



Social Security Contributions and Benefits (Northern Ireland) Act 1992

1992 CHAPTER 7

PART II

CONTRIBUTORY BENEFITS

Partial satisfaction of contribution conditions

[^{F1}61A Contributions paid in error.

- (1) This section applies in the case of any individual if—
 - (a) the individual has paid amounts by way of primary Class 1 contributions which, because the individual was not an employed earner, were paid in error, and
 - (b) prescribed conditions are satisfied.
- (2) Regulations may, where—
 - (a) this section applies in the case of any individual, and
 - (b) the [^{F2}Inland Revenue are] of the opinion that it is appropriate for the regulations to apply to the individual,
provide for entitlement to, and the amount of, additional pension to be determined as if the individual had been an employed earner and, accordingly, those contributions had been properly paid.
- (3) The reference in subsection (2) above to additional pension is to additional pension for the individual or the individual's spouse falling to be calculated under section 45 above for the purposes of—
 - (a) Category A retirement pension,
 - (b) Category B retirement pension for widows or widowers [^{F3}(payment by virtue of section 48B or 48BB above)],
 - (c) widowed mother's allowance and widow's pension,

Status: Point in time view as at 24/04/2000. This version of this provision has been superseded.

Changes to legislation: Social Security Contributions and Benefits (Northern Ireland) Act 1992, Section 61A is up to date with all changes known to be in force on or before 24 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)

- [widowed parent's allowance,] and
^{F4}(ca)
 (d) incapacity benefit (except in transitional cases).

(4) Regulations may, where—

- (a) this section applies in the case of any individual, and
 (b) the [^{F2}Inland Revenue are] of the opinion that it is appropriate for regulations made by virtue of Article 6(8) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (provision during transition from invalidity benefit to incapacity benefit for incapacity benefit to include the additional pension element of invalidity pension) to have the following effect in the case of the individual,

provide for the regulations made by virtue of that Article to have effect as if, in relation to the provisions in force before the commencement of that Article with respect to that additional pension element, the individual had been an employed earner and, accordingly, the contributions had been properly paid.

(5) Where such provision made by regulations as is mentioned in subsection (2) or (4) above applies in respect of any individual, regulations under paragraph 8(1)(m) of Schedule 1 to this Act may not require the amounts paid by way of primary Class 1 contributions to be repaid.

(6) Regulations may provide, where—

- (a) such provision made by regulations as is mentioned in subsection (2) or (4) above applies in respect of any individual,
 (b) prescribed conditions are satisfied, and
 (c) the amount calculated by reference to the contributions in question has been paid in respect of that individual by way of minimum contributions under section 39 of the Pensions Act (contributions to personal pension schemes),

for that individual to be treated for the purposes of that Act as if that individual had been an employed earner and, accordingly, the amount had been properly paid.]

Textual Amendments

- F1** S. 61A inserted (16.12.1995 subject to Sch. 2 of the amending S.I.) by S.I. 1995/3213 (N.I. 22), **arts. 1(3), 130**
- F2** Words in s. 61A(2)(b)(4)(b) 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. 9** (with savings and transitional provisions in Sch. 7); S.R. 1999/149, **art. 2(c), Sch. 2** (subject to **arts. 3-6**)
- F3** Words in s. 61A(3)(b) inserted (24.4.2000 for specified purposes and 9.4.2001 otherwise) by S.I. 1999/3147 (N.I. 11), **art. 67, Sch. 8 para. 9(a); S.R. 2000/133, art. 2(3)(a), Sch. Pt. I**
- F4** S. 61A(3)(ca) inserted (24.4.2000 for specified purposes and 9.4.2001 otherwise) by S.I. 1999/3147 (N.I. 11), **art. 67, Sch. 8 para. 9(b); S.R. 2000/133, art. 2(3)(a), Sch. Pt. I**

Status:

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