

1975 No. 424 (N.I. 4)

NORTHERN IRELAND

The Selective Employment Premium (Northern Ireland)
Order 1975

Laid before Parliament in draft

Made 18th March 1975

Coming into Operation 7th April 1975

ARRANGEMENT OF ORDER

Article

1. Title, commencement and interpretation.
2. Amendments as to selective employment premium after 6th April 1975.
3. Annulment of provision for payment of premium to certain public bodies.
4. Repeals.

SCHEDULES:

Schedule 1—Amendments

Schedule 2—Repeals

At the Court at Buckingham Palace, the 18th day of March 1975

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 (a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title, commencement and interpretation

1.—(1) This Order may be cited as the Selective Employment Premium (Northern Ireland) Order 1975.

(2) This Order shall come into operation on 7th April 1975.

(3) The Interpretation Act (Northern Ireland) 1954 (a) shall apply to paragraph (2) and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(4) Any reference in this Order to the Social Security Act 1973 (b) includes a reference to any other Act re-enacting Part I of that Act.

Amendments as to selective employment premium after 6th April 1975

2.—(1) In relation to any week beginning after 6th April 1975 and before the date appointed by the Head of the Department of Finance under Article 16 (3) of the Finance (Northern Ireland) Order 1972 (c) the enactments mentioned in Schedule 1 (which relate to selective employment premium) shall have effect subject to the amendments specified in that Schedule (being amendments required in connection with the coming into force of the Social Security Act 1973).

(2) For the purposes of paragraph (1) and, after 6th April 1975, of the following provisions, namely—

(a) sections 1 and 8 of the Selective Employment Payments Act (Northern Ireland) 1966 (d);

(b) section 1 of the Selective Employment Payments (Amendment) Act (Northern Ireland) 1967 (e); and

(c) Article 16 (3) of the Finance (Northern Ireland) Order 1972,

the expression "week" shall mean a period of seven days beginning with midnight between Sunday and Monday.

Annulment of provision for payment of premium to certain public bodies

3. Section 4 of the Selective Employment Payments Act (Northern Ireland) 1966 (payments to certain public bodies) shall have, and be deemed always to have had, effect as if the amendments made in subsection (2) of that section by the Finance (Northern Ireland) Order 1972 Schedule 3 paragraph 2 (power to repay tax extended to power to pay premium) had never been made.

Repeals

4. The enactments set out in Schedule 2 are hereby repealed to the extent specified in column 3 thereof.

N. E. Leigh

(a) 1954 c. 33 (N.I.). (b) 1973 c. 38. (c) S.I. 1972/1100 (N.I. 11).
(d) 1966 c. 32 (N.I.). (e) 1967 c. 23 (N.I.).

SCHEDULES

SCHEDULE 1

Article 2 (1).

AMENDMENTS

The Selective Employment Payments Act (Northern Ireland) 1966 (c. 32)

1. For section 1 (1) of the Selective Employment Payments Act (Northern Ireland) 1966 substitute—

“(1) Where a person has been employed by an employer for not less than eight hours in a week in an employment to which this section applies and has been remunerated for that employment (whether or not he did any work in that employment in that week), then, subject to the provisions of subsection (1A) and section 8, and of section 1 (3) of the Selective Employment Payments (Amendment) Act (Northern Ireland) 1967, the Department of Manpower Services shall make to the employer in respect of that person and that week a payment of the appropriate amount specified in section 1 (1) or (2) of that Act of 1967.

(1A) An employer shall not be eligible for a payment under this section in respect of a person in respect of a week if as regards that week he was a party to any arrangements knowingly entered into by him for the sole purpose of enabling himself and one or more other employers each to obtain such a payment in respect of that person and that week.”.

2. In section 1 (2) (b) of that Act, for “employed persons” substitute “employed earners”.

3. In section 8 (1) (b) of that Act, for “of employer’s insurance contribution in respect of” substitute “of remuneration to”.

4. In section 11 (1) of that Act after the definition of “company” insert—

“ ‘employed earner’ and ‘employer’ have the same meanings respectively as they have for the purposes of the Social Security Act 1973;”.

The Selective Employment Payments (Amendment) Act (Northern Ireland) 1967 (c. 23)

5. In section 1 (2) of the Selective Employment Payments (Amendment) Act (Northern Ireland) 1967, after “question” insert “for not less than eight hours”.

6. In section 1 (3) of that Act, after paragraph (b) insert—

“(c) of the remuneration paid to that person in respect of that week; and
(d) of the date of birth and sex of that person.”.

REPEALS

Chapter or Number	Short Title	Extent of Repeal
1966 c. 32 (N.I.).	The Selective Employment Payments Act (Northern Ireland) 1966.	<p>In section 8 (1), in paragraph (a) the words "in respect of any employer's insurance contribution paid", and the word "contribution", and in paragraph (b) the words "in respect of any employer's insurance contribution" and the word "contribution".</p> <p>In section 11 (1), in the paragraph following the definition of "agriculture", the words "employed person" and "employer".</p>
1967 c. 23 (N.I.).	The Selective Employment Payments (Amendment) Act (Northern Ireland) 1967.	<p>In section 1, in subsection (1), in paragraphs (a), (b), (c) and (d) the words from "treated" to "as", in subsections (2) and (3) the word "contribution", and in subsection (3) (a) the word "and".</p>
S.I. 1972/1100 (N.I. 11).	The Finance (Northern Ireland) Order 1972.	<p>In Article 16 (3) the word "contribution" in both places where it occurs, and in paragraph (a) the word "such".</p> <p>In Schedule 3, paragraphs 1 to 3, and in paragraph 4, in the subsection there set out, the words from "treated" to "as" in paragraphs (a), (b), (c) and (d).</p>

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order modifies the enactments relating to the payment of selective employment premium in Northern Ireland, which at present operate by reference to the payment of employer's insurance contributions under the National Insurance Act (Northern Ireland) 1966, so as to enable the premium to continue to be paid after the Act of 1966 is superseded by the Social Security Act 1973 on 6th April 1975. The Order also annuls a provision of the Finance (Northern Ireland) Order 1972 which would have allowed selective employment premium to be paid to certain public bodies.