

1973 No. 548

SOCIAL SECURITY

**The National Insurance (Graduated Contributions) Amendment
Regulations 1973**

<i>Made - - - -</i>	<i>26th March 1973</i>
<i>Laid before Parliament</i>	<i>3rd April 1973</i>
<i>Coming into Operation</i>	<i>6th April 1973</i>

The Secretary of State for Social Services, with the concurrence of the Commissioners of Inland Revenue, in exercise of powers conferred by sections 4(5), 14(1)(a), 15(1) and (2) and 106(2) of the National Insurance Act 1965(a), which are now vested in him (b) and of all other powers enabling him in that behalf, after considering the report of the National Insurance Advisory Committee on the preliminary draft submitted to him in accordance with section 108 of the said Act of 1965, hereby makes the following regulations:—

Citation and commencement

1. These regulations, which may be cited as the National Insurance (Graduated Contributions) Amendment Regulations 1973, shall come into operation on 6th April 1973.

Amendment of regulation 10 of the National Insurance (Assessment of Graduated Contributions) Regulations 1967

2.—(1) In regulation 10(1) of the National Insurance (Assessment of Graduated Contributions) Regulations 1967(c) (remuneration to be disregarded), for the words “unless it is included in that person’s cumulative emoluments” there shall be substituted the following:—

“unless—

- (a) it is included in that person’s cumulative emoluments, or
- (b) it is a sum in respect of which relief from income tax is allowable by way of deduction from that person’s emoluments.”

(2) In proviso (a) to paragraph (2) of the said regulation 10 after the words “cumulative emoluments” there shall be inserted the words “or comprises or represents sums specified in paragraph (1)(b) of this regulation”.

(a) 1965 c. 51.

(b) See Ministry of Social Security Act 1966 (c. 20) and S.I. 1968/1699 (1968 III, p. 4585).

(c) S.I. 1967/844 (1967 II, p. 2513).

Amendments of the National Insurance (Collection of Graduated Contributions) Regulations 1970

3.—(1) The National Insurance (Collection of Graduated Contributions) Regulations 1970(a), as amended (b), shall be further amended in accordance with the following provisions of this regulation.

(2) In the definition of “emoluments” in regulation 2(1) of Schedule 1 after the words “(other than pensions)” there shall be inserted the words “and so much of any other income as, for the purposes of graduated contributions, constitutes remuneration within the meaning of the Act”.

(3) In regulation 13(6) of the said Schedule 1—

(a) sub-paragraph (b) (recording of the gross amount of the emoluments) shall cease to have effect, and

(b) after the word “payment;” in sub-paragraph (a) there shall be inserted the word “and”.

(4) In regulation 29(1) of the said Schedule 1 (return by employer at end of year) for the words “and showing the total amount of graduated contributions deductible from the emoluments paid by him to the employee during the year” there shall be substituted the words “and showing the total amount of the emoluments paid by the employer to the employee during the year and of the graduated contributions deductible from those emoluments.”

Keith Joseph,

Secretary of State for Social Services.

26th March 1973.

The Commissioners of Inland Revenue hereby concur.
By Order of the Commissioners of Inland Revenue.

A. H. Dalton,

Secretary.

26th March 1973.

(a) S.I. 1970/1770 (1970 III, p. 5763).

(b) There is no amendment which relates expressly to the subject matter of these regulations.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Regulation 2(1) of these Regulations amends regulation 10(1) of the National Insurance (Assessment of Graduated Contributions) Regulations 1967 by adding a provision which precludes the disregarding for the purposes of graduated contributions of sums deducted from a person's pay on account of expenses or other outgoings, in respect of which relief from income tax is allowable by way of deduction from emoluments.

Regulation 2(2) amends proviso (a) of regulation 10(2) of those Regulations by permitting the disregard for graduated contribution purposes of subsequent payments to that person of sums which represent the sums so deducted.

Regulation 3(2) provides for the definition of emoluments for the purposes of Schedule 1 to the National Insurance (Collection of Graduated Contributions) Regulations 1970 to include the expenses and outgoings referred to above.

Regulation 3(3) revokes regulation 13(6)(b) of that Schedule.

Regulation 3(4) amends regulation 29(1) of that Schedule by requiring the employer to record the total amount of emoluments paid to the employee during the year.

The other provisions of these Regulations are formal.

The report of the National Insurance Advisory Committee on the preliminary draft of these Regulations dated 9th March 1973 is contained in House of Commons Paper No. 203 (Session 1972-73) published by Her Majesty's Stationery Office.

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