
STATUTORY INSTRUMENTS

1975 No. 556

The Social Security (Credits) Regulations 1975

[^{F1}Credits for certain spouses and civil partners of members of Her Majesty's forces

9E.—(1) For the purposes of entitlement to any benefit by virtue of a person's earnings or contributions, that person shall, subject to the following paragraphs, be entitled to be credited with earnings equal to the lower earnings limit then in force, in respect of each week to which paragraph (2) applies.

(2) This paragraph applies to each week for any part of which the person is—

- (a) the spouse or civil partner of a member of Her Majesty's forces or treated as such by the Secretary of State for the purposes of occupying accommodation, and
- (b) accompanying the member of Her Majesty's forces on an assignment outside the United Kingdom or treated as such by the Secretary of State.

(3) A person referred to in paragraph (2) shall be entitled to be credited with earnings in respect of a week by virtue of this regulation only if that person has made an application to the Secretary of State for the purpose.

(4) An application under paragraph (3) must—

- (a) be properly completed and on a form approved by the Secretary of State, or in such manner as the Secretary of State accepts as sufficient in the particular circumstances, and
- (b) include—
 - (i) a statement confirming that the conditions referred to in paragraph (2) are met and signed by or on behalf of the Defence Council or a person authorised by them, and
 - (ii) such other information as the Secretary of State may require.

(5) An application under paragraph (3) is to be made—

- (a) once the end date of the assignment referred to in paragraph (2) has been confirmed, or
- (b) at such earlier time as the Secretary of State is prepared to accept in the particular circumstances of the case.

(6) An application made in accordance with paragraph (5)(a) must be made before the end of the tax year immediately following the tax year in which the assignment referred to in paragraph (2) ended, or within such further time as may be reasonable in the circumstances of the case.

(7) Where the Secretary of State accepts an application in accordance with paragraph (5)(b), this regulation entitles the person referred to in paragraph (2) to be credited with earnings in respect of any week subsequent to that application only if that person has made a further application to the Secretary of State in accordance with paragraphs (3) to (6).

(8) This regulation shall not apply—

- (a) to a person in respect of any week where the person is entitled to be credited with earnings under regulation 7A, 8A or 8B in respect of the same week;
- (b) to a woman in respect of any week in any part of which she was a married woman in respect of whom an election made by her under regulations made under section 19(4) of the Contributions and Benefits Act had effect; or

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(c) in respect of any week commencing before 6th April 2010.]

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Textual Amendments

F1 Reg. 9E added (6.4.2010) by [The Social Security \(Credits\) \(Amendment\) Regulations 2010 \(S.I. 2010/385\)](#), regs. 1, **2(3)**

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