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*Status: Point in time view as at 06/04/2016.*

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## STATUTORY INSTRUMENTS

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# 1993 No. 592 (N.I. 2)

## The Social Security (Northern Ireland) Order 1993

- - - - - 10th March 1993

### Title and commencement

1.—(1) This Order may be cited as the Social Security (Northern Ireland) Order 1993.

(2) Subject to paragraph (3), this Order shall come into operation on the seventh day after the day on which it is made.

(3) <sup>F1</sup> . . . Article 5 shall not have effect with respect to any tax year before the tax year 1993-94.  
*Para.(4) rep. by 1993 c. 49*

**F1** 1993 c. 49

### Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954<sup>F2</sup> shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“the 1986 Order” means the Social Security (Northern Ireland) Order 1986<sup>F3</sup>;

“tax year” means the twelve months beginning with 6th April in any year; and “the tax year 1993-94” and “the tax year 1994-95” mean respectively the tax year beginning with 6th April 1993 and the tax year beginning with 6th April 1994.

**F2** 1954 c. 33 (N.I.)

**F3** 1986 NI 18

*Art. 3 rep by 1993 c. 49*

### Payments into National Insurance Fund out of appropriated money

4.—(1) In this Article—

<sup>F4</sup>“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

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“the Department” means the Department of Health and Social Services;

“estimated benefit expenditure”, in relation to a financial year, means the amount estimated by the Department, before the beginning of that financial year, to be that of the aggregate of the amounts that may be expected to be paid out of the National Insurance Fund in that financial year—

- (a) under paragraphs [<sup>F5</sup>(za),] ( a), ( b), ( c) and ( d) of section 143(1) of the Administration Act, and
- (b) [<sup>F6</sup> under Articles 202(1) and 227 of the Employment Rights ( NI ) Order 1996; [<sup>F7</sup> and ]]
- (c) [<sup>F7</sup>under section 172(1)(b) of the Pension Schemes (Northern Ireland) Act 1993]

“the National Insurance Fund” means the Northern Ireland National Insurance Fund.

(2) During the tax year 1993-94 there shall be paid into the National Insurance Fund out of money appropriated by Measure such amounts as the Department may determine, not exceeding in aggregate 20 per cent. of estimated benefit expenditure for the financial year ending in that tax year.

(3) If, before the beginning of the tax year 1994-95 or any subsequent tax year, [<sup>F8</sup> the Treasury by order provide] that this paragraph is to have effect with respect to that tax year, there shall during that tax year be paid into the National Insurance Fund out of money appropriated by Measure such amounts as the [<sup>F8</sup> Treasury] may determine, not exceeding in aggregate the prescribed percentage of estimated benefit expenditure for the financial year ending in that tax year.

(4) In paragraph (3) “the prescribed percentage” means such percentage, not exceeding 17 per cent., as may be specified in the order under that paragraph.

(5) The [<sup>F8</sup> Treasury] may exercise the power to make a determination under paragraph (2) or an order or determination under paragraph (3) only if [<sup>F8</sup> they think] it expedient to do so with a view to adjusting the level at which the National Insurance Fund stands for the time being and having regard to estimated benefit expenditure for the financial year ending in the tax year to which the determination or order is to relate.

*Paras.(6)(7) rep. by SI 1999/671*

[<sup>F8</sup>(8) An order under paragraph (3) shall be made by statutory instrument; and a statutory instrument containing such an order shall not be made unless a draft of the instrument has been laid before parliament and approved by a resolution of each House of Parliament.]

(9) In section 1 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>F9</sup> (outline of contributory system), at the end of subsection (1) there shall be added the words “and amounts payable under Article 4 of the Social Security (Northern Ireland) Order 1993”.

**F4** 1992 c. 8

**F5** Word in art. 4(1) inserted (6.4.2016) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\), s. 53\(3\), Sch. 12 para. 25](#)

**F6** 1996 NI 16

**F7** 1993 c. 49

**F8** SI 1999/671

**F9** 1992 c. 7

#### Modifications etc. (not altering text)

**C1** Art. 4(3) applied (6.4.2006 with effect as mentioned in art. 6 of the amending Order) by [Social Security \(Contributions\) \(Re-rating and National Insurance Funds Payments\) Order 2006 \(S.I. 2006/624\), art. 6](#)

**C2** Art. 4(3) applied (6.4.2007 with effect as mentioned in art. 6 of the amending Order) by [Social Security \(Contributions\) \(Re-rating and National Insurance Funds Payments\) Order 2007 \(S.I. 2007/1052\), art. 6](#)

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- C3** Art. 4(3) applied (6.4.2014 with effect as mentioned in art. 6 of the amending Order) by [The Social Security \(Contributions\) \(Re-rating and National Insurance Funds Payments\) Order 2014 \(S.I. 2014/475\)](#), arts. 1, **6**
- C4** Art. 4(3) applied (6.4.2015 with effect as mentioned in art. 5 of the amending Order) by [The Social Security \(Contributions\) \(Re-rating and National Insurance Funds Payments\) Order 2015 \(S.I. 2015/588\)](#), arts. 1(1), **5**
- C5** Art. 4(3) applied (with modifications) (6.4.2016 with effect with respect to the tax year 2016-17) by [The Social Security \(Contributions\) \(Limits and Thresholds Amendments and National Insurance Funds Payments\) Regulations 2016 \(S.I. 2016/343\)](#), regs. 1, **7**

## Repeals

5. The following provisions of Article 5 of the 1986 Order are hereby repealed—
  - (a) in paragraph (1) the words “Subject to paragraph (2),” and sub-paragraph ( *b*);
  - (b) paragraph (2); and
  - (c) in paragraph (5)( *d*) the words from “and as if” to the end.

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