



Jersey

SOCIAL SECURITY (CONTRIBUTIONS) (JERSEY) AMENDMENT ORDER 2024

Contents

Article

PART 1		3
GENERAL AMENDMENTS TO SOCIAL SECURITY (CONTRIBUTIONS) (JERSEY) ORDER 1975		3
1	Social Security (Contributions) (Jersey) Order 1975 amended	3
2	Article A1 (interpretation) amended	3
3	Article 2 (provisions determining days of unemployment) amended	3
4	Article 9A (persons in receipt of home carer’s allowance) amended	4
5	Article 10 (full time education) amended	4
6	Article 12 (small income exception) amended	4
7	Article 13 (special exception from liability to pay Class 2 contributions) amended	5
8	Article 13A (reduced rate Class 2 contributions) amended	6
9	Article 13B (interpretation of Articles 13 and 13A) amended	6
10	Article 13D (Class 2 – deferred contributions for business commencement) amended	6
11	Article 13E (recalculation of contributions deferred under Article 13D) amended	7
12	Article 14 (home responsibilities credits) amended	7
13	Article 14A (evidence required for the purposes of credits) deleted	8
14	Article 16A (applications for exception or concession) and 16B (period of application) inserted	9
15	Article 20 (recovery of contributions) amended	9
16	Article 26 (offence) deleted	9
17	Consequential and minor amendments	9
PART 2		10
AMENDMENTS RELATING TO DEFINITIONS “INCOME FROM SELF-EMPLOYMENT” AND “TOTAL INCOME”		10
18	Social Security (Contributions) (Jersey) Order 1975 amended	10
19	Article 12 (low income contribution relief) amended	10
20	Schedule 2 (Class 2 insured person – income from self-employment, total income and earnings) amended	10
PART 3		11
FINAL PROVISIONS		11

21	Citation	11
22	Commencement	11

SCHEDULE **12**

CONSEQUENTIAL AND MINOR AMENDMENTS		12
1	Article A1 (interpretation) amended.....	12
2	Article 16 (Class 2 insured persons nearing pensionable age) amended.....	12
3	Schedule 1 (Class 1 insured person – earnings) amended	12
4	Schedule 2 (Class 2 insured person – income from self-employment, total income and earnings) amended.....	12



Jersey

SOCIAL SECURITY (CONTRIBUTIONS) (JERSEY) AMENDMENT ORDER 2024

*Made**2 July 2024**Coming into force**in accordance with Article 22*

THE MINISTER FOR SOCIAL SECURITY makes this Order under Articles 8, 10, 11, and 51 of the [Social Security \(Jersey\) Law 1974](#) –

PART 1

GENERAL AMENDMENTS TO [SOCIAL SECURITY \(CONTRIBUTIONS\) \(JERSEY\) ORDER 1975](#)

1 [Social Security \(Contributions\) \(Jersey\) Order 1975](#) amended

This Part amends the [Social Security \(Contributions\) \(Jersey\) Order 1975](#).

2 **Article A1 (interpretation) amended**

In Article A1(1) after the definition “below compulsory school age” there is inserted –

““Comptroller” means the Comptroller of Revenue described in Article 2 of the [Revenue Administration \(Jersey\) Law 2019](#)”;

3 **Article 2 (provisions determining days of unemployment) amended**

In Article 2 –

(a) in paragraph (1)(b), for clauses (ii) and (iii) there is substituted –

“(ii) the restrictions are reasonable having regard to the person’s physical condition,

(iii) the restrictions are reasonable having regard to the time that has elapsed since the person became unemployed, or

(iv) the restrictions are reasonable having regard to agreed training that the person is undertaking to improve their prospects of securing future employment;”;

(b) in paragraph (3) before the definition “off-season” there is inserted –

““agreed training” means training that has been agreed between an insured person and a determining officer;”.

4 Article 9A (persons in receipt of home carer's allowance) amended

In Article 9A –

- (a) for paragraph (1) there is substituted –
“(1) An insured person is excepted from liability to pay a contribution as a Class 2 insured person for any month during which the person is in receipt of home carer's allowance.”.
- (b) in paragraph (2) for “shall be” there is substituted “is”;
- (c) in paragraph (3) –
 - (i) for “shall not be excepted” there is substituted “is not excepted”;
 - (ii) for “shall not be credited” there is substituted “are not credited”.

5 Article 10 (full time education) amended

- (1) In the heading, for “Full time” there is substituted “Full-time”.
- (2) For Article 10(2) there is substituted –
“(2) For any month of full-time education, a person may pay a contribution as a Class 2 insured person and that payment may be made at any time before the person attains pensionable age.”.
- (3) After Article 10(2) there is inserted –
“(2A) A contribution paid under paragraph (2) must be the full rate Class 2 contribution applicable at the date of payment.”.
- (4) For Article 10(3) there is substituted –
“(3) For every month during which an insured person is excepted from liability to pay a contribution under paragraph (1), up to a total of 36 months, a Class 2 contribution is credited if the insured person –
 - (a) is aged 18 years or over;
 - (b) has not reached pensionable age; and
 - (c) is ordinarily resident in Jersey.”.
- (5) After Article 10(3) there is inserted –
“(4) If the Minister requires information and evidence relating to the person's full-time education as described in paragraph (1), the person must produce it in the manner and timeframe required by the Minister.
- (5) The timeframe required by the Minister under paragraph (4) must not go beyond the date on which the insured person reaches pensionable age.”.

6 Article 12 (small income exception) amended

For Article 12 there is substituted –

“12 Low income contribution relief

- (1) A Class 2 insured person is eligible to be excepted from liability to pay Class 2 contributions under this Article if the person's estimated total income for a year, after the amounts described in paragraph (3) have been disregarded, does not exceed the specified amount for that year.

- (2) The “specified amount” for the year is one third of the annual equivalent of the standard monthly earnings limit for Class 2 contributions.
- (3) The amounts to be disregarded are –
 - (a) a payment of sick pay received from a friendly society or trade union;
 - (b) a payment in respect of a disablement pension awarded under the Personal Injuries (Emergency Provisions) Act 1939 of the United Kingdom, including an increase of a pension in respect of dependants, to the extent that it is not already disregarded as total income by virtue of Article 117 of the Income Tax Law; and
 - (c) a payment by way of long-term incapacity allowance under Article 16 of the Law.
- (4) If the Comptroller requires information or evidence relating to the person’s income described in paragraph (1), the person must produce it in the manner and timeframe required by the Comptroller.
- (5) An exception –
 - (a) subject to paragraph (7), is in force for such period as the Comptroller may determine; and
 - (b) may be subject to conditions determined by the Comptroller.
- (6) The person granted the exception must –
 - (a) immediately notify the Comptroller if a condition of the exception ceases to be fulfilled; and
 - (b) produce to the Comptroller any further information or evidence regarding the person’s income described in paragraph (1) as the Comptroller may require.
- (7) The exception ends if a condition of the exception is no longer fulfilled.
- (8) The person granted the exception may notify the Comptroller, at any time while the exception is in force, that the person wishes the exception to end.
- (9) If notice is given under paragraph (8), the exception ends on the date the Comptroller determines.
- (10) Nothing in this Order prevents a person from receiving benefit, while the person is excepted from liability under this Article, by virtue of contributions paid by or credited to the person in respect of any period before the day on which the exception commenced.
- (11) Contributions are not credited to a person who has been granted exception from liability under this Article while that exception remains in force.”.

7 Article 13 (special exception from liability to pay Class 2 contributions) amended

In Article 13 –

- (a) for paragraphs (1), (2) and (3), there is substituted –
 - “(1) A Class 2 insured person is eligible to be excepted from liability to pay contributions in a year under this Article if –
 - (a) the sum of the person’s income from self-employment and Class 1 earnings (if any) is less than the lower earnings limit; and

- (b) the person's total income is less than two thirds of the standard earnings limit.
- (2) If the Comptroller requires evidence of the person's income and earnings described in paragraph (1), the person must produce it in the manner and timeframe required by the Comptroller.
- (3) If the person was in full-time education or training in the year before the concession year the Comptroller may accept evidence of an estimate of the person's income from self-employment, Class 1 earnings and total income for the current year.”;
- (b) paragraph (4) is deleted.

8 Article 13A (reduced rate Class 2 contributions) amended

- (1) In the heading, before “Reduced rate” there is inserted “Concession: ”.
- (2) In Article 13A(1), (2), (3) and (4) “apply to” is deleted.
- (3) For Article 13A(5) there is substituted –
 - “(5) If the Comptroller requires evidence of the person's income and earnings described in paragraph (1), (2), (3) or (4), the person must produce it in the manner and timeframe required by the Comptroller.”.
- (4) In Article 13A(6) for “Minister” there is substituted “Comptroller”.
- (5) Article 13A(7) is deleted.

9 Article 13B (interpretation of Articles 13 and 13A) amended

For the text of Article 13B there is substituted –

- “In Articles 13 and 13A –
 - (a) the following references relate to the second year preceding the year in which the Article 13 exception or the Article 13A concession is applied –
 - (i) the person's “income from self-employment”,
 - (ii) the person's “Class 1 earnings”,
 - (iii) the person's “total income”;
 - (b) the “lower earnings limit” means the annual equivalent of the lower monthly earnings limit for the year to which the exception or concession relates;
 - (c) the “standard earnings limit” means the annual equivalent of the standard monthly earnings limit for the year to which the exception or concession relates.”.

10 Article 13D (Class 2 – deferred contributions for business commencement) amended

- (1) For Article 13D(1)(a) there is substituted –
 - “(a) the year is an opening year in which the person commences or has commenced a business;”.
- (2) For “Minister” there is substituted “Comptroller” in the following places –

- (a) paragraph (2)(c);
 - (b) paragraph (5);
 - (c) paragraph (6);
 - (d) paragraph (7) in both places;
 - (e) paragraph (9) in both places;
 - (f) paragraph (11); and
 - (g) paragraph (12).
- (3) For Article 13D(3) there is substituted –
- “(3) A person applying for a concession under this Article must –
- (a) make the application in writing to the Comptroller; and
 - (b) produce evidence the Comptroller may require of earnings, whether as a Class 1 insured person or Class 2 insured person, for the relevant income tax year of assessment and in the manner and timeframe required by the Comptroller.”.
- (4) In Article 13D(6) and (11), for “shall” there is substituted “must”.
- (5) In Article 13D(7), for “shall be” there is substituted “is”.
- (6) In Article 13D(9), for “shall not be” there is substituted “is”.
- (7) In Article 13D(11) –
- (a) for “furnish” there is substituted “produce”;
 - (b) for “from time to time” there is substituted “in the manner and timeframe required by the Comptroller”.
- (8) In Article 13D(12), for “shall end forthwith” there is substituted “ends immediately”.

11 Article 13E (recalculation of contributions deferred under Article 13D) amended

- (1) Article 13E(1) is deleted.
- (2) For Article 13E(2) there is substituted –
- “(2) The Comptroller determines the contributions that, if a concession were not granted under Article 13D, a person would have been liable to pay for the year.”.
- (3) In Article 13E(2A) “, (b) and (c)” is deleted.
- (4) In Article 13E(4)(a), (5)(a), (6)(a) and (7)(a) for “Minister shall” there is substituted “Comptroller must”.
- (5) In Article 13E(4)(b), (6)(b), and (7)(c) for “shall be” there is substituted “are”.
- (6) In Article 13E(5)(b), (7)(b) for “shall be” there is substituted “is”.
- (7) In Article 13E(5A) –
- (a) after “year” there is inserted a comma;
 - (b) for “as the person’s entitlement to which is” is deleted.
- (8) Article 13E(9) is deleted.

12 Article 14 (home responsibilities credits) amended

For the text of Article 14 there is substituted –

- “(1) An insured person is eligible to be excepted from liability to pay a contribution under the Law in respect of any period during which the person has the full-time care of a child of the family who is below compulsory school age, if –
- (a) the insured person is not entitled to incapacity benefit; and
 - (b) the insured person has been ordinarily resident in Jersey for the period of 6 months immediately preceding each period during which the person is excepted under this Article from liability.
- (2) Contributions are credited to the person in respect of each period during which the person is excepted under this Article.
- (3) If the Minister requires information and evidence of the person’s circumstances as described in paragraph (1) for the purposes of crediting contributions, the person must produce it in the manner and timeframe required by the Minister and the Minister will only credit those contributions upon receipt of that information and evidence.
- (4) An exception under this Article may only be granted in respect of one child who is for the time being below compulsory school age, and the exception may not be granted for a period or periods that in the aggregate exceed 10 years.
- (5) If the Minister by notice in writing to the insured person requires the person to do so, the insured person must produce to the Minister, in the manner and timeframe required, the information the Minister requires to confirm that the person remains eligible to be excepted.
- (6) The insured person must immediately notify the Minister in writing if, by reason of any change in the person’s circumstances, the person ceases to be eligible to be excepted under this Article.
- (7) The Minister may cancel the exception of the insured person if the person fails to comply with a requirement under paragraph (5).
- (8) The Minister must cancel the exception of the insured person if –
- (a) the person gives notice to the Minister at any time while the person is excepted that the person wants the exception to be cancelled; or
 - (b) the person ceases to be eligible to be excepted under this Article.
- (9) If the exception is cancelled, it ceases to operate from the end of the current contribution month or from another date the Minister may determine.
- (10) For the purposes of this Article, an insured person who has the care of a child has its full-time care if the insured person does not undertake any gainful occupation, in any week, for any period exceeding –
- (a) 20 hours; or
 - (b) a length of time as the Minister may determine.
- (11) A contribution credited to a person by virtue of this Article is taken into account only for the purposes of survivor’s benefit, incapacity pension, old age pension, home carer’s allowance and death grant.”.

13 Article 14A (evidence required for the purposes of credits) deleted

Article 14A is deleted.

14 Article 16A (applications for exception or concession) and 16B (period of application) inserted

After Article 16 (Class 2 insured persons nearing pensionable age) there is inserted –

“16A Applications for exception or concession

- (1) An insured person may make an application for an exception or concession in this Part.
- (2) If a person applies for an exception or concession they must –
 - (a) make the application in writing in the form and manner required by the Minister or Comptroller, as the case may be; and
 - (b) produce the information and evidence required of them relating to their earnings or income for the period of the relevant exception or concession’s application and in the manner and timeframe required.
- (3) A person must make an application under paragraph (1) within 6 months of the date from which their application seeks an exception or concession under this Part.
- (4) Despite a failure by a person to make their application within the time limit in paragraph (3), the Minister or Comptroller may accept the application if satisfied that there are circumstances justifying its acceptance.

16B Period of application

The Minister or Comptroller, as the case may be, may –

- (a) extend the period during which an exception or concession under this Part is applied to an insured person;
- (b) extend the period during which contributions under this Part are credited to an insured person; or
- (c) determine the conditions with which an insured person must comply before the powers in sub-paragraphs (a) or (b) will be exercised.”.

15 Article 20 (recovery of contributions) amended

In paragraph (1) for “Article 36(1)” there is substituted “Article 36(2)”.

16 Article 26 (offence) deleted

Article 26 is deleted.

17 Consequential and minor amendments

The Schedule contains amendments consequential to this Part and minor amendments.

PART 2**AMENDMENTS RELATING TO DEFINITIONS “INCOME FROM SELF-EMPLOYMENT” AND “TOTAL INCOME”****18 [Social Security \(Contributions\) \(Jersey\) Order 1975](#) amended**

This Part makes amendments relating to the definitions “income from self-employment” and “total income” in Schedule 2 of the [Social Security \(Contributions\) \(Jersey\) Order 1975](#).

19 Article 12 (low income contribution relief) amended

In Article 12 –

- (a) in paragraph (1), “, after the amounts described in paragraph (3) have been disregarded,” is deleted;
- (b) paragraph (3) is deleted.

20 Schedule 2 (Class 2 insured person – income from self-employment, total income and earnings) amended

In Schedule 2 –

- (a) after paragraph 1(1)(f) there is inserted –
 - “(g) income charged with income tax under Schedule D Case IIA, as described in Article 62 of the Income Tax Law;”;
- (b) for the text of paragraph 3 there is substituted –
 - “(1) The total income of a person is the amount described in sub-paragraph (2) or, if higher, the amount described in sub-paragraph (3).
 - (2) The amount is the sum of –
 - (a) the person’s total income for the purposes of the Income Tax Law;
 - (b) if the person is a pension holder, the value of the person’s approved pension contributions paid in a year of assessment that are deducted under Article 131I(1) of the Income Tax Law; and
 - (c) if the person is a high value resident, the value of any income that is deemed income under Article 135A(3A)(b) or Article 135A(3B)(b) of the Income Tax Law.
 - (3) The amount is the sum of –
 - (a) the person’s income from self-employment; and
 - (b) the person’s Class 1 earnings.”.

PART 3
FINAL PROVISIONS

21 Citation

This Order may be cited as the Social Security (Contributions) (Jersey) Amendment Order 2024.

22 Commencement

- (1) Parts 1 and 3 and the Schedule come into force 7 days after this Order is made.
- (2) Part 2 comes into force on 1st January 2025.

DEPUTY L.V. FELTHAM OF ST. HELIER CENTRAL

Minister for Social Security

SCHEDULE

(Article 17)

CONSEQUENTIAL AND MINOR AMENDMENTS

1 Article A1 (interpretation) amended

In Article A1 after the definition “income from self-employment” there is inserted –

“ “Income Tax Law” means the [Income Tax \(Jersey\) Law 1961](#).”

2 Article 16 (Class 2 insured persons nearing pensionable age) amended

In Article 16(1) for “shall be excepted from” there is substituted “is eligible to be excepted from”.

3 Schedule 1 (Class 1 insured person – earnings) amended

In Schedule 1, in paragraph 3(2), for “[Income Tax \(Jersey\) Law 1961](#)” there is substituted “Income Tax Law”.

4 Schedule 2 (Class 2 insured person – income from self-employment, total income and earnings) amended

In Schedule 2 –

(a) for paragraph 1 there is substituted –

“1 Income from self-employment

(1) A Class 2 insured person’s income from self-employment is the sum of –

- (a) the person’s earnings, described in paragraph 1 of Schedule 1B to the Law;
- (b) dividends paid by a company of which the person is a shareholder, if the income of the company derives from the person’s self-employment;
- (c) distributions made by a partnership in which the person is a partner;
- (d) contributions to a pension scheme for the benefit of the person or a member of the person’s family or household by –
 - (i) a company of which the person is a director or the company secretary, or
 - (ii) a partnership in which the person is a partner;
- (e) income that the person is entitled to receive from a trust, if the income of the trust derives from the person’s self-employment;
- (f) income charged with income tax under Schedule D Case II(c), Case III(d) or Case VII, as described in Article 62 of the Income Tax Law, if –

- (i) the Class 2 insured person is the member of the superannuation fund or pension scheme, or
 - (ii) as the case requires, the annuity, contract or trust is established with funds arising from the person's membership of such a fund or scheme.
- (2) In sub-paragraph (1)(b) the reference to dividends includes dividends paid to a member of the Class 2 insured person's family or household, if that payment is an arrangement that, apart from this sub-paragraph, would avoid the dividend being treated as the Class 2 insured person's income from self-employment.”;
- (b) in paragraph 3 for “[Income Tax \(Jersey\) Law 1961](#)” there is substituted “Income Tax Law”;
- (c) in paragraph 4 –
 - (i) in sub-paragraph (1)(a), (b) and (c), “pursuant to an application granted” is deleted,
 - (ii) in sub-paragraph (1)(a), for “application relates” there is substituted “Article 13A concession relates”,
 - (iii) in sub-paragraph (2), for “Article 13B” there is substituted “Article 13B(a)”.