



Social Security Act 1975

1975 CHAPTER 14

PART IV

GENERAL PROVISIONS AS TO OPERATION AND ADMINISTRATION OF THIS ACT

Special classes of earners

127 Crown employment

- (1) Subject to the provisions of this section, this Act applies to persons employed by or under the Crown in like manner as if they were employed by a private person.
- (2) This section does not apply to persons serving as members of Her Majesty's forces ; and employment as a member of those forces and any other prescribed employment under the Crown are not, and are not to be treated as, employed earner's employment for any of the purposes of Chapter IV or V of Part II of this Act.

128 Her Majesty's forces

- (1) Subject to section 127(2) above and to this section, a person who is serving as a member of Her Majesty's forces shall, while he is so serving, be treated for the purposes of this Act as an employed earner in respect of his membership of those forces.
- (2) The Secretary of State may make regulations modifying Parts I, II and III of this Act, in such manner as he thinks proper, in their application to persons who are or have been members of Her Majesty's forces; and regulations under this section may in particular provide—
 - (a) in the case of persons who are employed earners in respect of their membership of those forces, for reducing the rate of the contributions payable in respect of their employment and for determining—
 - (i) the amounts payable on account of those contributions by the Secretary of State and the time and manner of payment, and

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- (ii) the deductions (if any) to be made on account of those contributions from the pay of those persons;
 - (b) for preventing a person who is discharged from Her Majesty's forces at his own request from being thereby disqualified for receiving unemployment benefit on the ground that he has voluntarily left his employment without just cause.
- (3) For the purposes of this Act, Her Majesty's forces shall be taken to consist of such establishments and organisations as may be prescribed, being establishments and organisations in which persons serve under the control of the Defence Council.
- (4) The Secretary of State's power under subsection (2) above to make regulations with respect to Her Majesty's forces and his corresponding power to make regulations under section 123 of the Social Security (Northern Ireland) Act 1975 together have the same extent as the former power under section 40(3) of the 1973 Act when made by the Social Security Amendment Act 1974. to extend to the whole of the United Kingdom.

129 Mariners, airmen, etc.

- (1) The Secretary of State may make regulations modifying provisions of Parts I, II and III of this Act, in such manner as he thinks proper, in their application to persons who are or have been, or are to be, employed on board any ship, vessel, hovercraft or aircraft.
- (2) Regulations under subsection (1) above may in particular provide—
- (a) for any such provision to apply to such persons, notwithstanding that it would not otherwise apply ;
 - (b) for excepting such persons from the application of any such provision where they neither are domiciled nor have a place of residence in any part of Great Britain ;
 - (c) for requiring the payment of secondary Class 1 contributions in respect of such persons, whether or not they are (within the meaning of Part I) employed earners ;
 - (d) for the taking of evidence, for the purposes of any claim to benefit, in a country or territory outside Great Britain, by a British consular official or such other person as may be prescribed ;
 - (e) for enabling persons who are or have been so employed to authorise the payment of the whole or any part of any benefit to which they are or may become entitled to such of their dependants as may be prescribed.
- (3) Any secondary Class 1 contribution payable by an employer—
- (a) in respect of payments to a person employed on board a ship, vessel or hovercraft, where that person is by virtue of this section excepted from liability to pay a primary Class 1 contribution in respect of the payments ; or
 - (b) by virtue of this section in respect of a person so employed who is not an employed earner within the meaning of Part I,

shall be excluded from the contributions which under section 1(5) of this Act are to be taken into account for the purpose of arriving at the amount of any Treasury supplement and shall be administered and applied in such manner and for such purposes as may be prescribed.

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130 Married women and widows

- (1) The Secretary of State may make regulations modifying any of the following provisions of this Act, namely—
 - Part I, and
 - Chapters I, II and III of Part II (except section 33 in Chapter I),in such manner as he thinks proper, in their application to women who are or have been married.
- (2) Regulations under this section shall provide (subject to any prescribed conditions and exceptions) for enabling a married woman or widow to elect that in any tax year—
 - (a) her liability in respect of primary Class 1 contributions shall be a liability to contribute at the reduced, instead of the standard, rate ; or
 - (b) she shall be under no liability for Class 2 contributions,and to revoke any such election.
- (3) Regulations made for the purposes of subsection (2) above shall provide so that—
 - (a) a woman's election for those purposes is not to be made or revoked otherwise than in respect of a complete tax year (whether the year in which the election is made, or any subsequent year); and
 - (b) an election made or revoked for either one of the purposes mentioned in subsection (2) is to be deemed to be made or revoked for the other purpose also ; and
 - (c) while an election has effect, the woman who made it is not entitled to pay any Class 3 contributions.

131 Persons outside Great Britain

The Secretary of State may make regulations modifying Parts I, II and III of this Act, in such manner as he thinks proper, in their application to persons who are or have been outside Great Britain at any prescribed time or in any prescribed circumstances.

132 Employment at sea (continental shelf operations)

- (1) The Secretary of State may by regulations provide for modifying Parts I, II and III of this Act, in such manner as he thinks proper, in their application to persons in any prescribed employment (whether under a contract of service or not) in connection with continental shelf operations.
- (2) " Continental shelf operations" means the exploitation of resources mentioned in section 1(1) of the Continental Shelf Act 1964 or the exploration of the sea bed and subsoil in any area designated under section 1(7) of that Act.
- (3) In particular (but without prejudice to the generality of subsection (1) above), the regulations may provide for any prescribed provision of Parts I and II of this Act to apply to such a person notwithstanding that he does not fall within the description of an employed or self-employed earner, or does not fulfil the conditions prescribed under section 1(6) of this Act as to residence or presence in Great Britain.