1977 No. 76

SOCIAL SECURITY

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

Made . . . . . *24th March* 1977

Coming into operation . . . *6th April* 1977

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by paragraph 9 of Schedule 3 to the Social Security (Consequential Provisions) Act 1975(**a**) and Articles 5(2) and 72(1) of the Social Security Pensions (Northern Ireland) Order 1975(**b**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1. These regulations, which may be cited as the Social Security (Contributions) (Married Women and Widows) (Amendment) Regulations (Northern Ireland) 1977, shall be read as one with the Social Security (Contributions) Regulations (Northern Ireland) 1975(**c**) as amended(**d**) (hereinafter referred to as "the principal regulations") and shall come into operation on 6th April 1977 immediately after regulation 10 of the Social Security (Contributions) (Consequential Amendments) Regulations (Northern Ireland) 1976(**e**) comes into operation.

Amendment of regulation 89 *of the principal regulations*

2. In regulation 89(8)(*a*)(ii) (elections by married women and widows) for "at the time of making the election is not less than the basic component specified" there shall be substituted "is not less than the basic component specified for the time being".

Amendment of regulation 90 *of the principal regulations*

3. In regulation 90 of the principal regulations (duration of effect of election) after paragraph (1)(*d*) there shall be added the following—

"or

(*e*) where, in any year, a payment is made by or on behalf of the woman on account of primary Class 1 contributions at the standard rate in the erroneous belief that such contributions were payable by her or on her behalf in that year, and the woman wishes to pay primary Class 1 contributions at the standard rate from and including the beginning of the year next following that year, the end of the year in respect of which the payment is made."

(a) 1975 c. 18
(b) S.I. 1975/1503 (N.I. 15)
(c) S.R. 1975 No. 319 (II, p. 1492)
(d) The relevant amending regulations are S.R. 1976 No. 35 and S.R. 1977 No. 77
(e) S.R. 1976 No. 35

Amendment of regulation 100 *of the principal regulations*

4. In regulation 100(3)(*b*) of the principal regulations (special transitional provisions regarding deemed elections) for "if in any year" there shall be substituted "if in the said first year".

Minor consequential amendments

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

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 24th March 1977.

(L.S.) *W. Bell*
Assistant Secretary

SCHEDULE Regulation 5

Minor consequential amendments

Column 1	Column 2	Column 3	Column 4
Item	*Provision of principal regulations*	*Description*	*Amendment*
1	Regulation 90	Duration of effect of election	In paragraph (2) for "paragraph (1)(*c*) or (*d*)" there shall be substituted "paragraph (1)(*c*), (*d*), or (*e*)".
2	Regulation 92	Continuation of elections on widowhood	In paragraph (2)(*a*) for "paragraph (1)(*d*)" there shall be substituted "paragraph (1)(*d*) or (*e*)".
3			In paragraph (3) for "regulation 90(1)(*c*) and (*d*)" there shall be substituted "regulation 90(1)(*c*), (*d*) and (*e*)".
4			In paragraph (4) for "paragraph (1)(*c*) or (*d*)" there shall be substituted "paragraph (1)(*c*), (*d*) or (*e*)".
5	Regulation 96	Special transitional provisions consequent upon making of Pensions Order	In paragraph 4(*a*) for "sub-paragraph (*d*)" there shall be substituted "sub-paragraphs (*d*) and (*e*)".

EXPLANATORY NOTE

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

These regulations further amend the Social Security (Contributions) Regulations (Northern Ireland) 1975 ("the principal regulations") and are consequential on the making of the Social Security Pensions (Northern Ireland) Order 1975.

The regulations, by amendment of Case C of Part VIII of the principal regulations, make provision for elections made by married women and widows to cease to have effect in the circumstances and at the time specified in regulation 3 of these regulations. Regulation 2 alters one of the conditions which if satisfied enable certain widows to make elections as to their liability in respect of contributions. The other amendments are of a consequential or minor nature.