

# Social Security Act 1993

## CHAPTER 3

An Act to amend sections 3 and 85 of the Social Security Act 1986, to provide for the making of certain payments into the National Insurance Fund, and for connected purposes.

[29th January 1992]

1. . . . . repealed by 1993 c. 48, see Annex 1, page 2.3411

2.—(1) During the tax year 1993-94 there shall be paid into the National Insurance Fund out of money provided by Parliament such amounts as the Secretary of State may from time to time determine, not exceeding in aggregate 20 per cent. of estimated benefit expenditure for the financial year ending with 31st March 1994.

(2) If, before the beginning of the tax year 1994-95 or any subsequent tax year, the [1the Treasury by order provide] that this subsection is to have effect with respect to that tax year, there shall during that tax year be paid into the National Insurance Fund out of money provided by Parliament such amounts as the [1Treasury] may from time to time determine, not exceeding in aggregate the prescribed percentage\* of estimated benefit expenditure for the financial year ending with 31st March in that tax year.

\*S.I. 2014/475, art. 5, maintained in force the prescribed percentage of 5% for 2014-15.

(3) In subsection (2) above “the prescribed percentage” means such percentage, not exceeding 17 per cent., as may be specified in the order under that subsection.

(4) In this section “estimated benefit expenditure”, in relation to a financial year, means the amount estimated by the Government Actuary or the Deputy Government Actuary, before the beginning of that financial year, to be that of the aggregate of the amounts that may be expected to be paid out of the National Insurance Fund in that financial year—

- (a) under paragraphs (a), (b), (c) and (d) of section 163(1) of the Social Security Administration Act 1992, and
- (b) under [2sections 167(1) and 182 of the Employment [2Rights Act 1996] [3and
- (c) under section 124(1) of the Pension Schemes Act 1993].

Pension schemes: payments by Secretary of State under Part I of Social Security Act 1986. Payments into National Insurance Fund out of money provided by Parliament.

1992 c. 5.  
1996 c. 18.

(5) The [1Treasury] may exercise [1their] power to make a determination under subsection (1) above or an order or determination under subsection (2) above only if [1they think] it expedient to do so with a view to adjusting the level at which the National Insurance Fund stands for the time being and having regard to estimated benefit expenditure for the financial year ending with 31st March in the tax year to which the determination or order is to relate.

<sup>1</sup> Words substituted in s. 2 (1.4.99) by Transfer of Functions Act 1999 (c. 2), Sch. 3, para. 60.  
<sup>2</sup> Words substituted (22.8.96) in s. 2(4)(b) by para. 58 of Sch. 1 to Employment Rights Act 1996 (c. 18).  
<sup>3</sup> Word “and” added to s. 2(4)(b) and s. 2(4)(c) inserted (7.2.94) by Pension Schemes Act 1993 (c. 48), Sch. 8, para. 45(b).

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**Ss. 2-5**

[...<sup>1</sup>].

(8) An order under subsection (2) above shall be made by statutory instrument; and a statutory instrument containing such an order shall not be made unless a draft of the instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

(9) ..... *see Annex 1, page 2.3411*

Corresponding provision for Northern Ireland. 1974 c. 28.

3. An Order in Council under paragraph 1(1)(b) of Schedule 1 to the Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which states that it is made only for purposes corresponding to those of this Act—

- (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament); but
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Interpretation and repeals.

4.—(1) In this Act “tax year” means the 12 months beginning with 6th April in any year; and “the tax year 1993-94” and “the tax year 1994-95” mean respectively the tax year beginning with 6th April 1993 and the tax year beginning with 6th April 1994.

(2) The enactments specified in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

5.—(1) This Act may be cited as the Social Security Act 1993.

Short title, commencement and extent.

(2) The following provisions of this Act shall not have effect with respect to any tax year before the tax year 1993-94—

[...<sup>2</sup>]  
section 4(2) and the Schedule.

(3) ..... *repealed by 1993 c. 48, see Annex 1, page 2.3411*

(4) Section 3 of this Act and this section extend to Northern Ireland, but otherwise this Act does not extend there.

**SCHEDULE**

..... *effects repeals, see Annex 1, page 2.3411*

<sup>1</sup> S. 2(6) & (7) repealed (1.4.99) by Transfer of Functions Act 1999 (c. 2), Sch. 10.

<sup>2</sup> Words repealed (7.2.94) by Pension Schemes Act 1993 (c. 48), Sch. 5, Pt. 1.

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LIST OF OMISSIONS

*The following provisions have been omitted from the text for the reasons stated:-*

- s. 1 ... .. repealed (7.2.94) by consolidating Pension Schemes Act 1993 (c. 48)
- s. 2(9) ... .. adds (29.1.93) words to s. 1 of the Social Security Contributions and Benefits Act 1992 (c. 4)
- s. 5(3) ... .. repealed (7.2.94) by consolidation Pension Schemes Act 1993 (c. 48)
- Sch. ... .. makes certain textual repeals, with effect from 6.4.93, in Social Security Act 1986 (c. 50)

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COMMENCEMENT DATES

Dates on which provisions of the Social Security Act 1993 came into force:

| <i>Section</i> | <i>Date of Commencement</i>            | <i>Commencing provision</i> |
|----------------|--|-----------------------------|
| 1(1), (2)      | 6/4/93                                 | 1993 c. 3 (s. 5(2))         |
| 1(3)           | deemed always<br>to have had<br>effect | 1993 c. 3 (s. 5(3))         |
| 2, 3, 4(1)     | 29.1.93                                | Royal Assent                |
| 4(2)           | 6.4.93                                 | 1993 c. 3 (s. 5(2))         |
| 5              | 29.1.93                                | Royal Assent                |
| Sch.           | 6.4.93                                 | 1993 c. 3 (s. 5(2))         |