
STATUTORY INSTRUMENTS

2001 No. 1004

The Social Security (Contributions) Regulations 2001

PART 2

ASSESSMENT OF EARNINGS RELATED CONTRIBUTIONS

[^{F1}Amounts to be treated as earnings in connection with the use of qualifying vehicles other than cycles

22A.—(1) To the extent that it would not otherwise be earnings, the amount specified in paragraph (2) shall be so treated.

(2) The amount is that produced by the formula—

Here—

RME is the aggregate of relevant motoring expenditure within the meaning of paragraph (3) in the earnings period; and

QA is the qualifying amount calculated in accordance with paragraph (4).

[
^{F2}(2A) But the amount in paragraph (2) is taken to be RME (without the subtraction of QA) so far as the aggregate of relevant motoring expenditure is paid pursuant to optional remuneration arrangements.]

(3) A payment is relevant motoring expenditure if—

- (a) it is a mileage allowance payment within the meaning of [^{F3}section 229(2) of ITEPA 2003];
- (b) it would be such a payment but for the fact that it is paid to another for the benefit of the employee; or
- (c) it is any other form of payment, except a payment in kind, made by or on behalf of the employer, and made to, or for the benefit of, the employee in respect of the use by the employee of a qualifying vehicle.

[^{F4}Here “qualifying vehicle” means a vehicle to which section 235 of ITEPA 2003 applies,] but does not include a cycle within the meaning of section 192(1) of the Road Traffic Act 1988.

(4) The qualifying amount is the product of the formula—

Here—

M is the sum of—

- (a) the number of miles of business travel undertaken, at or before the time when the payment is made—
 - (i) in respect of which the payment is made, and
 - (ii) in respect of which no other payment has been made; and

- (b) the number of miles of business travel undertaken—
- (i) since the last payment of relevant motoring expenditure was made, or, if there has been no such payment, since the employment began, and
 - (ii) for which no payment has been, or is to be, made; and

R is the rate applicable to the vehicle in question, at the time when the payment is made, in accordance with [^{F5}section 230(2) of ITEPA 2003] and, if more than one rate is applicable to the class of vehicle in question, is the higher or highest of those rates.]

Textual Amendments

- F1** Reg. 22A and cross-heading inserted (6.4.2002) by [Social Security \(Contributions\) \(Amendment No.2\) Regulations 2002 \(S.I. 2002/307\)](#), regs. 1(1), **5**
- F2** Reg. 22A(2A) inserted (6.4.2018) by [The Social Security \(Contributions\) \(Amendment\) Regulations 2018 \(S.I. 2018/120\)](#), regs. 1, **4**
- F3** Words in reg. 22A(3) substituted (6.4.2004) by [The Social Security \(Contributions, Categorisation of Earners and Intermediaries\) \(Amendment\) Regulations 2004 \(S.I. 2004/770\)](#), regs. 1(1), **4(a)(i)**
- F4** Words in reg. 22A(3) substituted (6.4.2004) by [The Social Security \(Contributions, Categorisation of Earners and Intermediaries\) \(Amendment\) Regulations 2004 \(S.I. 2004/770\)](#), regs. 1(1), **4(a)(ii)**
- F5** Words in reg. 22A(4) substituted (6.4.2004) by [The Social Security \(Contributions, Categorisation of Earners and Intermediaries\) \(Amendment\) Regulations 2004 \(S.I. 2004/770\)](#), regs. 1(1), **4(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Contributions) Regulations 2001, Section 22A.