

---

STATUTORY INSTRUMENTS

---

**2010 No. 646**

**The Social Security (Contributions)  
(Amendment No. 3) Regulations 2010**

**Amendment of the Social Security (Contributions) Regulations 2001**

2. Paragraph (6) of regulation 52A (return of contributions paid in excess of the maxima) of the Social Security (Contributions) Regulations 2001(1) is amended as follows—

(a) omit “and” at the end of the definition of “an APP employment” and after that definition insert—

““UAP” means the upper accrual point(2); and”; and

(b) for Rule 2 and Rule 3 substitute—

*“Rule 2*

If the amount of contributions paid in respect of contracted-out employments exceeds the amount found by the following formula, the amount to be returned is the excess.

The formula is—

$$53 \times [((UAP - PT) \times 9.4\%) + ((UEL - UAP) \times 11\%)]$$

In any other case to which this Rule applies take the following Steps: the amount to be returned is the excess of the contributions actually paid by the earner over the amount found by Step 5 in the following sequence.

*Step 1*

Determine the amount of earnings between the PT and UAP in respect of contracted-out employments held in the year.

*Step 2*

Multiply the amount found at Step 1 by 9.4%.

*Step 3*

Subtract the amount found at Step 1 from that found by the formula—

$$53 \times (UEL - PT)$$

*Step 4*

Multiply the result found at Step 3 by 11%.

*Step 5*

Add together the results of Steps 2 and 4.

*Rule 3*

---

(1) S.I. 2001/1004; amended by S.I. 2004/770; there are other amending instruments but none are relevant.

(2) Section 122(1) of the Social Security Contributions and Benefits Act 1992 and section 121 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 give the meaning of upper accrual point.

---

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

---

If the amount of contributions paid in respect of APP employments exceeds the amount produced by the formula below, the amount to be refunded is the excess.

The formula is—

$$53 \times (UEL - PT) \times 11\%$$

In any other case to which this Rule applies take the following Steps: the amount to be returned is the excess of the contributions actually paid by the earner over the amount found by Step 7 in the following sequence.

*Step 1*

Determine the amount of earnings between the PT and UEL in respect of APP employments held in the year.

*Step 2*

Multiply the amount found at Step 1 by 11%.

*Step 3*

Subtract the amount found at Step 1 from that found by the formula—

$$53 \times (UAP - PT)$$

If the result is a positive amount go to Step 4, otherwise go to Step 5.

*Step 4*

Multiply the amount found at Step 3 by 9.4%.

*Step 5*

Subtract the amount found at Step 1 together with any positive amount found at Step 3 from the amount found by the formula—

$$53 \times (UEL - PT)$$

*Step 6*

Multiply the amount found at Step 5 by 11%.

*Step 7*

Add together the results of Steps 2, 4 (if completed) and 6.”.