

1988 No. 674

SOCIAL SECURITY

**The Social Security (Contributions) Amendment (No. 2)
Regulations 1988**

Made - - - - - *31st March 1988*
Coming into force - - - - - *6th April 1988*

Whereas a draft of these Regulations was laid before Parliament in accordance with the provisions of section 167(1) of the Social Security Act 1975(a) and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State for Social Services, in conjunction with the Treasury (b), in exercise of powers conferred upon him by sections 129(1) and 166(3) of, and Schedule 20 to, the Social Security Act 1975 (c) and of all other powers enabling him in that behalf, and after agreement by the Social Security Advisory Committee that proposals to make these Regulations should not be referred to it(d), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Contributions) Amendment (No. 2) Regulations 1988 and shall come into force on 6th April 1988.

(2) In these Regulations, “the principal Regulations” means the Social Security (Contributions) Regulations 1979(e).

Substitution of regulation 89 of the principal Regulations

2. For regulation 89 of the principal Regulations (modification of section 4(6)(b) of the Act in relation to mariners) there shall be substituted the following regulation—

“ Modification of section 4(6E) of the Act

89.—(1) As respects earnings paid to or for the benefit of a mariner for employment as such in any employment specified in paragraph (2) of this regulation, being employment which by virtue of the last preceding regulation is treated as employed earner’s employment, the appropriate percentage rate of the secondary Class 1 contribution specified in section 4(6E) of the Act shall be reduced by 0.5 and section 4(6E) of the Act shall be modified accordingly.

(a) 1975 c.14; section 167(1) was amended by the Social Security Act 1986 (c.50), section 62(3).
(b) See Social Security Act 1975, section 166(5).
(c) Schedule 20 is cited because of the meaning ascribed to the word “ Regulations ”.
(d) See Social Security Act 1980 (c.30), section 10(2)(b).
(e) S.I. 1979/591; relevant amending provisions are the Social Security (Contributions) Act 1982 (c.2), section 4(3) and Schedule 1, paragraph 3(2)(a) and (c); S.I. 1982/206, 1983/1948, 1985/1398.

(2) The employment referred to in paragraph (1) of this regulation is employment as a master or member of the crew of a ship where—

(a) the employment is on a foreign-going ship and the payment of earnings is exclusively in respect of that employment; or

(b) the employment is partly on a foreign-going ship and partly otherwise than on such a ship and the payment of earnings in respect of that employment is made during the employment on the foreign-going ship.

(3) In this regulation the word “employment” includes any period of leave, other than leave for the purpose of study, accruing from the employment.”.

Amendment to the principal Regulations

3. In regulation 90(2) of the principal Regulations (earnings periods for mariners and apportionment of earnings), for the reference to regulation 89(1)(a) or (b) in subparagraph (b)(iii) there shall be substituted a reference to regulation 89(1).

Revocation

4. The Social Security (Contributions) Amendment (No. 6) Regulations 1983(a) are hereby revoked.

Transitional

5. In respect of any period before 6th April 1988 the provisions of the principal Regulations shall apply as if these Regulations had not come into force notwithstanding that calculation of contributions falls to be made after 5th April 1988.

Signed by authority of the Secretary of State for Social Services.

29th March 1988

Michael Portillo
Parliamentary Under-Secretary of State,
Department of Health and Social Security

31st March 1988

Peter Lloyd
Michael Neubert
Two of the Lords Commissioners of Her Majesty's Treasury

(a) S.I. 1983/1948.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations substitute regulation 89 of the Social Security (Contributions) Regulations 1979 ("the principal Regulations"), which modifies section 4(6) to 4(6E) (incidence of Class 1 contributions) of the Social Security Act 1975 ("the Act") in relation to mariners.

By the substitution there is abolished the reduction of the appropriate percentage rate of the primary Class 1 contribution specified in section 4(6B) of the Act and the reduced primary Class 1 contribution specified in regulation 104 (which relates to married women and widows) of the principal Regulations, in respect of mariners who fall within the class of mariners not entitled to redundancy payments. There is also abolished, in respect of the same mariners, the reduction of the appropriate percentage rate of the secondary Class 1 contribution specified in section 4(6E) of the Act.

In respect of certain mariners employed on, or partly on, foreign-going ships, the reduction in the appropriate percentage rate of the secondary Class 1 contribution specified in section 4(6E) of the Act remains at 0.5.

Regulation 3 contains a consequential amendment to regulation 90(2) of the principal Regulations. Regulation 4 contains a revocation and regulation 5 transitional provisions.