act;

"local office" means an office appointed by the Department as a local office for the purpose of the Act or of these regulations;

"national insurance number" means the national insurance number allocated within the meaning of regulation 38;

"profits or gains" for the purposes of Part VII of these regulations means profits or gains which, subject to the provisions of Schedule 2 to the Act, are chargeable to income tax under Case I or Case II of Schedule D;

"regular interval" for the purposes of regulations 3, 4 and 5 includes only such interval as is in accordance with an express or implied arrangement between the employed earner and the secondary contributor as to the intervals at which payments of earnings normally fall to be made, being intervals of substantially equal length;

"secondary contributor" means the person who, in respect of earnings from employed earner's employment, is or, but for the provisions of the Act relating to the lower earnings limit, would be liable to pay a secondary contribution under section 2 of the Act;

(c) 1966. c. 9 (N.I.).

"stamp" has the meaning assigned to it in Schedule 3 to these regulations;

"training" means full-time training at a course approved by the Department;

"week" means income tax week;

"year" means income tax year;

"year of assessment" has the meaning assigned to it in section 526 of the Income and Corporation Taxes Act 1970(**d**);

and other expressions have the same meanings as in the Act.

(3) References in these regulations to any enactment or regulations shall, except in so far as the context otherwise requires, be construed as including references to such enactment or regulations as amended or extended by or under any other enactment, order or regulations and as including references to any enactments or regulations thereby consolidated.

(4) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889 (**e**) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

PART II

ASSESSMENT OF EARNINGS-RELATED CONTRIBUTIONS

Earnings periods

2. The amount, if any, of earnings-related contributions payable in respect of earnings paid to or for the benefit of an earner in respect of an employed earner's employment shall, subject to the provisions of regulations 5 and 7 to 13 of these regulations, be assessed on the amount of such earnings paid, or treated as paid, in the earnings period specified in regulation 3 or, as the case may be, regulation 4 of these regulations.

Earnings period for earnings normally paid or treated as paid at regular intervals

3.—(1) Where any part of such earnings as are specified in the immediately preceding regulation is normally paid or treated as paid at regular intervals, the earnings period in respect of those earnings shall, subject to the provisions of paragraphs (2) and (3) of this regulation, be the period—

(*a*) the length of which is,

(i) where the interval is 7 days or more, the length of the shortest interval at which any such part is paid or treated as paid;

(ii) where the interval is a period of less than 7 days, a week; and

(*b*) which is one of a succession of periods of the same length beginning in the case of the first such period in any year on the first day of that year, and in the case of each subsequent period immediately upon the ending of the period which last precedes it.

(**d**) 1970. c. 10. (**e**) 52 & 53 Vict. c. 63.

(2) Without prejudice to the provisions of sub-paragraph (*b*) of the last preceding paragraph, if the Department is satisfied that the greatest part of the earnings specified in that paragraph is normally paid at intervals of greater length than the shortest and notifies the earner and the secondary contributor accordingly, the length of that longer interval shall thereafter be the length of the earnings period in place of that specified in sub-paragraph (*a*)(i) of that paragraph.

(3) Where in any year there is a period between the end of the last earnings period of normal length and the beginning of the next year, the period first mentioned in this paragraph shall itself be treated as an earnings period of normal length.

Earnings period for earnings normally paid otherwise than at regular intervals and not treated as paid at regular intervals

4. Where such earnings as are specified in regulation 2 of these regulations are paid to an earner, but no part is normally paid or treated as paid at regular intervals, the earnings period in respect of those earnings shall, in the case of any particular payment thereof, be a period of one of the following lengths:

(*a*) where the period from the date of the last preceding payment of earnings in respect of that employment to the date of the particular payment, or to the date of the end of the employment, if earlier, is a period of 7 days or more, the length of that period;

(*b*) where there has been no previous payment of earnings in respect of that employment, but the period from the beginning of that employment to the date of the particular payment, or to the date of the end of the employment, if earlier, is a period of 7 days or more, the length of that period;

(*c*) in any other case, the length of a week.

Treatment of earnings paid otherwise than at regular intervals

5.—(1) Subject to the provisions of paragraphs (2) and (3) of this regulation, for the purposes of assessing earnings-related contributions—

(*a*) if on any occasion a payment of earnings which would normally fall to be made at a regular interval is made otherwise than at that regular interval, it shall be treated as if it were a payment made at that regular interval;

(*b*) where payments of earnings are made at irregular intervals which secure that one and only one payment is made in each of a succession of periods consisting of the same number of days, weeks or months, those payments shall be treated as if they were payments made at the regular interval of one of those periods of days, weeks or as the case may be, months;

(*c*) where payments of earnings, other than such as are specified in the last preceding sub-paragraph, are made in respect of regular intervals, but otherwise than at regular intervals, each such payment shall be treated as made at the regular interval in respect of which it is due.

(2) Where under the foregoing provisions of this regulation a payment of earnings is treated as made at a regular interval, it shall for the purposes of assessment of earnings-related contributions also be treated as paid—

(*a*) in a case falling within the provisions of paragraph (1)(*a*) of this regulation, on the date on which it would normally have fallen to be made;

(*b*) in any other case, on the last day of the regular interval at which it is treated as paid.

(3) Except only for the purposes of aggregation under paragraph 1 of Schedule 1 to the Act, the foregoing provisions of this regulation shall not apply where by virtue thereof a payment made in one year would be treated as made in another.

Equivalent amounts

6.—(1) The equivalent amounts for the purposes of section 2(2)(*b*) and (6) of the Act (prescribed equivalent amounts for lower and upper earnings limits in case of employed earners paid otherwise than weekly) shall be determined in accordance with the following provisions of this regulation.

(2) The respective equivalent amounts shall be—

(*a*) where the earnings period is a multiple of a week, the amounts calculated by multiplying each of the said limits by the corresponding multiple;

(*b*) where the earnings period is a month, the amounts calculated by multiplying each of the said limits by $4\frac{1}{3}$;

(*c*) where the earnings period is a multiple of a month, the amounts calculated by applying sub-paragraph (*b*) of this paragraph and multiplying each product by the corresponding multiple;

(*d*) in any other case, the amounts calculated by dividing each of the said limits by 7 and multiplying each quotient by the number of days in the earnings period concerned.

(3) Each of the calculations prescribed in sub-paragraphs (*b*) and (*d*) of the foregoing paragraph shall be to the nearest £0·01, any amount of £0·005 being disregarded.

Calculation of earnings-related contributions

7.—(1) Subject to the provisions of paragraphs (2) to (5) of this regulation, earnings-related contributions shall be calculated to the nearest £0·01, any amount of £0·005 being disregarded.

(2) In the alternative, but subject to the provisions of paragraphs (4) to (6) of this regulation, where the earnings period is a week or a month, the contributions specified in the last foregoing paragraph may be calculated in accordance with the scale prescribed in Part I or, as the case may be, Part II of Schedule 1 to these regulations in accordance with the provisions of the next succeeding paragraph of this regulation.

(3) There shall be payable in respect of any payment of an amount shown in column 1 of the said Schedule 1, the amounts shown opposite thereto—

(*a*) in column 2 of the said Schedule 1, by way of primary contributions, if those contributions are payable at the standard rate, or

(*b*) in column 3, by way of such contributions, if those contributions are payable at the reduced rate; and

(*c*) in column 4, by way of secondary contributions.

(4) Where any payment of an amount of earnings is not shown in column 1 of the said Schedule 1 the amount of contributions payable shall be calculated by reference to the next smaller amount, if any, in column 1 of that Schedule.

(5) Where the earnings period is a multiple of a week or a month the last three preceding paragraphs of this regulation shall apply subject to the substitution for the references to the amounts in the respective columns in the said Schedule 1 of references to the corresponding multiples of those amounts.

(6) Subject to the agreement of the Department to the contrary, the provisions of the last four foregoing paragraphs of this regulation shall not apply except for the calculation of all the contributions payable in a year in respect of the earnings paid to or for the benefit of an earner in respect of the employed earner's employment concerned, or, where the earnings in respect of more than one employment are aggregated under paragraph 1(1) of Schedule 1 to the Act, in respect of the employed earner's employments concerned.

General provisions as to aggregation

8. Where on one or more occasions the whole or any part of a person's earnings in respect of employed earner's employment is not paid weekly (whether or not it is treated for the purpose of earnings-related contributions as paid weekly), paragraph 1 of Schedule 1 to the Act (determination of the earnings-related contributions payable in any income tax week by the aggregation of separate payments and the apportionment of single payments in certain cases) shall have effect as if for the references therein to "week" there were substituted references to "earnings period".

Aggregation of earnings paid in respect of separate employed earner's employments under the same employer

9. For the purposes of earnings-related contributions, earnings paid in respect of any employed earner's employment shall not be aggregated with earnings paid in respect of any other such employment under the same employer if such aggregation is not reasonably practicable because the earnings in the respective employments are separately calculated.

Aggregation of earnings paid in respect of different employed earner's employments by different secondary contributors and apportionment of contribution liability

10.—(1) For the purposes of determining whether earnings-related contributions are payable in respect of earnings paid to or for the benefit of an earner in a given earnings period and, if so, the amount of the contributions, where in that period earnings in respect of different employed earner's employments are paid to or for the benefit of the earner—

(*a*) by different secondary contributors who in respect of those employments carry on business in association with each other and the amount of the earnings paid in respect of one or more of those employments is less than the current lower earnings limit (or its equivalent); or

(*b*) by different employers, of whom one is by virtue of regulations made under section 2(5) of the Act treated as the secondary contributor in respect of each of those employments,

the earnings paid in respect of each of the employments referred to in this paragraph shall, unless in a case falling under sub-paragraph (*a*) of this paragraph it is not reasonably practicable to do so, be aggregated and treated as a single payment of earnings in respect of one such employment.

(2) Where under the provisions of the last foregoing paragraph, earnings are aggregated, liability for the secondary contributions payable in respect of those earnings shall be apportioned between the secondary contributors in such proportions as they shall agree amongst themselves, or, in default of agreement, in the proportions which the earnings paid by each bear to the total amount of the aggregated earnings.

Apportionment of single payment of earnings in respect of different employed earner's employments by different secondary contributors

11. Where any single payment of earnings is made in respect of two or more employed earner's employments under different secondary contributors, liability for earnings-related contributions shall be determined by apportioning the payment as follows:

(*a*) where the secondary contributors are, in respect of those employments, carrying on business in association with each other, to the secondary contributor who makes the payment;

(*b*) where the secondary contributors are not so carrying on business in association with each other, to each of those secondary contributors in the proportion which the earnings due in respect of that secondary contributor's employment bears to the total of the single payment.

Change of earnings period

12.—(1) The provisions of this regulation apply where, by reason of a change in the regular interval at which any part of an earner's earnings is paid or treated as paid in respect of employed earner's employment (hereinafter referred to as "the regular interval of payment"), that person's earnings period in any employment or employments under the same secondary contributor is, or is in the process of being, changed.

(2) In this regulation—

(*a*) the regular interval of payment which has been discontinued is referred to as "the old interval"; the interval which has, or is to, become the regular interval of payment is referred to as "the new interval";

(*b*) the earnings period determined according to the old interval is referred to as "the old period"; that determined according to the new interval is referred to as "the new period";

(*c*) references to payment means payment of earnings actually made or, as the case may be, treated under regulation 5 of these regulations as made, at an interval or date; and

(*d*) "date of change" means the date on which the first payment of earnings at the new interval is made.

(3) Subject to the provisions of paragraph (4) of this regulation, in relation to any payments made on or after the date of change the earnings period shall be determined in accordance with the new interval.

(4) Where the new period is longer than the old period and during the first new period any payment has also been made at the old interval, the earnings-related contributions payable on any payment made on or after the date of change shall not exceed in amount the total which would have been payable if all the payments during the new period had been made at the new interval.

Holiday payments

13. Where as respects any employed earner's employment, a payment of earnings includes a payment in respect of a period of holiday of a week or a multiple of a week, for the purposes of calculating the earnings-related contributions payable in respect of that payment of earnings—

(*a*) the earnings period may be determined in accordance with the length of the interval in respect of which such payment is made; and, in that case,

(*b*) the provisions of regulation 5 of these regulations shall not apply.

Joint employment of husband and wife

14. For the purposes of earnings-related contributions, where a husband and wife are jointly employed in employed earner's employment and earnings in respect of that employment are paid to them jointly the amount of the earnings of each shall be calculated upon the same basis as that upon which those earnings are calculated for the purposes of income tax and, in the absence of such calculation, upon such basis as may be approved by the Department.

Annual maximum

15.—(1) For the purposes of section 6(1) and (2) of the Act (power to prescribe maximum amounts of contributions and refund of excess), as respects earners specified in the following provisions of this paragraph but without prejudice to the earner's liability in the first instance for the full amounts payable apart from this regulation, liability in any year for primary Class 1 contributions, or, where both Class 1 and Class 2 contributions are payable by an earner in any year, for both primary Class 1 contributions and Class 2 contributions shall not exceed amounts equal to the following:

(*a*) in the case of an earner who in that year is employed in more than one employed earner's employment and is not liable to pay any Class 2 contributions for that year—

(i) if any primary Class 1 contributions are payable at the standard rate, 53 contributions at the maximum standard rate;

(ii) if primary Class 1 contributions are payable at the reduced rate only, 53 contributions at the maximum reduced rate;

(*b*) in the case of an earner who in that year is employed in one or more employed earner's employments and is also liable to pay Class 2 contributions for that year—

(i) if any primary Class 1 contributions are payable at the standard rate, 53 contributions at the maximum standard rate;

(ii) if no primary Class 1 contributions are payable at the standard rate, 53 Class 2 contributions.

(2) In this regulation the expression "contributions at the maximum standard rate" means primary Class 1 contributions payable at the standard rate within the meaning of section 2(6)(*a*) of the Act in respect of weekly earnings of an amount equal to the upper earnings limit for the time being; and the expression "contributions at the maximum reduced rate" shall be construed accordingly.

Calculation of earnings

16. For the purposes of earnings-related contributions the amount of a person's earnings shall, subject to the provisions of the next succeeding regulation, be calculated on the basis of that person's gross earnings from the employment, or, as the case may be, employments concerned.

Payments to be disregarded

17.—(1) For the purposes of earnings-related contributions, there shall be excluded from the computation of a person's earnings in respect of any employed earner's employment any payment in so far as it is—

(*a*) a payment on account of a person's earnings in respect of such employment and comprises or represents, and does not exceed in amount, sums which have previously been included in his earnings for the purposes of his assessment of earnings-related contributions;

(*b*) a payment in respect of a period of holiday, where the sum paid is derived directly or indirectly from a fund to which more than one secondary contributor contributes and the management and control of which are not vested in those secondary contributors, or where the person making the payment is entitled to be reimbursed from such a fund;

(*c*) a payment of or in respect of a gratuity or offering—

(i) where the payment is not made directly or indirectly by the secondary contributor and the sum paid does not comprise or represent sums previously paid to the secondary contributor; or

(ii) where the payment is not directly or indirectly allocated by the secondary contributor to the earner;

(*d*) any payment in kind or by way of the provision of board or lodging or of services or other facilities;

(*e*) a payment made to or by trustees, where—

(i) in the case of a payment made to trustees, the share thereof which that person is entitled to have paid to him, or

(ii) in the case of a payment made by trustees, the amount to be so paid,

is or may be dependent upon the exercise by the trustees of a discretion or the performance by them of a duty arising under the trust;

(*f*) any payment of earnings in respect of employed earner's employment which a secondary contributor is required to make in pursuance of any regulations made under section 51(4)(*a*)(ii) of the Act (recognition of occupational pension scheme).

(2) Where goods or services are supplied by an earner in employed earner's employment and earnings paid to or for the benefit of that earner in respect of that employment include the remuneration for the supply of those goods or services, and on that supply value added tax is chargeable, there shall, for the purposes aforesaid, be excluded from the calculation of those earnings an amount equal to the value added tax so chargeable.

(3)(*a*) Subject to the provisions of sub-paragraph (*b*) of this paragraph, where, by an arrangement approved by the Department for the purposes of this provision and made between an employed earner and his secondary contributor, the earner draws pay unabated by any deduction as on account of a specified benefit for a period in respect of which under the arrangement he has undertaken not to

claim such benefit, there shall, for the purposes of computing his and the secondary contributor's liability for earnings-related contributions, be excluded from the computation of earnings in each earnings period in which such deduction would have been made but for the arrangement a sum equal to the specified benefit which would have been payable if the employed earner had claimed it and in respect of which such deduction would have been made.

(*b*) In this paragraph—

(i) "earnings" means the earnings paid to or for the benefit of the earner in respect of employed earner's employment;

(ii) "specified benefit" means sickness benefit, invalidity benefit, maternity allowance or, as the case may be, under the Industrial Injuries Act, injury benefit.

(4) For the avoidance of doubt, in the calculation of earnings paid to or for the benefit of an earner in employed earner's employment, there shall be disregarded—

(*a*) any payment by way of a redundancy payment;

(*b*) any specific and distinct payment of, or contribution towards, expenses actually incurred by an employed earner in carrying out his employment.

Abnormal pay practices

18.—(1) The provisions of this regulation shall not apply for the purpose of any decision of the Department in so far as that decision relates to contributions based on payments made more than one year before the beginning of the year in which that decision is given.

(2) With a view to securing that liability for the payment of earnings-related contributions is not avoided or reduced by a secondary contributor following in the payment of earnings any practice which is abnormal for the employment in respect of which the earnings are paid (hereinafter referred to as an "abnormal pay practice"), the Department may, if it thinks fit, determine any question relating to a person's earnings-related contributions where any such practice has been or is being followed, as if the secondary contributor concerned had not followed any abnormal pay practice, but had followed a practice or practices normal for the employment in question.

(3) With the view aforesaid the Department, in any case in which it has reason to believe that any abnormal pay practice has been or is being followed, may determine any such question, if it is satisfied that it ought properly to be so determined, as if application had been duly made to it for the determination thereof.

Practices avoiding or reducing liability

19. Without prejudice to the foregoing regulation, the Department may, where it is satisfied as to the existence of any practice in respect of the payment of earnings whereby the incidence of earnings-related contributions is avoided or reduced by means of irregular or unequal payments, give directions for securing that such contributions are payable as if that practice were not followed.

PART III

EXCEPTION FROM CLASS 2 CONTRIBUTIONS, CLASS 3 CONTRIBUTIONS, APPROPRIATION, REALLOCATION AND REFUND OF CONTRIBUTIONS (OTHER THAN CLASS 4 CONTRIBUTIONS)

Exception from liability for Class 2 contributions

20.—(1) Subject to the following provisions of this regulation, a self-employed earner shall be excepted from liability to pay a Class 2 contribution for any contribution week—

(*a*) in respect of the whole of which the earner is in receipt of sickness benefit, invalidity benefit, injury benefit or unemployability supplement;

(*b*) throughout the whole of which the earner is incapable of work;

(*c*) in respect of which the earner is in receipt of maternity allowance; or

(*d*) throughout the whole of which he is undergoing imprisonment or detention in legal custody.

(2) For the purposes of the foregoing provision, in computing the period of a contribution week—

(*a*) subject to the provisions of the next succeeding sub-paragraph, Sunday shall be disregarded;

(*b*) in the case of a self-employed earner who objects on religious grounds to working on a specific day in each contribution week other than Sunday, and does not object to working on Sunday, that specific day shall be disregarded instead of Sunday.

(3) Where under the foregoing provisions of this regulation, a self-employed earner is excepted from liability to pay a Class 2 contribution for any contribution week, that earner shall, subject to the provisions of Part IV of these regulations (treatment of late paid contributions for the purposes of benefit), be entitled, if he so wishes, to pay a contribution for that week.

Applications for, and duration and cancellation of, certificates of exception

21.—(1) A self-employed earner who desires to be excepted from liability to pay Class 2 contributions by virtue of the provisions of section 3(5) of the Act (exception from such liability for Class 2 contributions on grounds of small earnings) shall make an application to the Department for that purpose and, if the application is granted, a certificate of exception shall be issued to him by the Department.

(2) Any such application and certificate shall be in such form as may for the time being be approved by the Department.

(3) An applicant for, and a holder of, a certificate of exception shall furnish to the Department such information and evidence relating to his earnings as the Department may require on the making of the application and from time to time thereafter.

(4) Subject to the conditions specified in paragraph (5) of this regulation, a certificate of exception shall be in force for such period as may be specified therein.

(5) The conditions referred to in the preceding paragraph of this regulation are that:

(*a*) if any condition attached to the issue, or continuation in force, of the certificate is not, or ceases to be, fulfilled, the certificate shall cease to be in force as from the date of such non-fulfilment or cessation, and the holder shall forthwith notify the Department to that effect;

(*b*) the period specified in the certificate may, at the discretion of the Department, commence on such date not earlier than 13 weeks before the date on which the application therefor was made as the Department may consider appropriate to the circumstances of the case.

(6) The holder of a certificate of exception—

(*a*) shall, when called upon to do so by an officer of the Department or an officer of the Inland Revenue acting on behalf of the Department, produce the certificate for the officer's inspection;

(*b*) shall, if at any time he desires the certificate to be cancelled, give notice in writing to the Department, whereupon the certificate shall cease to be in force from such date as the Department may determine.

Earnings for the purposes of certificates of exception

22.—(1) For the purposes of section 3(5) of the Act (exception from liability for Class 2 contributions on account of small earnings) the earnings of an applicant for a certificate of exception shall, in respect of any particular year, be treated as less than the amount specified in that section, if it is shown to the satisfaction of the Department—

(*a*) that in the year preceding the particular year, the earnings of the applicant were less than the amount so specified for the preceding year and that there has since been no material change of circumstances; or

(*b*) that in the particular year the earnings of the applicant are expected to be less than the specified amount.

(2) For the purposes of this regulation, "earnings" means the applicant's net earnings from employment as a self-employed earner.

Certificates of exception—exception from liability for, and entitlement to pay, Class 2 contributions

23. In respect of any contribution week during the whole of which there is in force a certificate of exception in relation to a self-employed earner, that earner—

(*a*) shall be excepted from liability to pay a Class 2 contribution; but

(*b*) shall, subject to the provisions of Part IV of these regulations (treatment of late paid contributions for the purposes of benefit), be entitled to pay such a contribution, if he so wishes.

Class 3 contributions

24.—(1) Subject to the provisions of section 4(2) of the Act (Class 3 contributions only payable for purposes of satisfying certain contribution conditions) and the following provisions of this regulation, any person who is over school-leaving age and fulfils the conditions as to residence or presence in Northern Ireland, may, if he so wishes, pay Class 3 contributions.

(2) It shall be a condition of a person's right to pay a Class 3 contribution that he—

(*a*) complies with the provisions of Part V of these regulations in so far as they are applicable to persons paying such a contribution; and

(*b*) complies with either of the two conditions specified in the next succeeding paragraph of this regulation.

(3) The conditions referred to in the last preceding paragraph of this regulation are that the person specified in paragraph (1) thereof shall either—

(*a*) pay the contribution before the end of the year in respect of which it is paid; or

(*b*) subject to the provisions of regulation 25 of these regulations and to the provisions of Part IV of these regulations, pay the contribution—

(i) before the end of the 2nd year following the year in respect of which it is paid; or

(ii) where the year in respect of which it is paid includes a period of at least 6 months throughout which the contributor has been undergoing full-time education, or full-time apprenticeship or training for which, in either case, any earnings are less than the lower earnings limit, or has been undergoing imprisonment or detention in legal custody, before the end of the 6th year following the year in which the education, or apprenticeship or training, or imprisonment or detention terminated.

Class 3 contributions not paid within prescribed periods

25. Where a person was entitled to pay a contribution under the provisions of regulation 24 of these regulations (Class 3 contributions) but he failed to pay that contribution in the period provided for payment in the said provision applicable and his failure is shown to the satisfaction of the Department to be attributable to ignorance or error on his part which was not due to any failure on his part to exercise due care and diligence, that contribution may be paid within such further period as the Department may direct.

Appropriation of Class 3 contributions

26. Any person paying Class 3 contributions in one year may appropriate such contributions to the earnings factor of another year if such contributions are payable in respect of that other year or in the absence of any such appropriation the Department may with the consent of the contributor and subject to the same condition make such appropriation.

Disposal of contributions not properly paid

27. Where contributions are paid under Part I of the Act (other than Class 4 contributions) which are of the wrong class, or at the wrong rate, or of the wrong amount, the Department may treat them as paid on account of contributions properly payable under that Part.

Return of contributions

28.—(1) Subject to the provisions of regulations 27 and 30 of these regulations and the following provisions of this regulation, where there have been paid in error by a person or a secondary contributor (if any) any contributions under Part I of the Act (other than Class 4 contributions) or there has been any payment of contributions in excess of the amount prescribed in regulation 15 of these regulations (annual maximum), such contributions shall, unless the net amount of the contributions (other than Class 3 contributions) to be returned does not exceed in value £0·50, be returned by the Department to that person or the secondary contributor, as the case may require, if application to that effect is made in writing to the Department within the time specified in paragraph (4) of this regulation.

(2) Where an application under this regulation has been made for the return of contributions paid in excess of the amount prescribed in the said regulation 15, any Class 2 contributions paid in that year shall be returned in priority to any primary Class 1 contributions which may have been paid at the standard rate, and any primary Class 1 contributions paid in that year at the reduced rate shall be returned in priority to any Class 2 contributions which may have been paid.

(3) Contributions paid in error by a secondary contributor on behalf of any person and not recovered from him may be returned to the secondary contributor instead of to that person, but if so recovered may be returned to that person, or, with his consent in writing, to the secondary contributor.

(4) A person desiring to apply for the return of any contribution paid in error shall make the application in such form and in such manner as the Department may from time to time determine, and within the period of 6 years from the end of the year in which the contribution was paid or, if the Department is satisfied that the person making the application had good cause for not making it within the said period, within such longer period as the Department may allow.

(5) In this regulation the word "error" means, and means only, an error which—

(*a*) is made at the time of the payment, and

(*b*) relates to some present or past matter.

Special provisions for return of Class 3 contributions

29.—(1) Subject to the provisions of regulations 27 and 30 of these regulations and the following provisions of this regulation—

(*a*) where after taking into account any Class 1, Class 2 and Class 3 contributions paid by, or credited to, a contributor in respect of any year the earnings factor derived from those contributions is less than 25 times that year's lower earnings limit, the Department—

(i) shall refund to the contributor the Class 3 contributions paid; but

(ii) except on the application of the contributor, shall not make the refund before the expiry of the 2 year period specified in sub-paragraph (*b*)(i), or, as the case may be, the 6 year period specified in sub-paragraph (*b*)(ii), of regulation 24(3) of these regulations;

(*b*) in any other case, where Class 3 contributions paid by a contributor are insufficient to provide any entitlement or additional entitlement to benefit, the Department shall, on application of the contributor, return those contributions to the contributor.

(2) Any person wishing to claim a refund of contributions such as is referred to in sub-paragraph (*a*)(i) of the foregoing paragraph shall make written application therefor to the Department, and such application and any application such as is mentioned in sub-paragraphs (*a*)(ii) and (*b*) of that paragraph shall be made in such manner as the Department shall approve.

(3) For the purposes of section 4(3) of the Act (repayment of excess Class 3 contributions) a Class 3 contribution shall not be repaid if it causes a contributor's earnings factor to exceed the figure of 50 times that year's lower earnings limit for Class 1 contributions by an amount which is less than half that lower earnings limit.

Calculation of return of contributions

30. In calculating the amount of any return of contributions to be made under regulations 28 and 29 of these regulations, there shall be deducted—

(*a*) the amount of any contributions which has under the provisions of regulation 27 of these regulations been treated as paid on account of other contributions; and

(*b*) in the case of such contributions paid in error in respect of any person, the amount, if any, paid to that person (and to any other person on the basis of that error) by way of basic scheme benefit which would not have been paid had the contributions (in respect of which an application for their return is duly made in accordance with paragraph (4) of regulation 28 of these regulations) not been paid in the first instance.

Crediting of Class 3 contributions

31. Where for any year a contributor's earnings factor derived from Class 1 contributions, Class 2 contributions or Class 3 contributions (or any or all of such contributions) paid by, or credited to him, falls short of a figure which is 50 times that year's lower earnings limit for Class 1 contributions by an amount which is equal to or less than half that year's lower earnings limit, that contributor shall be credited with a Class 3 contribution for that year, so however that such contribution shall not be taken into account for the purposes of regulation 29(3) of these regulations.

Reallocation of contributions for benefit purposes

32. Where any payment of earnings is made in one year which, but for the provisions of paragraph (3) of regulation 5 of these regulations, would by virtue of that regulation have been treated as paid at an interval falling within another year, the contributions paid in respect of those earnings shall, on the application of the employed earner, be treated, for the purposes of entitlement to benefit, as paid in respect of that other year.

PART IV

LATE PAID AND UNPAID CONTRIBUTIONS

Treatment for purpose of basic scheme benefit of late paid basic scheme contributions

33.—(1) Subject to the provisions of regulations 34, 35 and 36 of these regulations, the following provisions of this regulation shall, for the purpose of entitlement to basic scheme benefit, apply to contributions (other than Class 4 contributions) paid under Part I of the Act (basic scheme) after the due date.

(2) Subject to the provisions of the next succeeding paragraph, for the purpose of any entitlement to such benefit, any such contribution—

(*a*) if paid after the end of the second year following the year in which liability for that contribution arises, or, in the case of a contribution which a person is entitled, but not liable, to pay, following the due date for that contribution, shall be treated as not paid;

(*b*) if paid before the end of the said second year, shall, subject to paragraphs (5) and (6) of this regulation, be treated as paid on the date on which payment of the contribution is made.

(3) For the purpose aforesaid, any such contribution, being a Class 3 contribution, which is payable by a person to whom regulation 24(3)(*b*)(ii) of these regulations applies in respect of a year which includes a period of education, apprenticeship, training, imprisonment or detention in legal custody such as is specified in that regulation—

(*a*) if paid after the end of the 6th year specified in that regulation, shall be treated as not paid;

(*b*) if paid before the end of the said 6th year shall, subject to the provisions of paragraphs (5) and (6) of this regulation, be treated as paid on the date on which payment of the contribution is made.

(4) Notwithstanding the provisions of the last preceding paragraph, for the purpose of entitlement of any particular basic scheme benefit where a Class 3 contribution, which is payable in respect of a year specified in that paragraph, is paid after the due date and after the end of the second year following the year preceding that in which occurred the relevant time for the purposes of Schedule 3 to the Act (contribution conditions for basic scheme benefit) or, as the case may be, the date on which the person concerned attained pensionable age or died under that age or, in the case of entitlement to death grant, the death which gave rise to the claim for that grant, that contribution shall for the purpose of entitlement to the particular benefit be treated as not paid.

(5) Notwithstanding the provisions of paragraphs (2) and (3) of this regulation, any such contribution as is specified in paragraph (1) of this regulation shall, in determining whether the relevant contribution conditions are satisfied in whole or in part for the purpose of entitlement to any benefit specified in that paragraph, be treated—

(*a*) for the purpose of entitlement in respect of any period before the date on which the payment of the contribution is made—as not paid; and

(*b*) subject to the provisions of the next succeeding paragraph, for the purpose of any entitlement to such benefit in respect of any other period—as paid on the date on which the payment of the contribution is made.

(6) For the purpose of entitlement to unemployment benefit, sickness benefit or maternity allowance, any such contribution as is specified in the said paragraph (1) shall, for the purpose of determining whether the second contribution condition for such benefit is satisfied in whole or in part, be treated—

(*a*) if paid before the beginning of the relevant benefit year—as paid on the due date;

(*b*) if paid after the end of the benefit year immediately preceding the said relevant benefit year—as not paid in relation to the benefit claimed in respect of any day before the expiry of a period of 42 days (including Sundays) from and including the date on which the payment of that contribution is made, and, subject to the provisions of paragraph (2)(*a*) of this regulation, as paid at the expiry of that period in relation to entitlement to such benefit in respect of any other period.

Treatment for the purpose of any basic scheme benefit of late paid or unpaid primary Class 1 contributions where there was no consent, connivance or negligence by the primary contributor

34. Where a primary Class 1 contribution which is payable on a primary contributor's behalf by a secondary contributor is paid after the due date or

is not paid, or in relation to any claim for unemployment benefit, sickness benefit, maternity grant or maternity allowance, is not paid before the relevant time for such benefit, and the delay or failure in making payment thereof is shown to the satisfaction of the Department not to have been with the consent or connivance of, or attributable to any negligence on the part of, the primary contributor, the primary contribution shall be treated—

(*a*) for the purpose of the first contribution condition of entitlement to unemployment benefit, sickness benefit, maternity grant or maternity allowance—as paid on the day on which payment is made of the earnings in respect of which the contribution is payable; and

(*b*) save as aforesaid, for the purpose of any entitlement to basic scheme benefit—as paid on the due date.

Voluntary Class 2 contributions not paid within permitted period

35. Where a person who is entitled, but not liable, to pay a Class 2 contribution under Part I of the Act fails to pay that contribution within the period within which it may be paid, and his failure is shown to the satisfaction of the Department to be attributable to ignorance or error on the part of that person which was not due to any failure on his part to exercise due care and diligence, that contribution may be paid within such further period as the Department may direct.

Treatment for the purpose of any basic scheme benefit of basic scheme contributions paid late through ignorance or error

36. In the case of a contribution under Part I of the Act (other than a Class 4 contribution) paid by or in respect of a person after the due date, where—

(*a*) the contribution is paid after the time when it would under the preceding provisions of this Part of these regulations have been treated as paid for the purpose of entitlement to basic scheme benefit, and

(*b*) it is shown to the satisfaction of the Department that the failure to pay the contribution before that time is attributable to ignorance or error on the part of that person or the person making the payment and that that ignorance or error was not due to any failure on the part of such person to exercise due care and diligence,

the Department may direct that for the purposes of the preceding provisions of this Part of these regulations the contribution shall be treated as paid on such earlier day as the Department may consider appropriate in the circumstances, and those provisions shall have effect subject to any such direction.

Payment of contributions after death of contributor

37. If a person dies, any contributions which, immediately before his death he was entitled, but not liable, to pay, may be paid, notwithstanding his death, subject, however, to the same provisions with respect to the time for payment as were applicable to that person.

PART V

COLLECTION OF CONTRIBUTIONS (OTHER THAN CLASS 4 CONTRIBUTIONS) AND RELATED MATTERS

Application for allocation of national insurance number

38.—(1) Subject to the provisions of paragraph (2) of this regulation, every person, who is over school-leaving age and satisfies the prescribed

conditions as to residence or presence in Northern Ireland, shall, unless he has already been allocated a national insurance number under the Act or under the former principal Act, apply to the Department for the allocation of a national insurance number and shall make such application at such time and in such manner as the Department shall direct.

(2) As respects any person who is neither an employed earner nor a self-employed earner the provisions of paragraph (1) shall not apply unless and until that person wishes to pay a Class 3 contribution.

(3) The Department may authorise arrangements for the allocation of a national insurance number to any person within 12 months before that person reaches school-leaving age, and in particular may direct that a person who will attain school-leaving age within 12 months after such direction shall apply for the allocation of a national insurance number before attaining school-leaving age, and any such person shall accordingly comply with such direction.

Notification of national insurance numbers to secondary contributors

39. Every employed earner, in respect of whom any person is liable to pay an earnings-related contribution, shall, on request, supply his national insurance number to that person.

Collection and recovery of earnings-related contributions

40. Subject to the provisions of the next succeeding regulation, earnings-related contributions shall be paid, accounted for and recovered in like manner as income tax deducted from the emoluments of an office or employment by virtue of regulations under section 204 (pay as you earn) of the Income and Corporation Taxes Act 1970(**f**) and in such case the provisions contained in Schedule 2 hereto, (which, with extensions and modifications, are provisions of the Income Tax (Employments) Regulations 1973(**g**)) shall apply to and for the purpose of earnings-related contributions.

Direct collection and recovery of earnings-related contributions

41. The Department may, if it thinks fit, and subject to such terms and conditions as it may impose, authorise any arrangements whereby earnings-related contributions are paid at times, or in a manner, other than those prescribed in the last preceding regulation; and the provisions of that regulation shall be without prejudice to any remedy otherwise available for the recovery of earnings-related contributions.

Special provisions relating to culpable primary contributors and to secondary contributors or, as the case may be, employers exempted by treaty etc., from enforcement of the Act or from liability under it

42.—(1) As respects any employed earner's employment—

(*a*) where there has been a failure to pay any primary contribution which a secondary contributor is, or but for the provisions of this regulation would be, liable to pay on behalf of the earner and the failure was due to an act or default of the earner and not to any negligence on the part of the secondary contributor, or

(**f**) 1970. c. 10. (**g**) S.I. 1973, No. 334.

(*b*) where the secondary contributor is a person against whom, by reason of any international treaty or convention such as is specified in Regulation 50(1) in Schedule 2 to these regulations (provisions for direct payment), the provisions of the Act are not enforceable and who is not willing to pay on behalf of the earner any contribution due in respect of earnings paid to or for the benefit of the earner in respect of that employment,

the provisions of paragraph 3(1) of Schedule 1 to the Act (method of paying Class 1 contributions) shall not apply in relation to that contribution.

(2) Where as respects any employed earner's employment the employer is a person who by reason of any such international treaty or convention as aforesaid is exempt from the provisions of the Act, he may, if he so wishes, pay contributions in respect of any earnings paid to or for the benefit of the earner in respect of the employment to the same extent to which he could have paid such contributions if he had not been so exempt.

(3) In this regulation the word "employer" has the same meaning as it has in the said Regulation 50(1).

Provisions as to application for, and custody of, contribution cards etc.

43.—(1) Every person to whom this regulation applies—

(*a*) shall apply to the Department for a contribution card, and shall obtain such card on such occasions and in such manner as the Department shall direct;

(*b*) on his obtaining or on the return to him of a contribution card in accordance with these regulations shall be responsible for its custody until it is delivered or re-delivered to a local office or retained by an inspector in accordance with regulations made under the Act;

(*c*) while responsible for the custody of the contribution card in accordance with these regulations, shall produce it for inspection at any reasonable time when requested to do so by an inspector, who may, if he thinks fit, retain it;

(*d*) shall, before the return of his contribution card in pursuance of regulation 44(2) or 45(2) of these regulations, insert thereon his then present address in the place indicated for that purpose on the contribution card;

(*e*) shall, if his contribution card is destroyed or lost, or is defaced in any material particular, apply to the Department for a new contribution card, and shall obtain such card, in such manner as the Department shall direct.

(2) When, pursuant to paragraph (1)(*c*) of this regulation, the inspector retains any stamped contribution card, he shall give a receipt for it.

(3) The persons to whom this regulation applies are any person, other than a person for whom arrangements have been approved under the provisions of regulation 46(3)(*a*) of these regulations, who is liable to pay a Class 2 contribution or who, being entitled, although not liable, to pay a Class 2 contribution, or who being entitled to pay a Class 3 contribution, wishes in either of the last two cases to do so.

Issue and currency of contribution cards

44.—(1) A contribution card shall be issued without charge to a person properly applying therefor and, when issued, shall remain the property of the Department.

(2) A contribution card shall be in such form as the Department may direct and shall be current for such period as the Department may provide and shall within 6 days, or such longer time as the Department may in any special case allow, after the date on which it ceases to be current, be returned to a local office by the person for the time being responsible in accordance with these regulations for the custody of the contribution card, and any fresh contribution card, which it may be appropriate to issue, shall thereupon be issued without charge to the person so returning the contribution card.

(3) Notwithstanding the provisions of paragraph (2) of this regulation, where the Department so directs, a contribution card may be exchanged for a fresh card at any time or in a manner other than that prescribed in this regulation.

Disposal of contribution cards

45.—(1) Subject to the provisions of the last foregoing regulation, the following provisions of this regulation shall apply in relation to the disposal of contribution cards.

(2) If a person to whom a contribution card has been issued for the purposes of enabling him to pay Class 2 or Class 3 contributions in respect of himself either ceases to be a self-employed earner and does not wish, or as the case may be, no longer wishes to pay Class 3 contributions in the period for which the contribution card has been issued, he shall forthwith return that contribution card to a local office or such other place as the Department may direct.

(3) Any person to whom a contribution card has been issued shall comply with any directions which may be given by the Department as to the sending to the local office of the contribution card.

(4) On the death of a person to whom a contribution card has been issued any person having possession or thereafter obtaining possession of that person's contribution card, shall deliver it to a local office.

Method of, and time for, payment of Class 2 and Class 3 contributions etc.

46.—(1) Every Class 2 and Class 3 contribution which is payable shall, except as hereinafter otherwise provided, be paid—

(*a*) in the case of a Class 2 contribution, by the affixing of a stamp of the appropriate value to the contribution card of the contributor in the space indicated on that card for that purpose;

(*b*) in the case of a Class 3 contribution, by the surrender to a local office or an inspector of a contribution card with stamps of the appropriate value affixed to it.

(2) Subject to the following provisions of this regulation, every person who is liable to pay a Class 2 contribution shall pay that contribution not later than the last day in the contribution week in respect of which the contribution is due.

(3)(*a*) The Department may, if it thinks fit, and subject to such terms and conditions as it may impose, approve arrangements whereby contributions are paid at times, or in a manner, other than those prescribed in the foregoing provisions of this regulation, and in particular, where during any year a person is both an employed earner and a self-employed earner and the Department is satisfied that the total amount

of Class 1 contributions which are likely to be paid by or in respect of that person will be such as to result in the amount of contributions which are likely to be paid by that person in respect of that same year exceeding the maximum amount prescribed in regulation 15(1)(*b*)(i) of these regulations, the Department may, with a view to avoiding excess payment of contributions, make special arrangements with that person as to the manner and date for any or any further payment by him of Class 2 contributions in respect of that year.

(*b*) The provisions of these regulations shall, subject to the provisions of the arrangements, apply to the person affected by the arrangements, and any contravention of, or failure to comply with, any requirements of the arrangements shall be deemed to be a contravention of or a failure to comply with these regulations.

(4) A person shall, immediately after affixing a stamp to any contribution card, cancel the stamp by writing or over-stamping in ink across the face of the stamp the date upon which it is affixed and not otherwise, but, except as may be authorised by the Department, no other writing or mark and no perforation shall at any time be made on or in, affixed to or impressed on a contribution card or stamp.

Contribution cards not to be assigned, defaced, etc.

47.—(1) No person shall assign or charge or agree to assign or charge any contribution card, and any sale, transfer or assignment of, or any charge on, any contribution card shall be void and of no effect.

(2) No person shall deface or destroy any contribution card or, save as authorised by the Department, alter, amend or erase any of the figures or particulars (other than to amend the address of the contributor) therein contained.

(3) For the purposes of this regulation, a person who removes or erases from any contribution card a stamp which has been affixed thereto, shall be deemed to have defaced that contribution card.

PART VI

CONTRIBUTION STAMPS

Adaptation of enactments

48. Those provisions of the Stamp Duties Management Act 1891(**h**), and of section 63 of the Post Office Act 1953(**i**) which, with the necessary adaptations for applying them to stamps prepared and issued for the purposes of the Act, are set out in Part I and Part II, respectively, of Schedule 3 hereto, shall apply to the said stamps.

PART VII

CLASS 4 CONTRIBUTIONS

Exception from Class 4 liability of persons more than 5 years over pensionable age and persons not resident in the United Kingdom

49. Any earner, who—

(*a*) at the beginning of a year of assessment is more than 5 years over pensionable age; or

(h) 54 & 55 Vict. c. 38. (i) 1 & 2 Eliz. 2. c. 36.

(*b*) for the purposes of income tax is not resident in the United Kingdom in the year of assessment,

shall be excepted from liability for contributions under section 5(1) of the Act (Class 4 contributions).

Exception of persons under the age of 16 *and of certain persons over pensionable age but under the age of* 65 (*women*) *and* 70 (*men*) *from liability for Class* 4 *contributions*

50.—(1) Where as respects any year of assessment a person to whom this regulation applies wishes to be excepted from liability to pay contributions under section 5(1) of the Act (Class 4 contributions) for that year, the following provisions of this regulation shall apply, subject to the provisions of regulations 54 and 55 of these regulations (certificates of exception from, and deferment of, Class 4 liability and revocation of such certificates).

(2) Any such person shall make application to the Department for a certificate of exception for that year.

(3) If it is shown to the satisfaction of the Department that the applicant is a person to whom this regulation applies and the application is made before the beginning of the year of assessment to which it relates, the Department shall issue in respect of the applicant such a certificate of exception for that year.

(4) If the application is not made until after the beginning of the year of assessment to which it relates, but is made before contributions under the said section 5(1) for that year become due and payable and it is shown to the satisfaction of the Department that the applicant is a person to whom this regulation applies, the Department may, with the agreement of the Inland Revenue (whether given generally or in the individual case), issue in respect of the applicant a certificate of exception for that year.

(5) Where under the foregoing provisions of this regulation a certificate of exception has been issued in respect of an applicant for any year of assessment, the Inland Revenue shall not collect any contributions under the said section 5(1) from the applicant for that year.

(6) This regulation applies to any person who at the beginning of the year of assessment—

(*a*) is under the age of 16; or

(*b*) is over pensionable age but under the age of 65 (in the case of a woman) or 70 (in the case of a man) and either

(i) has retired from regular employment; or

(ii) has not retired from regular employment but does not satisfy the contribution conditions for a category A retirement pension.

Exception from Class 4 *liability by reference to Class* 1 *contributions paid on earnings chargeable to income tax under Schedule D*

51.—(1) Subject to the provisions of paragraph (2) of this regulation, where in respect of earnings paid in any year of assessment an earner has paid Class 1 contributions and those earnings are chargeable to income tax under Schedule D, he shall be excepted from liability to pay contributions under section 5(1) of the Act (Class 4 contributions) on so much of his profits or gains for that year of assessment as exceed the smaller of the two money sums specified in section 5(2) of the Act and do not exceed the greater of those two money sums and equal—

(*a*) in the case of an earner who has paid such Class 1 contributions at the standard rate, the value of the Class 1 contributions so paid, multiplied by 100 and divided by the higher of the two figures specified in section 2(6)(*a*) of the Act;

(*b*) in the case of an earner who has paid such Class 1 contributions at the reduced rate, the value of the Class 1 contributions so paid, multiplied by 100 and divided by the lower of the two figures specified in the said section 2(6)(*a*).

(2) It shall be a condition of such exception from liability that the earner makes application therefor to the Department before the beginning of the year of assessment to which the application relates, or before such later date as the Department with the agreement of the Inland Revenue (whether given generally or in the individual case), may allow.

(3) Any such application shall be made in such manner as the Department may direct and, for the purpose of enabling the Department to determine whether the earner is entitled to the said exception, the earner shall furnish the Department with such information and evidence as the Department may, at the time of the application or thereafter, require.

(4) Without prejudice to the earner's right to any such exception, nothing in the foregoing provisions of this regulation shall prejudice the Department's powers under the next succeeding regulation to defer, pending the determination of the application, the earner's said liability under section 5(2) of the Act.

Deferment of Class 4 liability where such liability is in doubt

52. Where as respects any year of assessment it appears to the Department that, by virtue of the provisions of this Part of these regulations, there is doubt as to the extent, if any, of an earner's liability to pay contributions under section 5(1) of the Act (Class 4 contributions) for that year or that at the date on which any application under the next succeeding regulation (application for deferment of Class 4 liability) is made it is not possible to determine whether having regard to the provisions of these regulations the earner is or will be liable to pay such contributions for that year, the Department may issue in respect of the earner a certificate of deferment deferring that earner's liability for such contributions until such later date as the Department may direct.

Application for deferment of Class 4 liability

53.—(1) If a person wishes his liability to pay contributions under section 5(1) of the Act (Class 4 contributions) for any year of assessment to be deferred, he shall make application therefor to the Department.

(2) Any such application shall—

(*a*) be made before the beginning of that year or before such later date as the Department, with the agreement of the Inland Revenue (whether given generally or in the individual case), may allow; and

(*b*) be subject to the provisions of the next two succeeding regulations.

General conditions for application for, and issue of, certificates of exception and deferment

54.—(1) Any application made under any of the foregoing provisions of this Part of these regulations for a certificate of exception from, or deferment of, liability to pay contributions under section 5(1) of the Act (Class 4 contributions) for any particular year of assessment shall be made in such form and in such manner as the Department may approve.

(2) Any such certificate shall be in such form as may for the time being be approved by the Department with the agreement of the Inland Revenue.

(3) Any person making such application shall furnish, or cause to be furnished, to the Department such information or evidence as the Department may require for the purpose of enabling it to determine whether such a certificate should be issued in respect of that person.

(4) On the issue of such a certificate the person in respect of whom the certificate is issued shall, subject to the provisions of the next succeeding paragraph of this regulation, be excepted from liability to pay the contributions to which the certificate relates or, as the case may be, his liability for such payment shall, subject as aforesaid, be deferred.

(5) If for the purpose of obtaining a certificate of exception or deferment the person making the application furnishes or causes to be furnished to the Department information which is erroneous, or fails to furnish or cause to be furnished to the Department information which is relevant, and but for such furnishing or failure the certificate would not have been issued for any particular year of assessment—

(*a*) the Department may revoke the certificate in so far as it relates to that year, and

(*b*) the person who made the application shall be liable to pay contributions under the said section 5(1) for that year to the extent to which he would have been so liable if the certificate had not been issued.

Revocation of certificates of exception and deferment

55. Where under the provisions of paragraph (5)(*a*) of the last preceding regulation the Department revokes a certificate of exception or deferment—

(*a*) the Department and not the Inland Revenue shall be responsible for calculating the contributions due under section 5(1) of the Act for the year specified in paragraph (5)(*b*) of that regulation (being the current or a past year) and for the collection of those contributions;

(*b*) the applicant shall—

(i) furnish, or cause to be furnished, to the Department all such information or evidence as the Department may require for the purpose of calculating the said contributions and,

(ii) within such period as the Department may direct, pay to the Department the contributions so calculated.

Calculation of liability for, and recovery of, Class 4 contributions after issue of certificate of deferment

56.—(1) Where a certificate of deferment has been issued in respect of any earner under the foregoing provisions of this Part of these regulations—

(*a*) the profits or gains of that earner in respect of which contributions would be payable under section 5(1) of the Act (Class 4 contributions) but for the issue of the certificate of deferment shall be assessed under the Income Tax Acts for each year to which the certificate relates in all respects as if no such certificate had been issued, provided that (without prejudice to the validity of the assessment of the amount of the earner's profits or gains and his right to appeal against the assessment) no figure representing contributions payable shall be shown in any such assessment or on any notice of such assessment nor shall any of the provisions of the Income Tax Acts (as applied or modified by section 5(3) of and Schedule 2 to the Act) as to collection, repayment or recovery apply to any such assessment;

(*b*) the Department shall be responsible for the calculation, administration and recovery of Class 4 contributions ultimately payable in respect of the profits or gains so assessed for any year of assessment to which the certificate of deferment relates.

(2) Any such calculation shall be subject to the provisions of regulation 51 of these regulations (exception from Class 4 liability by reference to Class 1 contributions paid on earnings chargeable to income tax under Schedule D) and of regulation 57 thereof (annual maximum of Class 4 contributions) and for the purpose of the said calculation where the total amount of the profits or gains for any year of assessment to which the said certificate relates includes a fraction of £1·00, that fraction shall be disregarded.

(3) For the purpose of enabling the Department to make the said calculation, the Inland Revenue shall, subject to the limitation imposed by the provisions of section 5(8) of the Act (certification by the Inland Revenue of a person's profits or gains, but no such certificate to relate to a person's profits or gains so far as they exceed the higher of the two money sums specified in section 5(2) of the Act) and to the provisions of the next succeeding paragraph, at the request of the Department certify to the Department and the earner the amount of that earner's profits or gains (as computed under Schedule 2 to the Act) for each such year.

(4) Notwithstanding the provisions of the last preceding paragraph, the Inland Revenue shall not be required to certify the said amount unless the assessment made under this regulation has become final and conclusive or, if an appeal is pending against the said assessment,

(*a*) the Inland Revenue and the earner have come to an agreement, whether in writing or otherwise, or

(*b*) it appears to the General Commissioners or the Special Commissioners within the meaning of the Income Tax Acts, as the case may be,

that the amount of the earner's profits or gains so computed is not less than the higher of the two money sums specified in section 5(2) of the Act.

(5) The Department on making the said calculation shall give notice to the earner of the amount of the contributions due from him under section 5(1) of the Act for each year to which the certificate of deferment relates.

(6) The earner shall thereupon pay to the Department those contributions within the period of 28 days from the receipt of the notice from the Department, unless before the expiry of that period the earner—

(*a*) has appealed out of time or made a claim or appealed against the decision on a claim made under the Income Tax Acts on any matter concerning the amount of the profits or gains certified as aforesaid and has notified the Department accordingly; or

(*b*) has raised a question under section 84(1)(*b*)(ii) of the Act (Department's questions) relating to those contributions.

(7) If the amount of any assessment made under this regulation for any year is altered for any reason, or if a further assessment is made in respect of that year, subsequently to the certification by the Inland Revenue of the amount of an earner's profits or gains computed in accordance with the provisions of this regulation and that alteration or further assessment affects the amount of the earner's profits or gains so computed the Inland Revenue shall forthwith, or in the case of a further assessment when that further assessment has become final and conclusive, certify to the Department and the earner the altered amount of the earner's profits or gains.

Annual maximum of Class 4 contributions due under section 5(1) of the Act

57. Where for any year there are payable by or in respect of an earner Class 4 contributions under section 5(1) of the Act and also primary Class 1 or Class 2 contributions or both primary Class 1 and Class 2 contributions, the liability of that earner for such Class 4 contributions for that year shall (without prejudice to his liability in the first instance for the full amount payable apart from this regulation) not exceed such amount as, when added to the amount of such other of the said contributions as are ultimately payable by or in respect of him for that year, equals in value the sum of the amount which, but for the provisions of this regulation, would be payable by that earner on profits or gains equal to the higher of the two money sums specified in section 5(2) of the Act and 53 times the amount of a Class 2 contribution payable for that year.

Disposal of Class 4 contributions under section 5(1) of the Act which are not due

58. Where for any year of assessment any payment is made by an earner as on account of contributions under section 5(1) of the Act (Class 4 contributions) and

(*a*) a certificate of exception is issued for that year, or would have been so issued if application had been made therefor before the beginning of that year; or

(*b*) that payment is made in error in circumstances in which the contributions so paid do not fall to be refunded by the Inland Revenue; or

(*c*) the payment is in excess of the amount which, subject to any exception under regulation 51 of these regulations, is due from that earner for that year or would have been so due if application for exception had been made under that regulation before the beginning of that year; or

(*d*) the payment is in excess of the amount calculated in accordance with the last preceding regulation (annual maximum);

the Department may treat that payment as made on account of other contributions properly payable by that person under the Act.

Repayment of Class 4 contributions under section 5(1) of the Act which are not due

59.—(1) Subject to the following provisions of this regulation, any payment such as is specified in the last foregoing regulation shall, except in so far as it is, under that regulation, treated by the Department as made on account of contributions under Part I of the Act, be repaid by the Department to the earner, unless the net amount of such repayment would not exceed in value £0·50.

(2) It shall be a condition of the said repayment that—

(*a*) the earner makes application for the said repayment in such form and in such manner as the Department may determine, and

(*b*) the said application is made within a period of 6 years from the end of the year of assessment in respect of which the payment was made or within a period of 2 years from the end of the year in which the payment was made.

Husband and wife

60. Where by virtue of paragraph 4 of Schedule 2 to the Act (husband's liability for wife's Class 4 contributions) a husband is liable to pay a Class 4 contribution in respect of the profits or gains of his wife, the foregoing provisions of this Part of these regulations, except in so far as they relate to assessment, appeals or claims under the Income Tax Acts or certification by the Inland Revenue, shall apply as if the wife were separately assessed within the meaning of that paragraph.

Service of notice by post

61. Any notice which under this Part of these regulations the Department is required to give may be sent by post.

Special transitional provision

62. For the purpose of facilitating the introduction of the basic scheme in relation to exception from, and deferment of, liability for Class 4 contributions, any application for such exception or deferment in respect of the year of assessment beginning on the appointed day shall be made before that day and for that purpose the provisions of regulations 50 to 55 of these regulations shall apply.

PART VIII

GENERAL (CONTRIBUTIONS) TRANSITIONAL PROVISIONS

Contribution week immediately preceding the appointed day

63. For the purposes of the former principal Act the period of 6 days which begins on 31st March 1975 and ends on 5th April 1975 shall be a contribution week.

Provisions relating to remuneration received on or after the appointed day in respect of employment before that day

64.—(1) Where a payment of remuneration is made on or after the appointed day, other than a payment to which regulation 12 of the National Insurance (Assessment of Graduated Contributions) Regulations (Northern Ireland) 1973(j) (abnormal pay practices) applies, in respect of employment during a period before that day the following provisions of this regulation shall apply.

(2) Subject to the provisions of paragraph (3) of this regulation, if the employment during the period before the appointed day would, if the Act had then been in force, have been employed earner's employment, and either—

(j) S.R. & O. (N.I.) 1973, No. 226.

(*a*) the employment has ended before that day, but there was no requirement under the former principal Act or the regulations made thereunder to pay contributions under section 3 of that Act (flat-rate contributions) before that day in respect of the person employed in the employment, or, as the case may be, that part of that employment for which the payment of remuneration is made, or

(*b*) the employment has not ended before that day,

the payment specified in paragraph (1) of this regulation shall be treated as earnings in respect of employed earner's employment, and, except in so far as provided in the next succeeding regulation, the provisions of the Act and regulations made thereunder relating to liability for, assessment (including earnings periods), payment, collection and recovery of basic scheme contributions shall apply to the said payment and employment in respect of which the payment is made as if the employment had occurred on or after the appointed day.

(3) Where the payment specified in paragraph (1) of this regulation is made to the person employed in an employment specified in paragraph (2)(*a*) of this regulation (other than an employment as a self-employed person within the meaning of the former principal Act) and that payment is by way of addition to a payment made to him before the appointed day in respect of the same employment during the same period, that payment shall (whether or not there was any requirement such as is specified in the said paragraph (2)(*a*) with regard to the payment of contributions before the appointed day) also be treated as a payment of earnings in respect of an employed earner's employment and the provisions of the Act and regulations made thereunder as specified in the last foregoing paragraph shall apply in respect of that payment.

(4) Subject to the provisions of regulation 66 of these regulations, where in respect of remuneration specified in paragraph (1) of this regulation contributions under the Act are payable by virtue of the foregoing provisions of this regulation in respect of any employment during a period before the appointed day no contribution in respect of that employment shall be payable under section 3 of the former principal Act (flat-rate contributions) or, as the case may be, under the Industrial Injuries Act for the period in respect of which the payment of remuneration is made, unless it is a contribution which under the provisions of the former principal Act or, as the case may be, the Industrial Injuries Act, was required to be paid before the appointed day.

(5) For the avoidance of doubt, the reference in paragraphs (2)(*a*) and (4) of this regulation to contributions payable under section 3 of the former principal Act shall include any contributions payable under section 1 of the Health Service Contributions Act (Northern Ireland) 1966(**k**) and section 37 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(**l**).

Earnings period for contributions payable under regulation 64(2) of these regulations in respect of employment which ended before the appointed day

65. For the purposes of contributions payable under paragraph (2) of the last preceding regulation, where the employment has ended before the appointed day and

(**k**) 1966. c. 7 (N.I.). (**l**) 1965. c. 19 (N.I.).

(*a*) was employed contributor's employment within the meaning of the former principal Act; and

(*b*) the payment of remuneration made on or after that day for that employment is not made at the shortest interval at which payment of remuneration for that employment would normally be made and does not fall to be aggregated under or by virtue of the provisions of the Act with a payment made at the shortest regular interval of payment,

the earnings period shall, in relation to that payment, be treated as one week.

Contributions treated as paid under the former principal Act

66.—(1) Subject to the provisions of paragraphs (2) and (3) of this regulation, where by virtue of paragraph (2) of regulation 64 of these regulations, in so far as that paragraph relates to employment which under the former principal Act was employed contributor's employment, contributions are payable in accordance with the provisions of the Act, a contribution under section 3(*a*) of the former principal Act (flat-rate contributions), at the rate appropriate to a person who is not in a non-participating employment, shall also be treated as paid by the person employed in the employment, or, as the case may be, that part of that employment, for which payment of the remuneration is made, for each week beginning before the appointed day in the period of the employment for which that payment is made, other than a week for which a contribution under section 3 of the former principal Act is payable by or on behalf of the earner, or has been credited to him as an employed or self-employed person under the former principal Act.

(2) Where under the foregoing provisions of this regulation more than one contribution is treated as paid by any person for any week, not more than one such contribution shall be taken into account for any purpose, and where under those provisions a contribution is treated as paid by any person for a week in respect of which a contribution as a non-employed person has been credited to him under the former principal Act the contribution as a non-employed person shall be disregarded.

(3) Subject to the provisions of regulation 63 of these regulations, in this regulation the expression "week" means a contribution week within the meaning of the former principal Act.

Return of insurance cards and emergency cards

67. Any insurance card issued under the former principal Act in respect of any period ending immediately before the appointed day and any emergency card issued under that Act shall within 6 days or such longer time as the Department may in any special case allow, after the appointed day, be returned to a local office by the person who immediately before the appointed day is, under the provisions of the National Insurance and Industrial Injuries (Collection of Contributions) Regulations (Northern Ireland) 1948(**m**), as amended(**n**), responsible for the custody of that card.

(**m**) S.R. & O. (N.I.) 1948, No. 258.
(**n**) The amending regulations are not relevant to the subject matter of this regulation.

Recovery of unpaid contributions

68.—(1) For the purposes of enabling unpaid contributions under the former legislation to be recovered, where a person is convicted of an offence mentioned in paragraph 7 or 8(*a*) of Schedule 23 to the Act, subject to the provisions of the next succeeding paragraph of this regulation, the provisions of paragraphs 9 and 11 to 13 of the said Schedule shall apply as if the references therein to contributions or premiums under the Act, were references to contributions under the former legislation.

(2) For the purposes specified in the foregoing provisions of this regulation—

(*a*) sub-paragraph (3) of paragraph 9 of Schedule 23 to the Act shall apply with the modification that for the words "such contributions or premiums" there shall be substituted the words "contributions in respect of an employed person under the former legislation"; and

(*b*) sub-paragraph (4) of the said paragraph 9 shall apply with the modification that for the words "such contributions" there shall be substituted the words "contributions as a self-employed or non-employed person within the meaning of the former principal Act".

(3) In this regulation the words "the former legislation" and "contributions" have the same meaning as those words have in paragraph 3 of Schedule 26 to the Act.

Appropriation and savings

69.—(1) Any payment made by a person after the appointed day in respect of any contributions payable under the Act and the former principal Act may, if not expressly or impliedly appropriated by that person to contributions under those Acts and if such appropriation cannot reasonably be obtained, be appropriated under either or both of those Acts by the Department in such manner as it may direct having regard to the best interests of the person or persons in respect of whom the payments are made.

(2) For the purposes of facilitating the winding up of the system of insurance under the former principal Act and the disposal of matters connected with that system there shall continue in force the enactments specified in the first column of Part I of Schedule 4 to these regulations and the regulations specified in column 2 of Part II of that Schedule.

PART IX

MISCELLANEOUS PROVISIONS

Treatment of contribution week falling into 2 income tax years

70. For the purposes of Class 2 contributions where a contribution week falls partly in one year and partly in another, it shall be treated as falling wholly within the year in which it begins.

Breach of regulations

71. If any person contravenes or fails to comply with any requirement of these regulations in respect of which no special penalty is provided, he shall, for each offence, be liable on summary conviction to a penalty not exceeding £50 or, where the offence consists of continuing any such contravention or failure after conviction thereof, £10 for each day on which it is so continued.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland this 4th day of September 1974.

(L.S.)

C. G. Oakes,
Assistant Secretary.

The Commissioners of Inland Revenue hereby concur.

By Order of the Commissioners of Inland Revenue.

Anne Smallwood,
Secretary.

9th September 1974.

SCHEDULE 1 Regulation 7

EARNINGS-RELATED CONTRIBUTIONS

PART I

WEEKLY SCALE

Column 1 Payments of Earnings	Column 2 Primary Contributions at Standard Rate	Column 3 Primary Contributions at Reduced Rate	Column 4 Secondary Contributions
£	£	£	£
8·00	0·43	0·05	0·62
8·50	0·46	0·05	0·66
9·00	0·49	0·06	0·69
9·50	0·51	0·06	0·73
10·00	0·54	0·06	0·77
10·50	0·56	0·06	0·81
11·00	0·59	0·07	0·84
11·50	0·62	0·07	0·88
12·00	0·64	0·07	0·92
12·50	0·67	0·08	0·96
13·00	0·70	0·08	0·99
13·50	0·72	0·08	1·03
14·00	0·75	0·09	1·07
14·50	0·77	0·09	1·11
15·00	0·80	0·09	1·14
15·50	0·83	0·09	1·18
16·00	0·85	0·10	1·22
16·50	0·88	0·10	1·26
17·00	0·91	0·10	1·29
17·50	0·93	0·11	1·33
18·00	0·96	0·11	1·37
18·50	0·98	0·11	1·41
19·00	1·01	0·12	1·44
19·50	1·04	0·12	1·48
20·00	1·06	0·12	1·52
20·50	1·09	0·12	1·56
21·00	1·12	0·13	1·59
21·50	1·14	0·13	1·63
22·00	1·17	0·13	1·67
22·50	1·19	0·14	1·71
23·00	1·22	0·14	1·74
23·50	1·25	0·14	1·78
24·00	1·27	0·15	1·82
24·50	1·30	0·15	1·86
25·00	1·33	0·15	1·89
25·50	1·35	0·15	1·93
26·00	1·38	0·16	1·97
26·50	1·40	0·16	2·01
27·00	1·43	0·16	2·04
27·50	1·46	0·17	2·08
28·00	1·48	0·17	2·12
28·50	1·51	0·17	2·16
29·00	1·54	0·18	2·19
29·50	1·56	0·18	2·23
30·00	1·59	0·18	2·27

Column 1 Payments of Earnings	Column 2 Primary Contributions at Standard Rate	Column 3 Primary Contributions at Reduced Rate	Column 4 Secondary Contributions
£	£	£	£
30·50	1·61	0·18	2·31
31·00	1·64	0·19	2·34
31·50	1·67	0·19	2·38
32·00	1·69	0·19	2·42
32·50	1·72	0·20	2·46
33·00	1·75	0·20	2·49
33·50	1·77	0·20	2·53
34·00	1·80	0·21	2·57
34·50	1·82	0·21	2·61
35·00	1·85	0·21	2·64
35·50	1·88	0·21	2·68
36·00	1·90	0·22	2·72
36·50	1·93	0·22	2·76
37·00	1·96	0·22	2·79
37·50	1·98	0·23	2·83
38·00	2·01	0·23	2·87
38·50	2·03	0·23	2·91
39·00	2·06	0·24	2·94
39·50	2·09	0·24	2·98
40·00	2·11	0·24	3·02
40·50	2·14	0·24	3·06
41·00	2·17	0·25	3·09
41·50	2·19	0·25	3·13
42·00	2·22	0·25	3·17
42·50	2·24	0·26	3·21
43·00	2·27	0·26	3·24
43·50	2·30	0·26	3·28
44·00	2·32	0·27	3·32
44·50	2·35	0·27	3·36
45·00	2·38	0·27	3·39
45·50	2·40	0·27	3·43
46·00	2·43	0·28	3·47
46·50	2·45	0·28	3·51
47·00	2·48	0·28	3·54
47·50	2·51	0·29	3·58
48·00	2·52	0·29	3·60

PART II

MONTHLY SCALE

Column 1 Payments of Earnings	Column 2 Primary Contributions at Standard Rate	Column 3 Primary Contributions at Reduced Rate	Column 4 Secondary Contributions
£	£	£	£
34·67	1·85	0·21	2·65
36·00	1·94	0·22	2·77
38·00	2·05	0·23	2·92
40·00	2·15	0·25	3·07
42·00	2·26	0·26	3·22
44·00	2·36	0·27	3·37
46·00	2·47	0·28	3·52
48·00	2·57	0·29	3·67
50·00	2·68	0·31	3·82
52·00	2·78	0·32	3·97
54·00	2·89	0·33	4·12
56·00	2·99	0·34	4·27
58·00	3·10	0·35	4·42
60·00	3·20	0·37	4·57
62·00	3·31	0·38	4·72
64·00	3·41	0·39	4·87
66·00	3·52	0·40	5·02
68·00	3·62	0·41	5·17
70·00	3·73	0·43	5·32
72·00	3·83	0·44	5·47
74·00	3·94	0·45	5·62
76·00	4·04	0·46	5·77
78·00	4·15	0·47	5·92
80·00	4·25	0·49	6·07
82·00	4·36	0·50	6·22
84·00	4·46	0·51	6·37
86·00	4·57	0·52	6·52
88·00	4·67	0·53	6·67
90·00	4·78	0·55	6·82
92·00	4·88	0·56	6·97
94·00	4·99	0·57	7·12
96·00	5·09	0·58	7·27
98·00	5·20	0·59	7·42
100·00	5·30	0·61	7·57
102·00	5·41	0·62	7·72
104·00	5·51	0·63	7·87
106·00	5·62	0·64	8·02
108·00	5·72	0·65	8·17
110·00	5·83	0·67	8·32
112·00	5·93	0·68	8·47
114·00	6·04	0·69	8·62
116·00	6·14	0·70	8·77
118·00	6·25	0·71	8·92
120·00	6·35	0·73	9·07
122·00	6·46	0·74	9·22
124·00	6·56	0·75	9·37
126·00	6·67	0·76	9·52
128·00	6·77	0·77	9·67
130·00	6·88	0·79	9·82

Column 1 Payments of Earnings	Column 2 Primary Contributions at Standard Rate	Column 3 Primary Contributions at Reduced Rate	Column 4 Secondary Contributions
£	£	£	£
132·00	6·98	0·80	9·97
134·00	7·09	0·81	10·12
136·00	7·19	0·82	10·27
138·00	7·30	0·83	10·42
140·00	7·40	0·85	10·57
142·00	7·51	0·86	10·72
144·00	7·61	0·87	10·87
146·00	7·72	0·88	11·02
148·00	7·82	0·89	11·17
150·00	7·93	0·91	11·32
152·00	8·03	0·92	11·47
154·00	8·14	0·93	11·62
156·00	8·24	0·94	11·77
158·00	8·35	0·95	11·92
160·00	8·45	0·97	12·07
162·00	8·56	0·98	12·22
164·00	8·66	0·99	12·37
166·00	8·77	1·00	12·52
168·00	8·87	1·01	12·67
170·00	8·98	1·03	12·82
172·00	9·08	1·04	12·97
174·00	9·19	1·05	13·12
176·00	9·29	1·06	13·27
178·00	9·40	1·07	13·42
180·00	9·50	1·09	13·57
182·00	9·61	1·10	13·72
184·00	9·71	1·11	13·87
186·00	9·82	1·12	14·02
188·00	9·92	1·13	14·17
190·00	10·03	1·15	14·32
192·00	10·13	1·16	14·47
194·00	10·24	1·17	14·62
196·00	10·34	1·18	14·77
198·00	10·45	1·19	14·92
200·00	10·55	1·21	15·07
202·00	10·66	1·22	15·22
204·00	10·76	1·23	15·37
206·00	10·87	1·24	15·52
208·00	10·92	1·25	15·60

SCHEDULE 2 Regulation 40

CONTAINING THE PROVISIONS OF THE INCOME TAX (EMPLOYMENTS) REGULATIONS 1973 AS THEY APPLY TO EARNINGS-RELATED CONTRIBUTIONS UNDER PART I OF THE SOCIAL SECURITY ACT 1973

PART I

GENERAL

Interpretation

2.—(1) In this Schedule, unless the context otherwise requires—

"the Act" means the Social Security Act 1973;

"aggregated" means aggregated and treated as a single payment under paragraph 1(1) of Schedule 1 to the Act;

"allowable superannuation contributions" means any sum paid by an employee by way of contribution towards a superannuation fund or scheme which is allowed to be deducted as an expense under Schedule E;

"Collector" means a Collector of Taxes;

"deduction card" means a deduction card in the form prescribed or approved by the Commissioners of Inland Revenue or such other document as may be authorised by those Commissioners as a deduction card;

"the Department" means the Department of Health and Social Services for Northern Ireland;

"emoluments" means so much of a person's remuneration or profit derived from employed earner's employment as constitutes earnings for the purposes of the Act;

"employed earner" and "employed earner's employment" have the same meaning as in the Act;

"employee" means any person in receipt of emoluments;

"employer" means any person paying emoluments;

"earnings-related contributions" means contributions payable under Part I of the Act by or in respect of an employed earner in respect of employed earner's employment;

"income tax month" means the period beginning on the 6th day of any calendar month and ending on the 5th day of the following calendar month;

"Inspector" means an Inspector of Taxes;

"national insurance number" has the meaning assigned to it in regulation 1(2) of the Main Regulations;

"year" means income tax year;

references to "the Main Regulations" shall be references to the provisions of this instrument other than the provisions of this Schedule, and references to any regulation of the Main Regulations shall be construed accordingly, but, save as aforesaid, references to a Regulation or to "these Regulations" shall be references to a provision or, as the case may be, provisions contained in this Schedule and other expressions have the same meaning as in the Income Tax Acts.

Intermediate employers

3.—(1) Where an employee works under the general control and management of a person who is not his immediate employer, that person (referred to in this Regulation as "the principal employer") shall be deemed to be the employer for the purpose of these Regulations, and the immediate employer shall furnish the principal employer with such particulars of the employee's emoluments as may be necessary to enable the principal employer to comply with the provisions of these Regulations.

(2) If the employee's emoluments are actually paid to him by the immediate employer—

(*a*) the immediate employer shall be notified by the principal employer of the amount of earnings-related contributions which may be deducted when the emoluments are paid to the employee, and may deduct the amount so notified to him accordingly; and

(*b*) the principal employer may make a corresponding deduction on making to the immediate employer the payment out of which the said emoluments will be paid.

Employers' earnings-related contributions

3A. If under these Regulations a person is required to pay any earnings-related contributions which, under section 2(3) of the Act, another person is liable as employer to pay, his payment thereof shall be made as agent for that other person.

Inspectors and Collectors

4A. Any legal proceedings or administrative act authorised by or done for the purposes of these Regulations and begun by one Inspector or Collector may be continued by another Inspector or, as the case may be, another Collector; and any Inspector or Collector may act for any division or other area.

Service by post

5. Any notice or deduction card which is authorised or required to be given, served or issued under these Regulations may be sent by post.

PARTS II AND III

DEDUCTION OF EARNINGS-RELATED CONTRIBUTIONS

Deduction of earnings-related contributions

6.—(1) Every employer, on making any payment of emoluments during any year to any employee in respect of whom he holds a deduction card for that year, may deduct earnings-related contributions in accordance with these Regulations.

(2) An employer shall not be entitled to recover any earnings-related contributions paid or to be paid by him on behalf of any employee otherwise than by deduction in accordance with these Regulations.

Calculation of deduction

13.—(1) Subject to the provisions of paragraph (1A) of this Regulation, on making any payment of emoluments to the employee, the employer may deduct from those emoluments the amount of the earnings-related contributions based thereon which the employee is liable to pay under section 2(3) of the Act.

(1A) Where two or more payments of emoluments fall to be aggregated the employer may deduct the amount of the earnings-related contributions based thereon which are payable by the employee either wholly from one such payment or partly from one and partly from the other or any one or more of the others.

(2A) If by reason of an error made in good faith the employer on making any payment of emoluments to an employee fails to deduct therefrom the full amount of earnings-related contributions which by virtue of these Regulations he is entitled to deduct, he may, subject to the provisions of the next succeeding paragraph of this Regulation, recover the amount so underdeducted by deduction from any subsequent payment of emoluments to that employee during the same year.

(3A) For the purposes of the provisions of the preceding paragraph of this Regulation—

(*a*) the amount which by virtue of the provisions of that paragraph may be deducted from any payment, or from any payments which fall to be aggregated, shall be in addition to but shall not exceed the amount deductible therefrom under the other provisions of these Regulations; and

(*b*) for the purposes of Part IV of these Regulations an additional amount which may be deducted by virtue of the provisions of that paragraph shall be treated as an amount deductible under these Regulations only in so far as the amount of the corresponding underdeduction has not been so treated.

(6) The employer shall, subject to the provisions of paragraphs (6A) and (6B) of this Regulation, record, either on the deduction card or in such other form as may be authorised by the Commissioners of Inland Revenue or, as the case may be, the Department, the name and national insurance number of the employee, the appropriate category letter from time to time being in relation to the employee, being the appropriate category letter indicated by the Department and the following particulars regarding every payment of emoluments which he makes to the employee, namely—

(*a*) the date of payment;

(*b*) the amount of—

(i) the emoluments (excluding any allowable superannuation contributions);

(ii) all the earnings-related contributions payable on the emoluments otherwise than under paragraph (2A) of this Regulation;

(iii) the primary Class 1 contributions included in the amount recorded under head (ii).

(6A) Where allowable superannuation contributions are paid by or on behalf of the employee, such contributions shall be separately recorded by the employer.

(6B) Where 2 or more payments of emoluments fall to be aggregated, the employer, instead of recording under heads (ii) and (iii) of paragraph (6)(*b*) of this Regulation separate amounts in respect of each such payment, shall under each head record a single amount, being the total of the contributions appropriate to the description specified in that head, in respect of the aggregated payments.

(6C) Where the employer does not record on a deduction card the information specified in the last 3 preceding paragraphs of this Regulation, he shall retain the information in the form authorised by the Commissioners of Inland Revenue or, as the case may be, the Department, for a period of 3 years after the end of the income tax year in which the emoluments were paid.

Employee for whom deduction card not held

20.—(1) If the employer makes any payment of emoluments to an employee in respect of whom he does not hold a deduction card and that payment is a payment of emoluments in respect of which earnings-related contributions are payable, he may deduct the amount of the earnings-related contributions based thereon which are payable by the employee and shall keep records on a deduction card which he shall prepare for the purpose, and shall do likewise on making any subsequent payment of emoluments to the employee.

PART IV

PAYMENT AND RECOVERY OF EARNINGS-RELATED CONTRIBUTIONS, ETC.

Payment of earnings-related contributions by employer

26.—(1) Within 14 days of the end of every income tax month the employer shall pay to the Collector all amounts of earnings-related contributions due in respect of emoluments paid by him during that income tax month, other than amounts deductible by virtue of Regulation 13(1A) which he did not deduct:

Provided that—

(*a*) the employer shall for the purposes of this paragraph be deemed to have deducted from the last of any number of payments of emoluments which fall to be aggregated the amount of earnings-related contributions deductible from those payments which he did not deduct from the earlier payments; and

(*b*) where the Inspector has authorised the employer to deduct income tax from each payment of emoluments which he makes to an employee who is in receipt of a fixed salary or wage by reference only to the amount of that payment, payment to the Collector under this paragraph shall be made quarterly, that is to say, the earnings-related contributions deductible during the first 3 income tax months in any year shall be paid together with the corresponding employer's contributions not later than 19th July in that year, the earnings-related contributions deductible during the second 3 income tax months shall be paid together with the corresponding employer's contributions not later than 19th October, and so on.

(2) The Collector shall if so requested give the employer a receipt for the total amount so paid, provided that no separate receipt need be given for earnings-related contributions only if a receipt is given for the total amount of earnings-related contributions and any tax paid at the same time.

(3) If the employer, by reason of an error made in good faith, has paid to the Collector on account of earnings-related contributions under this Regulation an amount which he was not liable so to pay, the amounts which he is liable so to pay subsequently, in respect of other payments of emoluments made by him during the same year, shall be reduced by the amount so overpaid, so however that if there was a corresponding overdeduction from any payment of emoluments to an employee the provisions of this paragraph shall apply only in so far as the employer has accounted to the Collector therefor.

Employer failing to pay earnings-related contributions.

27.—(1) If within 14 days of the end of any income tax month the employer has paid no amount of earnings-related contributions to the Collector under Regulation 26 for that income tax month and the Collector is unaware of the amount, if any, which the employer is liable so to pay, the Collector may give notice to the employer requiring him to render, within the time limited in the notice, a return showing the name and category letter of every employee to whom he made any payment of emoluments in the period from the preceding 6th April to the day (being the last day of an income tax month) specified by the notice, together with such particulars with regard to each such employee as the notice may require, being particulars of—

(*b*) the payments of emoluments made to him during that period; and

(*c*) the total amount of the earnings-related contributions which the employer was entitled to deduct during that period, and any matter affecting the calculation of that amount.

(2) The Collector shall ascertain and certify the amount of earnings-related contributions which the employer is liable to pay to him in respect of the income tax month in question.

(3) The production of the certificate of the Collector under paragraph (2) of this Regulation shall, unless the contrary is proved, be sufficient evidence that the amount shown in the said certificate is the amount of earnings-related contributions which the employer is liable to pay to the Collector in respect of the income tax month in question; and any document purporting to be such a certificate as aforesaid shall be deemed to be such a certificate until the contrary is proved.

(4) Where a notice given by the Collector under paragraph (1) of this Regulation extends to two or more consecutive income tax months, the provisions of these Regulations shall have effect as if the said consecutive income tax months were one income tax month.

(5) A notice may be given by the Collector under paragraph (1) of this Regulation notwithstanding that an amount of earnings-related contributions has been paid to him by the employer under Regulation 26 for any income tax month, if the Collector is not satisfied that the amount so paid is the full amount which the employer is liable to pay to him for that month, and the provisions of this Regulation shall have effect accordingly.

Recovery of earnings-related contributions

28.—(1) The provisions of the Income Tax Acts and of any Regulations under section 204 (pay as you earn) of the Income and Corporation Taxes Act 1970(o) relating to the recovery of tax shall apply to the recovery of any amount of earnings-related contributions which an employer is liable to pay to the Collector for any income tax month under Regulation 26 as if the said amount had been tax which the employer was liable to pay to the Collector for that month under that section or under any such Regulations:

Provided that, in the application to any proceedings taken by virtue of this Regulation of any such provisions limiting the amount which is recoverable therein, there shall be disregarded any amount of tax which may by virtue of the following paragraph be included as part of the cause of action or matter of complaint in those proceedings.

(2) Proceedings may be brought for the recovery of the total amount of earnings-related contributions or of earnings-related contributions and of tax which, in either such case, the employer is liable to pay as aforesaid for any income tax month, without specifying the respective amounts of earnings-related contributions and of tax or distinguishing the amounts which he is liable to pay in respect of each employee and without specifying the employees in question, and for the purposes of proceedings under section 66 of the Taxes Management Act 1970(p) (including proceedings under that section as applied by the provisions of this Regulation), and for the purposes of summary proceedings the said total amount shall, subject to the provisions of the proviso to paragraph (1) of this Regulation, be one cause of action or one matter of complaint; but nothing in this paragraph shall prevent the bringing of separate proceedings for the recovery of each of the several amounts of earnings-related contributions and of tax which the employer is liable to pay as aforesaid for any income tax month in respect of his several employees.

Return by employer at end of year

30.—(1) Not later than 14 days after the end of the year the employer shall render to the Collector in such form as the Commissioners of Inland Revenue may approve or prescribe, a return in respect of each employee containing such particulars as the said Commissioners may require for the identification of the employee and showing in respect of each and under each of the category letters the total amounts for the year shown under heads (ii) and (iii) severally of Regulation 13(6)(*b*) of these Regulations.

(2) The said returns shall be accompanied by a statement and declaration in the form approved or prescribed by the Commissioners of Inland Revenue containing a list of all deduction cards issued by the Inspector to the employer or prepared by the employer in accordance with Regulations in respect of that year, together with a certificate showing—

(*a*) the total amount of earnings-related contributions paid by him in respect of each employee during that year; and

(o) 1970. c. 10. (p) 1970. c. 9.

(*b*) the total amount of earnings-related contributions paid by him in respect of all his employees during that year.

(3) Where the employer is a body corporate, the declaration and the certificate referred to in paragraph (2) shall be signed by the secretary or by a director of the body corporate.

(5) A return shall be made under this Regulation in respect of every employee in respect of whom a deduction card has been either issued to the employer by the Inspector or prepared by the employer in accordance with Regulations, or to whom the employer has at any time during the year made a payment of emoluments in respect of which earnings-related contributions were payable.

(6) If within 14 days of the end of any year an employer has failed to pay to the Collector the total amount of earnings-related contributions which he is liable so to pay, the Collector may prepare a certificate showing the amount of earnings-related contributions remaining unpaid for that year. To the amount shown in the said certificate the provisions of paragraphs (1) and (2) of Regulation 28 shall with any necessary modifications apply.

(6A) Notwithstanding the foregoing provisions of this Regulation, the return referred to in paragraph (1) of this Regulation may be made in such other form as the Department may, with the agreement of the Commissioners of Inland Revenue and the employer, approve, and in that case—

(*a*) the foregoing provisions of this Regulation shall not apply;

(*b*) the making of the return shall be subject to such conditions as the Department may direct as to the method of making it; and

(*c*) the return shall be made to the Department and not to the Collector.

Inspection of employer's records

32.—(1) Every employer, whenever called upon to do so by an officer authorised by the Department or by the Commissioners of Inland Revenue, shall produce to that officer for inspection, at the employer's premises—

(*a*) all wages sheets, deduction cards, and other documents and records whatsoever relating to the calculation or payment of the emoluments of his employees in respect of the years specified by such officer or to the deduction of earnings-related contributions or the calculation of the earnings-related contributions deductible from such emoluments; or

(*b*) such of those wages sheets, deduction cards or other documents and records as may be specified by the authorised officer.

(2) The Collector by reference to the information obtained from an inspection of the documents and records produced under paragraph (1) may on the occasion of each inspection prepare a certificate showing—

(*a*) the amount of earnings-related contributions which it appears from the documents and records so produced that the employer is liable to pay to the Collector for the years or income tax months covered by the inspection; and

(*b*) any amount of such earnings-related contributions which has not been paid to him or, to the best of his knowledge and belief, to any other person to whom it might lawfully be paid.

(3) The production of a certificate such as is mentioned in paragraph (2) shall, unless the contrary is proved, be sufficient evidence that the employer is liable to pay to the Collector in respect of the years or as the case may be, income tax months mentioned in the certificate the amount shown therein pursuant to paragraph (2)(*b*); and any document purporting to be such a certificate as aforesaid shall be deemed to be such a certificate until the contrary is proved.

(4) The provisions of paragraphs (1) and (2) of Regulation 28 shall with any necessary modifications apply to the amount shown in such a certificate.

Death of employer

33. If an employer dies, anything which he would have been liable to do under these Regulations shall be done by his personal representatives, or, in the case of an employer who paid emoluments on behalf of another person, by the person succeeding him or, if no person succeeds him, the person on whose behalf he paid emoluments.

Succession to a business, etc.

34.—(1) This Regulation applies where there has been a change in the employer from whom an employee receives emoluments in respect of his employment in any trade, business, concern or undertaking, or in connection with any property, or from whom an employee receives any annuity other than a pension.

(2) Where this Regulation applies, in relation to any matter arising after the change, the employer after the change shall be liable to do anything which the employer before the change would have been liable to do under these Regulations if the change had not taken place:

Provided that the employer after the change shall not be liable for the payment of any earnings-related contributions which were deductible from emoluments paid to the employee before, unless they are also deductible from emoluments paid to the employee after, the change took place or of any corresponding employer's earnings-related contributions.

PART V

SPECIAL PROVISIONS APPLICABLE TO SEAMEN

Interpretation of Part V

35. In this Part of these Regulations, except where the context otherwise requires—

"employer" includes the master of a ship;

"seaman" means any person—

(*a*) who has signed an agreement with the crew of a ship to which any determination of the National Maritime Board relating to remuneration applies, not being a member of the naval, military or air forces of the Crown or of any service administered by the Defence Council or a person in the employment of the British Railways Board; or

(*b*) who, being employed on a ship, is a person to whom there has been issued a British Seaman's Card of which he has not ceased to be regarded as the holder,

and for the purpose of this definition—

(i) where a seaman becomes employed under an agreement with the crew at a place outside the United Kingdom on terms which adopt any determination of the National Maritime Board relating to remuneration, that ship shall be deemed to be a ship to which that determination applies if the determination would have applied to the ship if the seaman had become so employed in the United Kingdom;

(ii) where an arrangement has been made for the purposes of deduction of tax from the emoluments of persons resident in the United Kingdom who are employed or engaged in sea-going service in any foreign ship, those persons shall be deemed to be seamen.

Deduction of earnings-related contributions from seamen's emoluments

37.—(1A) Subject to the provisions of Regulation 43 of these Regulations, Parts II and III of these Regulations shall not apply in the case of a seaman and every employer, on making any payment of a seaman's emoluments, may deduct earnings-related contributions therefrom in accordance with the provisions of this Part of these Regulations.

(2A) An employer shall not be entitled to recover any earnings-related contributions paid or to be paid by him on behalf of any seaman otherwise than by deduction in accordance with the provisions of this Part of these Regulations.

(3A) On the occasion of the payment of any seaman's emoluments there may be deducted therefrom the amount, if any, of the earnings-related contributions based thereon which the seaman is liable to pay under those provisions of the Act which relate to earnings-related contributions or under those provisions as modified by any regulations made under section 41 of the Act modifying the statutory provisions in relation to earnings-related contributions for a seaman.

(4A) If by reason of an error made in good faith the employer, on making any payment of emoluments to a seaman, fails to deduct therefrom the full amount of earnings-related contributions which by virtue of these Regulations he is entitled to deduct, he may, subject to the provisions of the next succeeding paragraph of these Regulations, recover the amount so underdeducted by deduction from any subsequent payment of emoluments to that employee during the same year.

(5A) The provisions of the last foregoing paragraph shall be subject to the following conditions:

(*a*) the amount which may be deducted by virtue of the provisions of that paragraph from any payment shall be in addition to but shall not exceed the amount deductible therefrom under the other provisions of these Regulations; and

(*b*) for the purposes of Part IV of these Regulations and of Regulations 39 and 41 an additional amount which may be deducted by virtue of the provisions of this paragraph shall be treated as an amount deductible under the provisions of these Regulations only in so far as the amount of the corresponding underdeduction has not been so treated.

Payment of earnings-related contributions to Collector

39. All amounts of earnings-related contributions which are payable in respect of any payment of emoluments under the provisions of these Regulations shall be paid to the Collector within the time limited for the payment of income tax, if any, deductible from that payment of emoluments or, if income tax is not so deductible, the time which would be so limited if income tax were so deductible.

Return to be rendered by employer

40. Every employer who makes any payment of emoluments to a seaman shall, within the time laid down in Regulation 39 for the payment of the earnings-related contributions, if any, which an employer is entitled to deduct from those emoluments, render a return to the Collector in such form as may be authorised by the Commissioners of Inland Revenue showing as regards every payment of emoluments which he makes to the seaman—

(*a*) the seaman's name;

(*b*) the seaman's rank or rating and discharge book number;

(*c*) the seaman's national insurance number;

(*d*) the appropriate category letter of the seaman as indicated by the Department; and

(*e*) subject to the provisions of Regulation 13(6A) and (6B) the amounts specified in Regulation 13(6)(*b*).

Application of Part IV

41.—(1) The provisions of Part IV of these Regulations shall apply in relation to seamen subject to any necessary modifications and in particular to the modifications set out in the following paragraphs of this Regulation.

(2) Paragraph (1) of Regulation 26 shall apply as if—

(*a*) for the reference to payment of earnings-related contributions within 14 days of the end of every income tax month there were substituted a reference to payment of earnings-related contributions within the time limited in Regulation 39 of these Regulations; and

(*b*) the words "other than amounts deductible by virtue of Regulation 13(1A) which he did not deduct" were omitted; and

(*c*) Regulation 13(1A) were omitted.

(3) Regulation 27 shall not apply, but the following provisions shall have effect where the employer fails to pay to the Collector within the time limited in Regulation 39 any amount of earnings-related contributions which he is liable under these Regulations to pay to the Collector that is to say—

(*a*) the production of the return made by the employer under Regulation 40 shall be sufficient evidence that the total amount of the earnings-related contributions shown in that return as payable by the employer is the amount which he is liable to pay to the Collector;

(*b*) if the total amount of the earnings-related contributions shown in the return as payable differs from the amount which the employer is liable to pay, a certificate of the Collector as to the amount which is payable shall be sufficient evidence that that amount, and not the amount shown in the said return, is the amount which the employer is liable to pay to the Collector; and any document purporting to be such a certificate as aforesaid shall be deemed to be such a certificate until the contrary is proved.

(4) Regulation 30 shall not apply in the case of seamen.

Seamen to whom Part V shall not apply

43. Notwithstanding the preceding Regulations in this Part of these Regulations where, under Regulation 43 of the Income Tax (Employments) Regulations 1973(**q**) the Commissioners of Inland Revenue have approved arrangements agreed with an employer in respect of all or some of his employees for the purpose of applying with or without modification the provisions of Parts II, III and IV of those Regulations, and in consequence the provisions of Part V of those Regulations do not apply in respect of those employees, Part V of these Regulations shall not apply in respect of them either and the provisions of Parts II, III and IV of these Regulations shall, subject to any modifications which may be specified in the said arrangements, apply instead.

PART VII

ASSESSMENT AND DIRECT COLLECTION

Provisions for direct payment

50.—(1) In cases of employed earner's employment, where the employer does not fulfil the conditions prescribed under section 1(10) of the Act as to residence or presence in Northern Ireland or is a person who, by reason of any international treaty to which the United Kingdom is a party or of any international convention binding on the United Kingdom, is exempt from the provisions of the Act or is a person against whom for like reason the provisions of the Act

(**q**) S.I. 1973, No. 334.

are not enforceable, the provisions of Regulation 51 of these Regulations shall, unless the employer, being a person entitled to pay the primary contributions due in respect of the earnings from the said employment, is willing to pay those contributions, apply to the employee.

51.—(1) In any case falling within paragraph (1) of Regulation 50, the Inspector may issue a deduction card to the employee (and, where no such card has been issued, the employee shall obtain the issue of one from the Inspector), and the following provisions of this Regulation shall apply.

(2) The employee to whom a deduction card has been issued under the last preceding paragraph shall record on that card his name, national insurance number and category letter from time to time being as indicated by the Department, and whenever, in respect of an employment such as is specified in the last preceding Regulation, the employee receives any emoluments during the year for which the deduction card was issued, he shall also record on that card the amount of the emoluments, the date on which he received them, and the earnings-related contributions payable by him in respect of those emoluments.

(3) Within 14 days after the time for the payment of income tax, if any, the employee shall pay to the Collector the amount of the earnings-related contributions payable by the employee in respect of the emoluments received by him and for which the income tax was or would have been payable

(4) If within 14 days after the end of the time specified in the last preceding paragraph the employee has paid no amount of earnings-related contributions to the Collector in respect of the last mentioned emoluments, and the Collector is unaware of the amount, if any, which the employee is liable so to pay, or if an amount has been paid but the Collector is not satisfied that it is the full amount which the employee is liable to pay to him in respect of those emoluments, the Collector may—

(*a*) give notice to the employee requiring him to render, within the time limited in the notice, a return in the prescribed form containing particulars of all emoluments received by him during the period specified in the notice and such other particulars affecting the calculations of the earnings-related contributions payable in respect of the emoluments in question as may be specified in the notice; and in such a case the provisions of Regulation 27 regarding the ascertainment and certification by the Collector of earnings-related contributions payable by an employer, and the provisions of Regulation 28 regarding the recovery of any such earnings-related contributions, shall apply with the necessary modifications for the purposes of ascertaining, certifying and recovering the earnings-related contributions payable by the employee as if they were earnings-related contributions which the employee was liable to deduct from emoluments paid by him.

(5) If the employee ceases to receive emoluments such as are specified in paragraph (2) of this Regulation he shall forthwith render a return to the Collector on the deduction card, showing the last date on which he received any such emoluments, the total of those emoluments and earnings-related contributions paid from the beginning of the year to that date.

(6) Not later than 14 days after the end of the year the employee shall (unless he has previously sent the deduction card to the Collector with the particulars required by paragraph (5) of this Regulation) render a return to the Collector on the deduction card, showing the total of the aforesaid emoluments and earnings-related contributions paid during the year, together with the appropriate category letter; and the provisions of paragraph (6) of Regulation 30 regarding the certification and recovery of earnings-related contributions remaining unpaid by an employer for any year shall apply in the case of any earnings-related contributions remaining unpaid by the employee.

SCHEDULE 3 Regulation 48

PART I

STAMP DUTIES MANAGEMENT ACT 1891

Section of Act	Subject-matter	Adapted provisions
3	Power to grant licences to deal in stamps.	(1) The Department may in its discretion grant a licence to any person to deal in stamps in such places and subject to such conditions as the Department may approve. . . . . . . (4) One licence only shall be required for any number of persons in partnership, and the licence may at any time be revoked by the Department.
4	Penalty for unauthorised dealing in stamps etc.	(1) If any person who is not duly appointed to sell and distribute stamps deals in any manner in stamps, without being licensed so to do . . . he shall for every such offence incur a fine of £20. (2) If any person who is not duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, has, or puts upon his premises either in the inside or on the outside thereof, or upon any board or any material whatever exposed to public view, and whether the same be affixed to his premises or not, any letters importing or intending to import that he deals in stamps, or is licensed so to do, he shall incur a fine of £10.
5	Provisions as to determination of licence.	(1) If the licence of any person to deal in stamps expires or is revoked, or if any person licensed to deal in stamps dies or becomes bankrupt, and any such person at the expiration or revocation of his licence, or at the time of his death or bankruptcy, has in his possession any stamps, such person, or his executor or administrator, or the receiver or trustee or official assignee under his bankruptcy, may, within 6 months after the expiration or revocation of the licence, or after the death or bankruptcy, as the case may be, bring or send the stamps to the Department.

Section of Act	Subject-matter	Adapted provisions
		(2) The Department may in any such case pay to the person bringing or sending stamps the amount of the duty thereon if proof to its satisfaction is furnished that the same were actually in the possession of the person whose licence has expired or been revoked, or so dying or becoming bankrupt, for the purpose of sale, at the time of the expiration or revocation of the licence, or of his death or bankruptcy, and that the stamps were purchased or procured by that person from the Department, or from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps.
6	Penalty for hawking stamps.	(1) If any person, whether licensed to deal in stamps or not, hawks or carries about for sale or exchange any stamps, he shall, in addition to any other fine or penalty to which he may be liable, incur a fine of £20. (2) In default of payment of the fine, on summary conviction the offender shall be imprisoned for any term not exceeding 2 months. (3) All stamps which are found in the possession of the offender shall be forfeited, and shall be delivered to the Department to be disposed of as it thinks fit. (4) Any person may arrest a person found committing an offence against this section, and take him before a justice having jurisdiction where the offence is committed, who shall hear and determine the matter.
9	Procedure for obtaining allowance.	Subject to such regulations as the Department may think proper to make, and to the production of such evidence by statutory declaration or otherwise as the Department may require, allowance is to be made by the Department for stamps spoiled in the case hereinafter mentioned (that is to say): ..... (2) Any stamp which has been inadvertently and undesignedly spoiled or rendered unfit for use and has not in the opinion of the Department been affixed to any material; .....

Section of Act	Subject-matter	Adapted provisions
		Provided as follows: (*a*) That the application for relief is made within 2 years after the stamp has been spoiled, or become useless. .....
11	Allowance, how to be made.	In any case in which allowance is made for spoiled or misused stamps the Department may give in lieu thereof other stamps of the same denomination and value, or if required, and it thinks proper, stamps of any other denomination to the same amount in value, or in its discretion, the same value in money.
12	Stamps not wanted may be re-purchased.	When any person is possessed of a stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Department may, if it thinks fit, repay to him the value of the stamp in money upon his delivering up the stamp to be cancelled, and proving to the satisfaction of the Department that it was purchased by him ..... from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps, within the period of 2 years next preceding the application and with a bona-fide intention to use it.
13	Certain offences in relation to stamps.	Every person who does, or causes or procures to be done, or knowingly aids, abets, or assists in doing any of the acts following, that is to say: ..... (3) Fraudulently prints or makes an impression upon any material from a genuine die; (4) Fraudulently cuts, tears, or in any way removes from any material any stamp, with intent that any use should be made of such stamp or of any part thereof; (5) Fraudulently mutilates any stamp, with intent that any use should be made of any part of such stamp; (6) Fraudulently fixes or places upon any material or upon any stamp, any stamp or part of a stamp which, whether fraudulently or not, has been cut, torn, or in any way removed from any other material, or out of or from any other stamp;

Section of Act	Subject-matter	Adapted provisions
		(7) Fraudulently erases or otherwise either really or apparently removes from any stamped material any name, sum, date or other matter or thing whatsoever thereon written, with intent that any use should be made of the stamp upon such material; (8) Knowingly sells or exposes for sale or utters or uses any stamp which has been fraudulently printed or impressed from a genuine die; (9) Knowingly, and without lawful excuse (the proof whereof shall lie on the person accused) has in his possession any stamp which has been fraudulently printed or impressed from a genuine die, or any stamp or part of a stamp which has been fraudulently cut, torn, or otherwise removed from any material, or any stamp which has been fraudulently mutilated or any stamped material out of which any name, sum, date or other matter or thing has been fraudulently erased or otherwise either really or apparently removed, shall be guilty of an offence and shall on conviction be liable to be imprisoned for any term not exceeding 14 years.
16	Proceedings for detection of forged dies, etc.	On information given before a justice upon oath that there is just cause to suspect any person of being guilty of any of the offences aforesaid, such justice may, by warrant under his hand, cause every house, room, shop, building or place belonging to or occupied by the suspected person, or where he is suspected of being or having been in any way engaged or concerned in the commission of any such offence, or of secreting any machinery, implements or utensils applicable to the commission of any such offence, to be searched, and if upon such search any of the said several matters and things are found, the same may be seized and carried away, and shall afterwards be delivered over to the Department.
17	Proceedings for detection of stamps stolen or obtained fraudulently.	(1) Any justice having jurisdiction in the place where any stamps are known or supposed to be concealed or deposited may, upon reasonable suspicion that the same have been stolen or fraudulently obtained, issue his warrant for the seizure

Section of Act	Subject-matter	Adapted provisions
		thereof, and for apprehending and bringing before himself or any other justice within the same jurisdiction the person in whose possession or custody the stamps may be found, to be dealt with according to law.
		(2) If the person does not satisfactorily account for the possession of the stamps, or it does not appear that the same were purchased by him . . . from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps, the stamps shall be forfeited and shall be delivered over to the Department.
		(3) Provided that if at any time within 6 months after the delivery any person makes out to the satisfaction of the Department that any stamps so forfeited were stolen or otherwise fraudulently obtained from him, and that the same were purchased by him . . . from some person duly appointed to sell or distribute stamps, or duly licensed to deal in stamps, such stamps may be delivered up to him.
18	Licensed person in possession of forged stamps.	(1) If any forged stamps are found in the possession of any person appointed to sell and distribute stamps, or being or having been licensed to deal in stamps, that person shall be deemed and taken, unless the contrary is satisfactorily proved, to have had the same in his possession knowing them to be forged and with intent to sell, use or utter them, and shall be liable to the punishment imposed by law upon a person selling, using, uttering or having in possession forged stamps knowing the same to be forged.
		(2) If the Department has cause to suspect any such person of having in his possession any forged stamps, it may by warrant under its seal authorise any person to enter between the hours of 9 in the morning and 7 in the evening into any house, room, shop or building of or belonging to the suspected person, and if on demand of admittance, and notice of the warrant, the door of the house, room, shop or building, or any inner door thereof, is not opened, the authorised person may break open the same and search for and seize any stamps that may be found therein or in the custody or possession of the suspected person.

Section of Act	Subject-matter	Adapted provisions
		(3) All officers of the peace are hereby required, upon request of any person so authorised, to aid and assist in the execution of the warrant. (4) Any person who— (*a*) refuses to permit any such search or seizure to be made as aforesaid; or (*b*) assaults, opposes, molests or obstructs any person so authorised in the due execution of the powers conferred by this section or any person acting in his aid or assistance; and any officer of the peace who, upon any such request as aforesaid, refuses or neglects to aid or assist any person so authorised in the due execution of his powers shall incur a fine of £50.
19	Mode of proceeding where stamps are seized.	Where stamps are seized under a warrant, the person authorised by the warrant shall, if required, give to the person in whose custody or possession the stamps are found an acknowledgement of the number, particulars and amount of the stamps, and permit the stamps to be marked before the removal thereof.
20	As to defacement of adhesive stamps.	Every person who by any writing in any manner defaces any stamp before it is used shall incur a penalty of £5. Provided that any person may, with the express sanction of the Department, write upon or otherwise appropriate a stamp before it is used for the purpose of identification thereof.
24	Declarations, how to be made.	Any statutory declaration, affidavit or oath to be made in pursuance of or for the purpose of this or any other Act for the time being in force relating to stamps may be made before any officer or person authorised by the Department in that behalf, or before any commissioner for oaths or any justice or any notary public in any part of Northern Ireland, or at any place out of Northern Ireland before any person duly authorised to administer oaths there.
25	Mode of granting licences.	Any licence or certificate to be granted by the Department under this or any other Act for the time being in force relating to stamps may be granted by such officer or person as the Department may authorise in that behalf.

Section of Act	Subject-matter	Adapted provisions
26	Recovery of fines.	All fines imposed by this Act or by any Act for the time being in force relating to stamps may be proceeded for and recovered in the same manner, and, in the case of summary proceedings, with the like power of appeal as any fine or penalty under any Act relating to excise licence duties.
27	Definitions.	In the provisions of this Act, unless the context otherwise requires: The expression "the Department" means the Department of Health and Social Services for Northern Ireland. . . . . . . The expression "duty" includes any contribution payable under the Social Security Act 1973 by means of stamps. The expression "material" includes every sort of material upon which words or figures can be expressed. . . . . . . The expression "die" includes any plate, type, tool or implement whatever used under the direction of the Department for expressing, or denoting any duty, or rate of duty, or the fact that any duty or rate of duty . . . has been paid . . . or for denoting any fee, and also any part of any such plate, type, tool or implement. The expressions "forge" and "forged" include counterfeit and counterfeited. The expression "stamp" means in relation to stamps prepared and issued for the purposes of the Social Security Act 1973, an adhesive stamp. The expression "stamped" is applicable as well to instruments and material impressed with stamps by means of a die as to instruments and material having adhesive stamps affixed thereto. The expression "justice" means justice of the peace.

PART II

POST OFFICE ACT 1953

Section of Act	Subject-matter	Adapted provisions
63	Prohibition of fictitious stamps.	(1) A person shall not: (*a*) make, knowingly utter, deal in or sell any fictitious stamp; (*b*) have in his possession, unless he shows a lawful excuse, any fictitious stamp; or (*c*) make or, unless he shows a lawful excuse, have in his possession any die, plate, instrument or materials for making any fictitious stamp. (2) A person shall not knowingly use for the purposes of payment of contributions under the Social Security Act 1973, any fictitious stamp. (3) If any person acts in contravention of the foregoing provisions of this section, he shall be liable on summary conviction to a fine not exceeding £20. (4) Any stamp, die, plate, instrument or materials found in the possession of any person in contravention of subsection (1) of this section may be seized and shall be forfeited. . . . . . . (6) In this section: (*a*) the expression "fictitious stamp" means any facsimile, imitation or representation, whether on paper or otherwise, of any stamp; and (*b*) the expression "stamp" means in relation to stamps prepared and issued for the purposes of the Social Security Act 1973, an adhesive stamp. . . . . .

SCHEDULE 4 Regulation 69(2)

SAVINGS

PART I

Enactments	Description
The Preferential Payments (Bankruptcies and Arrangements) Act (Northern Ireland) 1964(r)	
Section 1(1)(*e*)	Priority of contributions in bankruptcy.
The National Insurance Act (Northern Ireland) 1966(s)	
Section 4(7)(*c*)	Graduated contributions by employed persons and employers.
Section 8(1)	Restriction on entitlement to pay contributions.
Section 10	Exception from liability for, and crediting of, contributions.
Section 13(1)	General provisions as to payment and collection of contributions, etc.
Section 14(1), (2)(*b*) and (3)	Power to combine payment and collection of contributions with that of income tax.
Section 55(3), as amended by Schedule 1, paragraph 6 to, the National Insurance (No. 2) Act (Northern Ireland) 1966(t)	Non-participating employments.
Section 58(9)	Further provisions as to payments in lieu of contributions.
Section 86(2) to (8)	Inspectors.
Section 90(1) and (2)	General provisions as to prosecutions.
Section 107	Transitory provisions.
Section 109	General savings.
Schedule 9, paragraph 17	Pre-1948 contributors and beneficiaries.
Paragraph 18(1) and (2)	Insured persons over school leaving age on 5th July 1948.
Paragraph 20(*d*) and (*e*)	Miscellaneous special savings.
The National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(u)	
Section 3	Payment of contributions.
In Section 60, in subsection (3), the words from "contributions" to "or whether"; and subsection (5)	Inspectors.

(r) 1964. c.32 (N.I.).
(s) 1966. c.6 (N.I.).
(t) 1966. c.16 (N.I.).
(u) 1966. c.9 (N.I.).

Enactments	Description
Schedule 2, Part III	Return of contributions paid erroneously.
The Health Service Contributions Act (Northern Ireland) 1966(v) Section 2(5)	No benefit to be deducted from any repayment of the health service contributions paid in error.
The Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(w) Section 38(6)	No benefit to be deducted from any repayment of the redundancy fund contributions paid in error.

(v) 1966. c.7 (N.I.).

(w) 1965. c.19 (N.I.).

SCHEDULE 4

PART II

Column 1 Powers and Applying Provisions	Column 2 Regulations	Column 3 Description
The National Insurance Act (Northern Ireland) 1966(x) Sections 107, 109 and Schedule 9, paragraph 17.	The National Insurance (Pensions, Existing Contributors) (Transitional) Regulations (Northern Ireland) 1948(y), as amended(z) Regulation 8	Contributions under the Contributory Pensions Acts to be taken into account for the purposes of the National Insurance Act (Northern Ireland) 1966.
Sections 107, 109 and Schedule 9, paragraphs 18(1) and (2) and 20(*d*) and (*e*).	The National Insurance (New Entrants Transitional) Regulations (Northern Ireland) 1948(aa), as amended(bb) Regulation 4(1)(*c*)	Rights of new entrants who were immediately before 5.7.1948 over 55 (men) and 50 (women) and under pensionable age to elect not to be qualified for a retirement pension and to receive a refund of portion of contributions.

(x) 1966. c. 6 (N.I.).
(y) S.R. & O. (N.I.) 1948, No. 129.
(z) The relevant amending regulations are S.R. & O. (N.I.) 1949, No. 159; 1960, No. 123 and 1966, No. 170.
(aa) S.R. & O. (N.I.) 1948, No. 221.
(bb) The relevant amending regulations are S.R. & O. (N.I.) 1952, No. 137; 1955, No. 7; 1957, No. 269; 1958, No. 133, No. 206; 1960, No. 194; 1961, No. 86 and 1963, No. 58.

Column 1 Powers and Applying Provisions	Column 2 Regulations	Column 3 Description
	Regulation 4A(1) and (5)	Refund of contributions for new entrants who entered insurance under the National Insurance Act (Northern Ireland) 1966 less than 156 weeks before attaining pensionable age.
	Regulation 4B(1)	Refund of contributions for new entrants who enter insurance too late to be able to satisfy the condition as to yearly average of contributions for widow's benefit or retirement pension.
Section 55(3), as amended by Schedule 1, paragraph 6 to, the National Insurance (No. 2) Act (Northern Ireland) 1966(**cc**) and section 109.	The National Insurance (Graduated Contributions and Non-participating Employments—Miscellaneous Provisions) Regulations (Northern Ireland) 1960(**dd**), as amended(**ee**)	
	Regulation 4	Calculation of excess payment of graduated contributions.
Sections 8(1), 10 and 13(1)(*b*), (*c*), (*d*) and (*e*).	The National Insurance (Contributions) Regulations (Northern Ireland) 1962(**ff**), as amended(**gg**)	
	Regulation 2	Unemployment—exception and credits.
	Regulation 3	Incapacity for work—exception and credits.

(**cc**) 1966. c.16 (N.I.).
(**dd**) S.R. & O. (N.I.) 1960, No. 194.
(**ee**) S.R. & O. (N.I.) 1966, No. 214.
(**ff**) S.R. & O. (N.I.) 1962, No. 65.
(**gg**) The relevant amending regulations are S.R. & O. (N.I.) 1962, No. 96; 1963, No. 59 and 1971, No. 284.

Column 1 Powers and Applying Provisions	Column 2 Regulations	Column 3 Description
	Regulation 4	Payment of contributions by persons excepted from liability under regulation 2 or regulation 3 of the National Insurance (Contributions) Regulations (Northern Ireland) 1962.
	Regulation 5	Provisions determining days of unemployment or incapacity for work.
	Regulation 6 and 6A	Persons over pensionable age.
	Regulation 10(5)(*a*), (*b*) and (*e*) and (6)	Issue of certificates of exception to women and refund of contributions paid by women excepted from liability.
	Regulation 11(5)	Credits for weeks of full time education, unpaid apprenticeship or training.
	Regulation 12	Insured women who have been confined.
	Regulation 14(3)	Credits during period for which certificate of exception is in force.
	Regulation 15	Conditions for the crediting of contributions.
	Regulation 17(1) and (2)	Special provisions relating to the grant of certificates of exception.
	Regulation 22	Disposal of contributions improperly paid.
	Regulation 23	Return of contributions paid in error.
	Regulation 27	Treatment for purpose of any benefit of late paid or unpaid contributions, without consent, connivance or negligence of employed persons.
	Regulation 28	Treatment for the purpose of any benefit of contributions paid late through ignorance or error.

Column 1 Powers and Applying Provisions	Column 2 Regulations	Column 3 Description
	Regulation 29	Treatment for purpose of unemployment, sickness or invalidity benefit of late paid contributions.
	Regulation 30	Treatment for the purpose of maternity benefit of late paid contributions.
	Regulation 31	Treatment for the purpose of widow's benefit, child's special allowance or retirement pension of late paid contributions.
	Regulation 32	Treatment for the purpose of increase of rate of retirement pension of late paid contributions.
	Regulation 33	Treatment for the purpose of benefit of late paid graduated contributions and payments in lieu of contributions.
	Regulation 34	Treatment for purpose of death grant of late paid contributions.
	Regulation 35	Treatment for the purpose of any benefit increase of contributions which persons are entitled, but not liable to pay.
	Regulation 36	Payments after death.
Sections 13(1), 14(1) and (2)(*b*) and 58(9)	The National Insurance (Collection of Graduated Contributions) Regulations (Northern Ireland) 1972(**hh**), as amended(**ii**)	
	Regulation 2 in so far as it relates to those matters specified hereafter in Schedules 1 and 2.	Collection and recovery of graduated contributions.

(**hh**) S.R. & O. (N.I.) 1972, No. 21.

(**ii**) S.R. & O. (N.I.) 1973, No. 118.

Column 1 Powers and Applying Provisions	Column 2 Regulations	Column 3 Description
	Regulation 4	Payments in lieu of contributions.
	Schedule 1, Regulation 2(1)	Interpretation.
	Schedule 1, Regulation 3(1) and (2) ..	Intermediate employers.
	Schedule 1, Regulation 3A	Employers' graduated contributions.
	Schedule 1, Regulation 4A	Inspectors and Collectors.
	Schedule 1, Regulation 5	Service by post.
	Schedule 1, Regulation 26	Payment of graduated contributions by employer.
	Schedule 1, Regulation 27	Employer failing to pay graduated contributions.
	Schedule 1, Regulation 28	Recovery of graduated contributions.
	Schedule 1, Regulation 29	Return by employer at end of year.
	Schedule 1, Regulation 32	Inspection of employer's records.
	Schedule 1, Regulation 33	Death of employer.
	Schedule 1, Regulation 34	Succession to a business, etc.
	Schedule 2, Regulations 2(3) and 2A ..	Interpretation.
	Schedule 2, Regulations 4(1A) to (4A)	Deduction of graduated contributions from seamen's emoluments.
	Schedule 2, Regulation 6	Payment of graduated contributions to Collector.
	Schedule 2, Regulation 7	Return to be rendered by employer.
	Schedule 2, Regulation 8	Application of Part IV of the 1965 Regulations.
	Schedule 2, Regulation 11	Seamen to whom Schedule 2 does not apply.

Column 1 Powers and Applying Provisions	Column 2 Regulations	Column 3 Description
Section 4(7)(*c*)	The National Insurance (Assessment of Graduated Contributions) Regulations (Northern Ireland) 1973(**jj**), as amended (**kk**) Regulation 12	Abnormal pay practices.
Section 3 and Schedule 2, Part III to the National Insurance (Industrial Injuries) Act (Northern Ireland) 1966(**ll**)	The National Insurance (Industrial Injuries) (Refund of Contributions) Regulations (Northern Ireland) 1948(**mm**) The whole of the Regulations.	

(**jj**) S.R. & O. (N.I.) 1973, No. 226.
(**kk**) There is no amendment which relates expressly to the subject matter of this regulation.
(**ll**) 1966. c. 9 (N.I.).
(**mm**) S.R. & O. (N.I.) 1948, No. 263.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations make provision for matters which need to be prescribed under the Social Security Act 1973 in regard to contributions.

Part I of the regulations contains definitions which are relevant to the succeeding Parts of the regulations and other formal matters.

Part II makes provision for the assessment of earnings-related contributions including for that purpose aggregation of earnings in respect of employed earners' employments, holiday payments, annual maxima and calculation of earnings. It also makes provision for ensuring that liability is not avoided or reduced by abnormal pay practices or by means of irregular or unequal payments.

Part III makes provision for exception from liability for Class 2 contributions, payment of Class 3 contributions, appropriation of Class 3 contributions paid in one year to another year and refund of contributions paid in excess or in error.

Part IV makes provision for the circumstances in which contributions which are paid late or are not paid are to be treated as paid for the purpose of entitlement to benefits, and for the circumstances in which for that purpose they are to be treated as not paid.

Part V makes provision for the collection of contributions other than Class 4 contributions. For this purpose it makes provision for the allocation of national insurance numbers and, in the case of Class 2 and Class 3 contributions, the issue of contribution cards and the stamping of those cards and alternative arrangements for payment. In relation to earnings-related contributions it makes provision for them to be paid, accounted for and recovered in like manner as income tax under section 204 of the Income and Corporation Taxes Act 1970 and applies with extensions and modifications the provisions of the Income Tax (Employments) Regulations 1973. The provisions also apply to certain seamen.

Part VI provides for the application of the provisions of the Stamp Duties Management Act 1891 (as amended by subsequent enactments) and section 63 of the Post Office Act 1953 (as likewise amended) to contribution stamps. These are stamps by means of which Class 2 and Class 3 contributions may be paid.

Part VII makes provision for Class 4 contributions. It provides for exception from, and deferment of, Class 4 liability, the issue and revocation of certificates of exception and deferment and the consequence thereof and the annual maximum of Class 4 liability.

Part VIII makes provision for transitional matters concerning contributions and in particular makes provision for the payment of contributions in relation to payments of earnings after the appointed day in respect of employment before that day. It also makes provision for the recovery after the appointed day of contributions due under the former legislation and generally for facilitating the introduction of the basic scheme established by the Act and for facilitating the winding up of the system of insurance contained in the former principal Act.

Part IX contains miscellaneous provisions. It makes provision for treating a contribution week which falls in 2 income tax years as falling within the first of them. It also imposes a penalty for breach of the regulations.