



Social Security Contributions and Benefits (Northern Ireland) Act 1992

1992 CHAPTER 7

PART VI

MISCELLANEOUS PROVISIONS RELATING TO PART I TO V

Special cases

115 Crown employment - Parts I to VI.

- (1) Subject to the provisions of this section, Parts I to V and this Part of this Act apply to persons employed by or under the Crown in like manner as if they were employed by a private person.
- (2) Subsection (1) above does not apply to persons serving as members of Her Majesty's forces in their capacity as such.
- (3) Employment as a member of Her Majesty's 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 Part V of this Act.
- (4) The references to Parts I to V of this Act in this section and sections 116, 117, 119 and 120 below do not include references to section 111 above.

116 Her Majesty's forces.

- (1) Subject to section 115(2) and (3) 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 as an employed earner, in respect of his membership of those forces, for the purposes—
 - (a) of Parts I to V and this Part of this Act; and
 - (b) of any provision of the Administration Act in its application to him as an employed earner.

Status: Point in time view as at 06/04/1995.

Changes to legislation: *Social Security Contributions and Benefits (Northern Ireland) Act 1992, Cross Heading: Special cases is up to date with all changes known to be in force on or before 21 June 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)*

- (2) The Secretary of State may make regulations modifying Parts I to V and this Part of this Act, and any provision of Part II of the Administration Act which replaces provisions of Part III of the 1975 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—
 - (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 Parts I to V and this Part 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.

Extent Information

- E1** [S. 116](#) extends to Northern Ireland only, with the exception of s.116(2) which extends to United Kingdom.

117 Mariners, airmen, etc.

- (1) The Department may make regulations modifying provisions of Parts I to V and this Part of this Act, and any provision of Part II of the Administration Act which replaces provisions of Part III of the 1975 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 of this Act) 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.

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118 Married women and widows.

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

- (a) Part I;
- (b) Part II (except section 60); and
- (c) Parts III and IV,

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

119 Persons outside Northern Ireland.

The Department may make regulations modifying Parts I to V of this Act, and any provision of Part II of the Administration Act which replaces provisions of Part III of the 1975 Act, in such manner as the Department thinks proper, in their application to persons who are or have been outside Northern Ireland at any prescribed time or in any prescribed circumstances.

120 Treatment of certain marriages.

(1) Regulations may provide—

- (a) for a voidable marriage which has been annulled, whether before or after the date when the regulations come into force, to be treated for the purposes of the provisions to which this subsection applies as if it had been a valid marriage which was terminated by divorce at the date of annulment;
- (b) as to the circumstances in which, for the purposes of the enactments to which this section applies—
 - (i) a marriage celebrated under a law which permits polygamy; or
 - (ii) any marriage during the subsistence of which a party to it is at any time married to more than one person,is to be treated as having, or not having, the consequences of a marriage celebrated under a law which does not permit polygamy.

(2) Subsection (1) above applies—

- (a) to any enactment contained in Parts I to V or this Part of this Act; and
- (b) to regulations under any such enactment.

Modifications etc. (not altering text)

C1 [S. 120](#) applied (7.2.1994) by [1993 c. 49, s. 163\(5\)](#); [S.R. 1994/17, art. 2](#)

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