



Social Security Act 1998

1998 CHAPTER 14

PART II

CONTRIBUTIONS

Amendments of Contributions and Benefits Act

54 Contributions paid in error

After section 19 of the Contributions and Benefits Act there shall be inserted the following section—

“19A Class 1, 1A or 1B contributions paid in error

- (1) This section applies where—
- (a) payments by way of Class 1, Class 1A or Class 1B contributions are made in respect of earnings paid to or for the benefit of an earner (or in respect of a benefit made available to an earner) in 1998-99 or a subsequent tax year (“year 1”);
 - (b) the payments are made in error, in that the employment from which the earnings are derived (or by reason of which the benefit is made available) is not employed earner’s employment; and
 - (c) the person making the payments has not been notified of the error by the Secretary of State before the end of the tax year following year 1 (“year 2”).
- (2) After the end of year 2 the earner shall, except in such circumstances as may be prescribed, be treated for all purposes relating to—
- (a) contributions and contributory benefits; and
 - (b) statutory sick pay and statutory maternity pay,
- as if the earnings were derived from (or the benefit were made available by reason of) employed earner’s employment.”