

STATUTORY INSTRUMENTS

1985 No. 400

SOCIAL SECURITY

**The Social Security (Contributions) Amendment
(No. 5) Regulations 1985**

Made - - - 13th March 1985

Laid before Parliament 15th March 1985

Coming into Operation 6th April 1985

The Secretary of State for Social Services, in exercise of powers conferred upon him by section 129(1) of the Social Security Act 1975(a) and of all other powers enabling him in that behalf, hereby makes the following regulations.

This instrument contains only provisions modifying section 7A of the Social Security Act 1975(b) and accordingly by virtue of section 22(1)(g) of the Health and Social Security Act 1984, the Secretary of State has not referred proposals to make the regulations contained in it to the Social Security Advisory Committee.

Citation, interpretation and commencement

1. These regulations, which may be cited as the Social Security (Contributions) Amendment (No. 5) Regulations 1985, amend the Social Security (Contributions) Regulations 1979(c) (hereinafter referred to as “the principal regulations”) and shall come into operation on 6th April 1985.

Amendment of regulation 98 of the principal regulations

2. After regulation 98(g) of the principal regulations (modification in relation to share fishermen of Part I of the Act and so much of Part IV thereof as relates to contributions) there shall be inserted the following paragraph—

“(h) for the purposes of the provisions of section 7A of the Act and for the purposes of those provisions as modified by regulations 43B, 43C and 43D of these regulations, where an earner was a share fisherman when liability for Class 2 contributions arose, any reference in section 7A to an ordinary contribution, or any reference in regulations 43B, 43C and 43D to the weekly applicable rate of a contribution, shall be a reference to the rate of Class 2 contributions prescribed for a share fisherman.”.

Signed by authority of the Secretary of State for Social Services.

Tony Newton,
Minister of State,
Department of Health and Social Security.

13th March 1985.

(a) 1975 c.14.

(b) Section 7A was inserted by section 17 of the Health and Social Security Act 1984 (c.48).

(c) S.I. 1979/591, to which there are amendments not relevant to these regulations.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Social Security (Contributions) Regulations 1979 (“the principal regulations”) to further modify the Social Security Act 1975 (“the Act”) in relation to share fishermen.

Regulation 2 inserts a new regulation 98(*h*) into the principal regulations. The new provision modifies section 7A of the Act which was inserted by section 17 of the Health and Social Security Act 1984 and regulations 43B, 43C and 43D of the principal regulations which were inserted by the Social Security (Contributions) Amendment (No.2) Regulations 1985 (S.I. 1985/397) (which also modify section 7A of the Act). It provides that where liability for a Class 2 contribution at the share fisherman rate prescribed in regulation 98(*c*) of the principal regulations arises in a year, and the weekly rate of the said contribution later falls to be computed in accordance with the provisions of section 7A or regulations 43B, 43C or 43D, any reference in those provisions to an “ordinary contribution” or, as the case may be, “weekly applicable rate” shall be a reference to the rate of a Class 2 contribution for share fishermen prescribed in regulation 98(*c*) of the principal regulations.

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