



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART VI

ENFORCEMENT

Unpaid contributions etc.

115 Unpaid contributions - supplementary.

- (1) Where a person charged with an offence mentioned in section 113(1) ^{F1} . . . above is convicted of that offence in his absence under Article 24(2) of the ^{M1}Magistrates' Courts (Northern Ireland) Order 1981 then if—
 - (a) it is proved to the satisfaction of the court, on oath or in the manner prescribed by magistrates' courts rules under Part IV of that Order, that notice under section 114(2) above has been duly served specifying the other contributions in respect of which the complainant intends to give evidence; and
 - (b) the clerk of petty sessions has received a statement in writing purporting to be made by the accused or by a solicitor acting on his behalf to the effect that if the accused is convicted in his absence of the offence charged he desires to admit failing to pay the other contributions so specified or any of them,section 114 above shall have effect as if the evidence had been given and the failure so admitted had been proved, and the court shall proceed accordingly.
- (2) Where a person is convicted of an offence mentioned in section 113(1) ^{F1} . . . above and an order is made under the ^{M2}Probation Act (Northern Ireland) 1950 placing the offender on probation or discharging him absolutely or conditionally, sections 113 and 114 above, and subsection (1) above, shall apply as if it were a conviction for all purposes.
- (3) Any sum which a person is liable to pay under section 113 or 114 above or under subsection (1) above shall be recoverable from him as a penalty.

Status: Point in time view as at 01/03/2017.

Changes to legislation: Social Security Administration (Northern Ireland) Act 1992, Section 115 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) Sums recovered by the [^{F2}Inland Revenue] under the provisions mentioned in subsection (1) above, so far as representing contributions of any class, are to be treated for all purposes of the Contributions and Benefits Act and this Act (including in particular the application of section 142 below) as contributions of that class received by the [^{F2}Inland Revenue].
- (5) Without prejudice to subsection (5) above, in so far as such sums represent primary Class 1 or Class 2 contributions, they are to be treated as contributions paid in respect of the person in respect of whom they were originally payable; and enactments relating to earnings factors shall apply accordingly.

Textual Amendments

- F1** Words in s. 115(1)(2) repealed (6.4.1999) by S.I. 1998/1506 (N.I. 10), art. 78(1)(2), Sch. 6 para. 68, Sch. 7; S.R. 1999/102, art. 2(d), **Sch. Pt. III**
- F2** Words in s. 115(4) substituted (24.3.1999 for certain purposes, otherwise 1.4.1999) by S.I. 1999/671, arts. 1(2), 3(1), **Sch. 1 para. 27**; S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6 of the said S.R.)

Marginal Citations

- M1** S.I. 1981/1675 (N.I. 26).
- M2** 1950 c. 7 (N.I.).

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