



Social Security Contributions and Benefits (Northern Ireland) Act 1992

1992 CHAPTER 7

PART I

CONTRIBUTIONS

Class 4 contributions

15 Class 4 contributions recoverable under the Income Tax Acts.

- (1) Class 4 contributions shall be payable for any tax year in respect of all [^{F1}profits] which—
- (a) are immediately derived from the carrying on or exercise of one or more trades, professions or vocations, ^{F2}...
 - (b) [^{F3}are profits chargeable to income tax under Chapter 2 of Part 2 of the Income Tax (Trading and Other Income) Act 2005] for the year of assessment corresponding to that tax year [^{F4}and
 - (c) are not profits of a trade, profession or vocation carried on wholly outside the United Kingdom].
- (2) Class 4 contributions in respect of profits ^{F5}... shall be payable—
- (a) in the same manner as any income tax which is, or would be, chargeable in respect of those profits ^{F5}... (whether or not income tax in fact falls to be paid), and
 - (b) by the person on whom the income tax is (or would be) charged,
- in accordance with assessments made from time to time under the Income Tax Acts as applied and modified by section 16(1) to (3) of the Great Britain Contributions and Benefits Act.
- [^{F6}(3) The amount of a Class 4 contribution under this section for any tax year is equal to the aggregate of—

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Changes to legislation: Social Security Contributions and Benefits (Northern Ireland) Act 1992, Cross

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- (a) the main Class 4 percentage of so much of the profits ^{F7}... referred to in subsection (1) above (computed in accordance with Schedule 2 to the Great Britain Contributions and Benefits Act, the text of which is set out as Schedule 2 to this Act) as exceeds [^{F8}£8,164] but does not exceed [^{F9}£45,000]; and
- (b) the additional Class 4 percentage of so much of those profits ^{F7}... as exceeds [^{F9}£45,000];

but the figures specified in this subsection are subject to alteration under section 129 of the Administration Act.

(3ZA) For the purposes of this Act—

- (a) the main Class 4 percentage is [^{F10}] per cent; and
- (b) the additional Class 4 percentage is [^{F11}2] per cent;

but the main Class 4 percentage is subject to alteration under section 129 of the Administration Act.]

[^{F12}(3A) Where income tax is (or would be) charged on a member of a limited liability partnership in respect of profits ^{F13}... arising from the carrying on of a trade or profession by the limited liability partnership, Class 4 contributions shall be payable by him if they would be payable were the trade or profession carried on in partnership by the members.]

^{F14}(4)

(5) For the purposes of this section the year of assessment which corresponds to a tax year is the year of assessment (within the meaning of the Tax Acts) which consists of the same period as that tax year.

Textual Amendments

- F1** Word in s. 15(1) substituted (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\), s. 883\(1\), Sch. 1 para. 424\(2\)\(a\)](#) (with Sch. 2)
- F2** Word in s. 15(1) repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\), s. 883\(1\), Sch. 1 para. 424\(2\)\(b\), Sch. 3](#) (with Sch. 2)
- F3** Words in s. 15(1)(b) substituted (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\), s. 883\(1\), Sch. 1 para. 424\(2\)\(c\)](#) (with Sch. 2)
- F4** S. 15(1)(c) and preceding word inserted (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\), s. 883\(1\), Sch. 1 para. 424\(2\)\(d\)](#) (with Sch. 2)
- F5** Words in s. 15(2) repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\), s. 883\(1\), Sch. 1 para. 424\(3\), Sch. 3](#) (with Sch. 2)
- F6** S. 15(3)(3ZA) substituted (with effect for 2003-04 and subsequent tax years) for s. 15(3) by [National Insurance Contributions Act 2002 \(c. 19\), ss. 3\(2\), 8\(2\)](#)
- F7** Words in s. 15(3) repealed (6.4.2005) by [Income Tax \(Trading and Other Income\) Act 2005 \(c. 5\), s. 883\(1\), Sch. 1 para. 424\(3\), Sch. 3](#) (with Sch. 2)
- F8** Sum in s. 15(3) substituted (6.4.2017) by [The Social Security \(Contributions\) \(Rates, Limits and Thresholds Amendments and National Insurance Funds Payments\) Regulations 2017 \(S.I. 2017/415\), regs. 1\(1\), 5\(a\)](#)
- F9** Sum in s. 15(3) substituted (6.4.2017) by [The Social Security \(Contributions\) \(Rates, Limits and Thresholds Amendments and National Insurance Funds Payments\) Regulations 2017 \(S.I. 2017/415\), regs. 1\(1\), 5\(b\)](#)
- F10** Figure in s. 15(3ZA)(a) substituted (6.4.2011) by [National Insurance Contributions Act 2011 \(c. 3\), ss. 2\(1\)\(a\), 13\(1\)](#)

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- F11** Figure in s. 15(3ZA)(b) substituted (6.4.2011) by National Insurance Contributions Act 2011 (c. 3), ss. 2(1)(b), 13(1)
- F12** S. 15(3A) inserted (6.4.2001) by 2000 c. 12, s. 13; S.I. 2000/3316, art. 2
- F13** Words in s. 15(3A) repealed (6.4.2005) by Income Tax (Trading and Other Income) Act 2005 (c. 5), s. 883(1), Sch. 1 para. 424(3), Sch. 3 (with Sch. 2)
- F14** S. 15(4) repealed (6.4.2005) by Income Tax (Trading and Other Income) Act 2005 (c. 5), s. 883(1), Sch. 1 para. 424(4), Sch. 3 (with Sch. 2)

16 Destination of Class 4 contributions.

F15

Textual Amendments

- F15** S. 16 repealed (with effect for 2003-04 and subsequent tax years) by National Insurance Contributions Act 2002 (c. 19), ss. 7, 8(2), Sch. 2

17 Exceptions, deferment and incidental matters relating to Class 4 contributions.

- (1) [^{F16}The Inland Revenue may by regulations] provide—
 - (a) for excepting persons from liability to pay Class 4 contributions [^{F17}, or any prescribed part of such contributions,] in accordance with section 15(1) to (3) above and section 16(1) to (3) of the Great Britain Contributions and Benefits Act; or
 - (b) for deferring any person's liability,
F18
- (2) Exception from liability, or deferment, under subsection (1) above may, in particular, be by reference—
 - (a) to a person otherwise liable for contributions being under a prescribed age at the beginning of a tax year;
 - (b) to a person having attained pensionable age;
 - (c) to a person being in receipt of earnings in respect of which primary Class 1 contributions are, or may be, payable; or
 - (d) to a person not satisfying prescribed conditions as to residence or presence in the United Kingdom.
- (3) [^{F16}The Inland Revenue may by regulations] provide for any incidental matters arising out of the payment of any Class 4 contributions recovered by the Inland Revenue, including in particular the return, in whole or in part, of such contributions in cases where—
 - (a) payment has been made in error; or
 - (b) repayment ought for any other reason to be made.
- (4) [^{F16}The Inland Revenue may by regulations] provide for any matters arising out of the deferment of liability [^{F19}to pay Class 4 contributions, or any part of such contributions,] under subsection (1) above, including in particular provision for the amount of a person's profits or gains (as computed in accordance with the Great Britain Contributions and Benefits Act) to be certified by the Inland Revenue to ^{F20}. . . the person liable.

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(5) ^{F21}

^{F22}(6)

Textual Amendments

- F16** Words in s. 17(1)(3)(4) substituted (1.4.1999) by S.I. 1999/671, art. 4, **Sch. 3 para. 17(2)(3)** (with savings and transitional provisions in **Sch. 7**); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6)
- F17** Words in s. 17(1) inserted (with effect for 2003-04 and subsequent tax years) by **National Insurance Contributions Act 2002 (c. 19)**, ss. 6, 8(2), **Sch. 1 para. 23(2)**
- F18** Words in s. 17(1) repealed (omitted 24.3.1999 for specified purposes only and wholly repealed 1.4.1999) by S.I. 1999/671, arts. 1(2)(b), 3(1), **Sch. 1 para. 7(a)** (with savings and transitional provisions in **Sch. 7**); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6)
- F19** Words in s. 17(4) substituted (with effect for 2003-04 and subsequent tax years) by **National Insurance Contributions Act 2002 (c. 19)**, ss. 6, 8(2), **Sch. 1 para. 23(3)**
- F20** Words in s. 17(4) repealed (omitted 24.3.1999 for specified purposes only and wholly repealed 1.4.1999) by S.I. 1999/671, arts. 1(2)(b), 3(1), **Sch. 1 para. 7(b)** (with savings and transitional provisions in **Sch. 7**); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6)
- F21** S. 17(5) repealed (with effect for 2003-04 and subsequent tax years) by **National Insurance Contributions Act 2002 (c. 19)**, ss. 7, 8(2), **Sch. 2**
- F22** S. 17(6) repealed (1.4.1999) by S.I. 1999/671, arts. 4, 24(3), **Sch. 3 para. 17(4)**, **Sch. 9 Pt. I** (with savings and transitional provisions in **Sch. 7**); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6)

18 Class 4 contributions recoverable under regulations.

- (1) [^{F23}The Inland Revenue may by regulations make provision] so that where—
- an earner, in respect of any one or more employments of his, is treated by regulations under section 2(2)(b) above as being self-employed; and
 - in any tax year he has earnings from any such employment (one or more) which fall within paragraph (b)(i) of [^{F24}subsection (8)] of section 11 above but is not liable for a higher weekly rate of Class 2 contributions by virtue of regulations under that subsection; and
 - the total of those earnings exceeds [^{F25}£8,164],
- he is to be liable, in respect of those earnings, to pay a Class 4 contribution ^{F26}...

[^{F27}(1A) The amount of a Class 4 contribution payable by virtue of regulations under this section is equal to the aggregate of—

- the main Class 4 percentage of so much of the total of the earnings referred to in subsection (1)(b) above as exceeds [^{F28}£8,164] but does not exceed [^{F29}£45,000]; and
- the additional Class 4 percentage of so much of that total as exceeds [^{F29}£45,000];

but the figures specified in this subsection are subject to alteration under section 129 of the Administration Act.]

- (2) [^{F30}In relation to Class 4 contributions payable by virtue of regulations under this section], [^{F23}regulations made by the Inland Revenue may]—
- apply any of the provisions of Schedule 1 to this Act (except a provision conferring power to make regulations); and

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- (b) make any such provision as may be made by regulations under that Schedule, except paragraph 6 [^{F31}or 7BZA].

Textual Amendments

- F23** Words in s. 18(1)(2) substituted (1.4.1999) by S.I. 1999/671, art. 4, **Sch. 3 para. 18** (with savings and transitional provisions in Sch. 7); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6)
- F24** Words in s. 18(1)(b) substituted (with effect for the tax year 2015-16 and subsequent tax years) by [National Insurance Contributions Act 2015 \(c. 5\)](#), **Sch. 1 paras. 14, 35**
- F25** Sum in s. 18(1) substituted (6.4.2017) by [The Social Security \(Contributions\) \(Rates, Limits and Thresholds Amendments and National Insurance Funds Payments\) Regulations 2017 \(S.I. 2017/415\)](#), regs. 1(1), **5(a)**
- F26** Words in s. 18(1) repealed (with effect for 2003-04 and subsequent tax years) by [National Insurance Contributions Act 2002 \(c. 19\)](#), ss. 7, 8(2), **Sch. 2**
- F27** S. 18(1A) inserted (with effect for 2003-04 and subsequent tax years) by [National Insurance Contributions Act 2002 \(c. 19\)](#), ss. **3(4)**, 8(2)
- F28** Sum in s. 18(1A) substituted (6.4.2017) by [The Social Security \(Contributions\) \(Rates, Limits and Thresholds Amendments and National Insurance Funds Payments\) Regulations 2017 \(S.I. 2017/415\)](#), regs. 1(1), **5(a)**
- F29** Sum in s. 18(1A) substituted (6.4.2017) by [The Social Security \(Contributions\) \(Rates, Limits and Thresholds Amendments and National Insurance Funds Payments\) Regulations 2017 \(S.I. 2017/415\)](#), regs. 1(1), **5(b)**
- F30** Words in s. 18(2) substituted (24.3.1999 for specified purposes and 1.4.1999 otherwise) by S.I. 1999/671, arts. 1(2)(b), 3(1), **Sch. 1 para. 8** (with savings and transitional provisions in Sch. 7); S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6)
- F31** Words in s. 18(2)(b) inserted (1.9.2004) by [National Insurance Contributions and Statutory Payments Act 2004 \(c. 3\)](#), s. 13, **Sch. 1 para. 2(3)**; S.I. 2004/1943, art. 5(a)(ii)

[^{F32}18A Class 4 contributions: partnerships

- (1) The Treasury may by regulations—
- (a) modify the way in which liabilities for Class 4 contributions of a partner in a firm are determined, or
- (b) otherwise modify the law relating to Class 4 contributions,
- as they consider appropriate to take account of the passing or making of a provision of the Income Tax Acts relating to firms or partners in firms.
- (2) “Firm” has the same meaning as in the Income Tax (Trading and Other Income) Act 2005 (and includes a limited liability partnership in relation to which section 863(1) of that Act applies); and “partner” is to be read accordingly and includes a former partner.
- (3) Regulations under this section may have retrospective effect; but they may not have effect before the beginning of the tax year in which they are made.]

Textual Amendments

- F32** S. 18A inserted (13.5.2014) by [National Insurance Contributions Act 2014 \(c. 7\)](#), s. **13(5)(7)**

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