
STATUTORY INSTRUMENTS

1978 No. 1689

The Social Security (Categorisation of Earners) Regulations 1978

Special provisions with respect to persons declared by the High Court to be persons falling within a particular category of earners

4.—(1) Where, under the provisions of the Act relating to references and appeals to the High Court⁽¹⁾, the High Court decides any question whether in respect of any employment a person is an earner and, if so, as to the category of earners in which he is to be included, and that decision is inconsistent with some previous determination of a question by the Secretary of State⁽²⁾, then, if the Secretary of State is satisfied that contributions appropriate to another category of earners have been paid by or in respect of any person by reason of that determination or in the reasonable belief that that determination was applicable, the Secretary of State may, if it appears to him that it would be in the interests of the person by or in respect of whom such contributions have been paid, or of any claimant or beneficiary by virtue of that person's contributions, so to do, direct that that person shall be treated as though he had been included in the category of earners corresponding to the contributions paid during the period for which contributions appropriate to that other category were so paid before the date on which the decision of the High Court was given, and, if such a direction is given, that person shall be deemed to have been included in that category accordingly for such period.

(2) Where the Secretary of State, on review under section 96(1) of the Act, has revised a determination of a question previously given by him, the provisions of this regulation shall apply with the necessary modifications in the same manner as they apply where the High Court has given a decision inconsistent with a determination previously given by the Secretary of State.

(3) In the application of this regulation to Scotland, for any reference to the High Court, there shall be substituted a reference to the Court of Session⁽³⁾.

(1) See section 94 of the Social Security Act 1975.

(2) See section 93 of the Social Security Act 1975.

(3) See section 94(1) of the Social Security Act 1975.

Status:

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There are currently no known outstanding effects for the The Social Security (Categorisation of Earners) Regulations 1978, Section 4.