



Social Security Act 1993

1993 CHAPTER 3

An Act to amend sections 3 and 85 of the Social Security Act 1986, to provide for the making of certain payments into the National Insurance Fund, and for connected purposes. [29th January 1993]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Pension schemes: payments by Secretary of State under Part I of Social Security Act 1986

- (1) In section 3 of the Social Security Act 1986 (amount of minimum contributions to personal pension schemes) in subsection (1) (calculation of contributions)—
 - (a) at the end of paragraph (a) after “and” there shall be inserted—
 - “(aa) where—
 - (i) the tax year in which the tax week falls ends before such date as may be prescribed, and
 - (ii) the earner was over the age of 30 on the 6th April with which the tax year began,
 - 1 per cent. of any such earnings”, and
 - (b) paragraph (b) (which does not have effect in relation to tax weeks ending after 5th April 1993) shall be omitted.
- (2) In subsection (5) of that section (provision that may be made by regulations) after paragraph (c) there shall be inserted—
 - “(cc) for the manner in which an earner's age is to be verified for the purposes of subsection (1)(aa) above”.
- (3) In section 85 of that Act (financial provision) after subsection (8) there shall be inserted—

“(8A) There shall be paid out of the National Insurance Fund into the Consolidated Fund, at such times and in such manner as the Treasury may direct, such sums as the Secretary of State may estimate (in accordance with any directions given by the Treasury) to be the amount of the administrative expenses incurred by him in exercising his functions relating to—

- (a) minimum contributions paid by him under Part I of this Act; and
- (b) payments by him under section 7 above.”

2 Payments into National Insurance Fund out of money provided by Parliament

- (1) During the tax year 1993-94 there shall be paid into the National Insurance Fund out of money provided by Parliament such amounts as the Secretary of State may from time to time determine, not exceeding in aggregate 20 per cent. of estimated benefit expenditure for the financial year ending with 31st March 1994.
- (2) If, before the beginning of the tax year 1994-95 or any subsequent tax year, the Secretary of State with the consent of the Treasury by order provides that this subsection 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 provided by Parliament such amounts as the Secretary of State may from time to time determine, not exceeding in aggregate the prescribed percentage of estimated benefit expenditure for the financial year ending with 31st March in that tax year.
- (3) In subsection (2) above “the prescribed percentage” means such percentage, not exceeding 17 per cent., as may be specified in the order under that subsection.
- (4) In this section “estimated benefit expenditure”, in relation to a financial year, means the amount estimated by the Government Actuary or the Deputy Government Actuary, 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 (a), (b), (c) and (d) of section 163(1) of the Social Security Administration Act 1992, and
 - (b) under sections 106(2), 122(1) and 123(1) of the Employment Protection (Consolidation) Act 1978.
- (5) The Secretary of State may exercise his power to make a determination under subsection (1) above or an order or determination under subsection (2) above only if he thinks 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 with 31st March in the tax year to which the determination or order is to relate.
- (6) The Secretary of State shall consult the Treasury before making any determination under subsection (1) or (2) above.
- (7) Amounts payable under this section shall be paid at such times and in such manner as the Treasury may direct.
- (8) An order under subsection (2) above 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 Act 1992 (outline of contributory system) at the end of subsection (1) there shall be added “and amounts payable under section 2 of the Social Security Act 1993”.

3 Corresponding provision for Northern Ireland

An Order in Council under paragraph 1(1)(b) of Schedule 1 to the Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which states that it is made only for purposes corresponding to those of this Act—

- (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament); but
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

4 Interpretation and repeals

- (1) In this Act “tax year” means the 12 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.
- (2) The enactments specified in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

5 Short title, commencement and extent

- (1) This Act may be cited as the Social Security Act 1993.
- (2) The following provisions of this Act shall not have effect with respect to any tax year before the tax year 1993-94—
 - section 1(1) and (2), and
 - section 4(2) and the Schedule.
- (3) Section 1(3) of this Act shall be deemed always to have had effect.
- (4) Section 3 of this Act and this section extend to Northern Ireland, but otherwise this Act does not extend there.

Status: This is the original version (as it was originally enacted).

SCHEDULE

Section 4(2).

REPEALS

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1986 c. 50.	The Social Security Act 1986.	In section 3, in subsection (1) the words “Subject to subsection (2) below” and paragraph (b), subsection (2) and, in subsection (5)(d), the words from “and as if” to the end.
