1985 No. 263

SOCIAL SECURITY

The Social Security (Earnings Factor) (Amendment) Regulations (Northern Ireland) 1985

Made . . . . . 27th September 1985

Coming into operation . . . 6th October 1985

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 13(5) and (5A) of the Social Security (Northern Ireland) Act 1975(**a**), Articles 8(5A) and 37(3) of the Social Security Pensions (Northern Ireland) Order 1975(**b**) and Article 1(8) of the Social Security (Northern Ireland) Order 1985(**c**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Earnings Factor) (Amendment) Regulations (Northern Ireland) 1985 and shall come into operation on 6th October 1985.

(2) In these regulations, "the principal regulations" means the Social Security (Earnings Factor) Regulations (Northern Ireland) 1979(**d**).

(3) The Interpretation Act 1978(**e**) shall apply to these regulations as it applies to an Act of the United Kingdom Parliament.

Amendment of Part I of Schedule 1 to the principal regulations

2.—(1) Part I of Schedule 1 to the principal regulations (Class 1 contributions) shall be amended in accordance with the following provisions of this regulation.

(2) For paragraph 2 there shall be substituted the following paragraph—

"2. The earnings factor derived from a person's Class 1 contributions actually paid in respect of the year commencing 6th April 1985, and of any year thereafter, shall be

$$100\left[F\left(\frac{P-Q}{R}\right)+G\left(\frac{Q}{R1}\right)\right]$$

where—

(*a*) P is the amount of his Class 1 contributions actually paid in respect of that year;

(*b*) Q is the amount of his contracted-out Class 1 contributions so paid;

(a) 1975 c. 15; section 13(5) was amended by Article 16 of, and paragraph 4 of Schedule 3 to, the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5)) and by Article 25(1) of, and paragraph 1(*a*) of Schedule 5 to, the Social Security (Northern Ireland) Order 1985 (S.I. 1985/1209 (N.I. 16)). Section 13(5A) was inserted by Article 25(1) of, and paragraph 1(*b*) of Schedule 5 to, the Social Security (Northern Ireland) Order 1985

(b) S.I. 1975/1503 (N.I. 15); Article 8(5A) was inserted by Article 25(1) of, and paragraph 8(*b*) of Schedule 5 to, the Social Security (Northern Ireland) Order 1985

(c) S.I. 1985/1209 (N.I. 16)

(d) S.R. 1979 No. 193

(e) 1978 c. 30

(*c*) R—

(i) in relation to any Class 1 contributions paid at a rate specified in section 4(6) to (6B) of the Act(**a**), is the highest of the rates in question in force for that year; and

(ii) in relation to any Class 1 contributions paid at a rate so specified as modified by regulations under sections 123 to 126(**b**) of the Act, is the highest of the rates in question as so modified in force for that year;

(*d*) R1 is the highest of the rates of contracted-out contributions in force for that year ascertained by reference to Article 29(2)(*a*)(**c**) of the Pensions Order;

(*e*) F is—

(i) in relation to any Class 1 contributions paid at a rate specified in section 4(6) to (6B) of the Act—

(*aa*) 1·8, where P − Q is less than £143,

(*bb*) $\frac{130}{P - Q} + 0{\cdot}891$, where P − Q is not less than £143 but not greater than £1,192·66,

(*cc*) 1, where P − Q is greater than £1,192·66;

(ii) in relation to any Class 1 contributions paid at a rate so specified as modified by regulations under section 123 of the Act—

(*aa*) 1·976, where P is less than £117·25,

(*bb*) $\frac{128{\cdot}5}{P} + 0{\cdot}88$, where P is not less than £117·25 but not greater than £1,070·83,

(*cc*) 1, where P is greater than £1,070·83;

(iii) in relation to any Class 1 contributions paid at a rate so specified as modified by regulations under section 124 of the Act—

(*aa*) 1·842, where P is less than £135·85,

(*bb*) $\frac{129{\cdot}6}{P} + 0{\cdot}888$, where P is not less than £135·85 but not greater than £1,157·14,

(*cc*) 1, where P is greater than £1,157·14;

(iv) in relation to such part of any Class 1 contributions as is paid at the normal percentage in accordance with Article 29(1)(*a*) of the Pensions Order in a year in which no payment is made of contributions to which head (i) above applies—

(*aa*) 1·8, where P − Q is less than £92·30,

(*bb*) $\frac{166{\cdot}14}{P - Q}$, where P − Q is not less than £92·30 but not greater than £166·14,

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(**a**) Section 4(6) to (6B) was substituted by Article 9(2) of the Social Security (Northern Ireland) Order 1985

(**b**) Section 124(3) was omitted by Article 3(1) of the Social Security (Miscellaneous Provisions) (Northern Ireland) Order 1977 (S.I. 1977/610 (N.I. 11)) and section 125(2) and (3) were repealed by Article 74(2) of, and Schedule 6 to, the Social Security Pensions (Northern Ireland) Order 1975

(**c**) Article 29(2)(*a*) was amended by S.R. 1982 No. 109