

Jersey R & O 63/2001

Social Security (Jersey) Law 1974

SOCIAL SECURITY (CONTRIBUTIONS) (AMENDMENT No. 6)
(JERSEY) ORDER 2001

THE EMPLOYMENT AND SOCIAL SECURITY COMMITTEE, in pursuance of Articles 10, 11, 46, 47 and 51 of the Social Security (Jersey) Law 1974,¹ as amended,² orders as follows -

1. In this Order, “principal Order” means the Social Security (Contributions) (Jersey) Order 1975,³ as amended.⁴

2. For paragraph (1) of Article 6 of the principal Order there shall be substituted the following paragraph -

“(1) An insured person shall be excepted from liability to pay Class 2 or Class 1 primary contributions -

- (a) from the end of the month in which he becomes entitled to a reduced old age pension under paragraph (1A) of Article 25 of the Law; or
- (b) if he does not become entitled to such a pension, from the end of the month in which he attains pensionable age.”.

3. For Article 7(2) of the principal Order there shall be substituted the following paragraph -

“(2) If any person to whom paragraph (1) of this Article is applicable so desires, he may for any such month pay a Class 2 contribution -

¹ Recueil des Lois, Volume 1973-1974, pages 326, 354, 355 and 356.

² Recueil des Lois, Volume 2000, page 875.

³ No. 6108.

⁴ Nos. 6804, 7556, 7584, 7666, 8546, 8605 and 9169.

(a) at any time before the month following the one in which he becomes entitled to a reduced old age pension under paragraph (1A) of Article 25 of the Law; or

(b) if he does not become entitled to such a pension, at any time before he attains pensionable age.

(3) Any contribution paid in accordance with paragraph (2) of this Article shall be at the standard level of Class 2 contribution applicable at the date of payment.”.

4.-(1) For the heading to Article 8 of the principal Order there shall be substituted the following heading -

“PERSONS IN RECEIPT OF SURVIVOR’S BENEFIT.”.

(2) For the words “widow’s benefit” in Article 8(1) of the principal Order there shall be substituted the words “survivor’s benefit”.

(3) For Article 8(3) of the principal Order there shall be substituted the following paragraph -

“(3) The provisions of paragraphs (1) and (2) of this Article shall apply *mutatis mutandis* to a man in receipt of survivor’s benefit.”.

5. For Article 9(3) of the principal Order there shall be substituted the following paragraph -

“(3) To any person who -

(a) is excepted from liability to pay contributions under paragraph (1) of this Article;

(b) has attained the age of eighteen years but has not attained pensionable age; and

(c) is ordinarily resident in the Island,

there shall be credited for each month during which he is so excepted (but for a maximum period or periods not exceeding three years in the aggregate) a Class 2 contribution.”.

6. After the words “within eleven weeks of the end of the relevant quarter in which the period in question falls” in Article 10 of the principal Order there shall be added the words “, or within such further period as the Committee may in any particular case allow”.

7. For Article 13 of the principal Order there shall be substituted the following Article -

“HOME RESPONSIBILITIES CREDITS.

13.-(1) An insured person shall be excepted from liability to pay a contribution under the Law in respect of any period during which he has the full-time care of a child of the family who has not attained the age of five years, if -

- (a) the insured person has been ordinarily resident in the Island for the period of six months immediately preceding each period during which he is excepted under this Article from liability;
- (b) he has made application to the Committee for exception from such liability; and
- (c) the Committee has granted the application.

(2) If the Committee grants the application, contributions shall be credited to him in respect of each period during which he is excepted by the Committee under this Article.

(3) An exception under this Article may only be granted in respect of one child who is for the time being under the age of five years, and such exceptions shall not be granted for a period or periods that in the aggregate exceed ten years.

(4) If the Committee by notice in writing to the insured person requires him to do so, the insured person shall from time to time while he remains excepted under this Article furnish to

the Committee such information as it requires to confirm that he remains eligible to be so excepted.

(5) The insured person shall forthwith notify the Committee in writing if, by reason of any change in his circumstances, he ceases to be eligible to be excepted under this Article.

(6) The Committee may cancel the exception of the insured person if he fails to comply with a requirement under paragraph (4) of this Article.

(7) The Committee shall cancel the exception of the insured person if -

- (a) he gives notice to the Committee at any time while he is so excepted that he desires the exception to be cancelled; or
- (b) he ceases to be eligible to be excepted under this Article.

(8) If the exception of the insured person is cancelled, the exception shall cease to be in operation from the end of the current contribution month or from such other date as the Committee may determine.

(9) 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 for any period exceeding -

- (a) 15 hours; or
- (b) such other length of time as the Committee may determine,

in any week.”.

8. For the word “quarter” in each place where it occurs in sub-paragraphs (a) and (b) of Article 15(1) of the principal Order there shall be substituted the word “month”.

9.-(1) For the heading to Article 21 of the principal Order there shall be substituted the following heading -

“TREATMENT FOR THE PURPOSE OF SURVIVOR’S
BENEFIT OR OLD AGE PENSION OF CONTRIBUTIONS
PAID LATE.”.

(2) For the words “to widow’s benefit, widowed father’s allowance or” in Article 21(1) of the principal Order there shall be substituted the words “survivor’s benefit”.

(3) For the words “paragraph 6(2)(b) of the Second Schedule to the Law” in Article 21(2) of the principal Order there shall be substituted the words “paragraph 6(2) of the Second Schedule to the Law”.

10.-(1) For the words “to widow’s benefit, widowed father’s allowance or” in Article 22(2) of the principal Order there shall be substituted the words “survivor’s benefit”.

(2) For the words “paragraph 6(2)(b) of the Second Schedule to the Law” in Article 22(3) of the principal Order there shall be substituted the words “paragraph 6(2) of the Second Schedule to the Law”.

11. This Order may be cited as the Social Security (Contributions) (Amendment No. 6) (Jersey) Order 2001 and shall come into force on the first day of April 2001.

By Order of the Employment and Social Security Committee,

C.M. NEWCOMBE

Greffier of the States.

27th March 2001.