



Social Security (Northern Ireland) Act 1975

1975 CHAPTER 15

PART IV

GENERAL PROVISIONS AS TO OPERATION AND ADMINISTRATION OF THIS ACT

Special classes of earners

122 Crown employment

- (1) Subject to the provisions of this section, this Act applies to persons employed by or under the Crown in like manner as if they were employed by a private person.
- (2) This section does not apply to persons serving as members of Her Majesty's forces ; and employment as a member of those forces and any other prescribed employment under the Crown are not, and are not to be treated as, employed earner's employment for any of the purposes of Chapter IV or V of Part II of this Act.

123 Her Majesty's forces

- (1) Subject to section 122(2) above and to this section, a person who is serving as a member of Her Majesty's forces shall, while he is so serving, be treated for the purposes of this Act as an employed earner in respect of his membership of those forces.
- (2) The Secretary of State may make regulations modifying Parts I, II and III of this Act, in such manner as he thinks proper, in their application to persons who are or have been members of Her Majesty's forces; and regulations under this section may in particular provide—
 - (a) in the case of persons who are employed earners in respect of their membership of those forces, for reducing the rate of the contributions payable in respect of their employment and for determining—

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- (i) the amounts payable on account of those contributions by the Secretary of State and the time and manner of payment, and
- (ii) the deductions (if any) to be made on account of those contributions from the pay of those persons ;
- (b) for preventing a person who is discharged from Her Majesty's forces at his own request from being thereby disqualified for receiving unemployment benefit on the ground that he has voluntarily left his employment without just cause.
- (3) For the purposes of this Act, Her Majesty's forces shall be taken to consist of such establishments and organisations as may be prescribed by regulations made by the Secretary of State, being establishments and organisations in which persons serve under the control of the Defence Council.

124 Mariners, airmen, etc.

- (1) The Department may make regulations modifying provisions of Parts I, II and III of this Act, in such manner as the Department thinks proper, in their application to persons who are or have been, or are to be, employed on board any ship, vessel, hovercraft or aircraft.
- (2) Regulations under subsection (1) above may in particular provide—
 - (a) for any such provision to apply to such persons, notwithstanding that it would not otherwise apply ;
 - (b) for excepting such persons from the application of any such provision where they neither are domiciled nor have a place of residence in Northern Ireland;
 - (c) for requiring the payment of secondary Class 1 contributions in respect of such persons, whether or not they are (within the meaning of Part I) employed earners;
 - (d) for the taking of evidence, for the purposes of any claim to benefit, in a country or territory other than Northern Ireland, by a British consular official or such other person as may be prescribed ;
 - (e) for enabling persons who are or have been so employed to authorise the payment of the whole or any part of any benefit to which they are or may become entitled to such of their dependants as may be prescribed.
- (3) Any secondary Class 1 contribution payable by an employer—
 - (a) in respect of payments to a person employed on board a ship, vessel or hovercraft, where that person is by virtue of this section excepted from liability to pay a primary Class 1 contribution in respect of the payments ; or
 - (b) by virtue of this section in respect of a person so employed who is not an employed earner within the meaning of Part I,
 shall be excluded from the contributions which under section 1(5) of this Act are to be taken into account for the purpose of arriving at the amount of any supplement under that subsection and shall be administered and applied in such manner and for such purposes as may be prescribed.

125 Married women and widows

- (1) The Department may make regulations modifying any of the following provisions of this Act, namely—

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Part I, and

Chapters I, II and III of Part II (except section 33 in Chapter I),

in such manner as it thinks proper, in their application to women who are or have been married.

- (2) Regulations under this section shall provide (subject to any prescribed conditions and exceptions) for enabling a married woman or widow to elect that in any tax year—
- (a) her liability in respect of primary Class 1 contributions shall be a liability to contribute at the reduced, instead of the standard, rate ; or
 - (b) she shall be under no liability for Class 2 contributions,
- and to revoke any such election.
- (3) Regulations made for the purposes of subsection (2) above shall provide so that—
- (a) a woman's election for those purposes is not to be made or revoked otherwise than in respect of a complete tax year (whether the year in which the election is made, or any subsequent year); and
 - (b) an election made or revoked for either one of the purposes mentioned in subsection (2) is to be deemed to be made or revoked for the other purpose also; and
 - (c) while an election has effect, the woman who made it is not entitled to pay any Class 3 contributions.

126 Persons outside Northern Ireland

The Department may make regulations modifying Parts I, II and III of this Act, in such manner as it thinks proper, in their application to persons who are or have been outside Northern Ireland at any prescribed time or in any prescribed circumstances.