

**1997-16**      **Social Security (Open Long-Term Benefits Scheme)**

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Subsidiary Legislation made under ss.5(1) and 22 of the Medical (Group Practice Scheme) Act, and on the Minister responsible for social affairs by sections 3(2) and 4(4) of this Act.

**Supplementary Contributions Regulations 2007**

**LN.2007/135**

*Commencement*                      **1.7.2007**

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**ARRANGEMENT OF REGULATIONS**

Regulation

1.      Title and commencement.
2.      Application of the Social Security (Open Long-Term Benefits Scheme) Act 1997.
3.      Supplementary contribution.

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*In exercise of powers conferred on the Minister responsible for health by sections 5(1) and 22 of the Medical (Group Practice Scheme) Act, and on the Minister responsible for social affairs by sections 3(2) and 4(4) of the Social Security (Open Long-Term Benefits Scheme) Act 1997, the Minister responsible for health and the Minister responsible for social security have made the following Regulations—*

**Title and commencement.**

1. These Regulations may be cited as the Supplementary Contributions Regulations 2007 and shall be deemed to have come into operation on 1 July 2007.

**Application of the Social Security (Open Long-Term Benefits Scheme) Act 1997.**

2. Pursuant to section 3(2) of the Social Security (Open Long-Term Benefits Scheme) Act 1997, “insured person” is understood to include, for the purposes of these Regulations, a person to whom section 3(1)(b) of that Act does not apply.

**Supplementary contribution.**

3.(1) Where any married woman or widow has not had the statutory duty to pay contributions—

- (a) under the Social Security (Open Long-Term Benefits Scheme) Act 1997, the Social Security (Insurance) Act or any instrument revoked by section 48 of the Social Security (Open Long-Term Benefits Scheme) Act 1997; or
- (b) at the full rate under the Medical (Group Practice Scheme) Act,

by virtue of an election to which regulation 6 of the Social Security (Open Long-Term Benefits) (Insurability and Special Classes) Regulations 1997 applies, such person may elect to pay a supplementary contribution equivalent to the difference of that person’s sum total of all contributions during the subsistence of the marriage or period of widowhood as the case may be, and the prescribed sum total of all contributions had that person not so elected.

(2) An election under sub-regulation (1) shall—

- (a) be made in writing to the Director in such form as the Director may require;
- (b) be made in a manner approved by the Director;
- (c) be extinguished on the failure by the person making the election to comply with the requirements of this regulation;

(d) be made before 31 July 2008;

(e) apply provided the person to whom the election refers cancels any election to which regulation 6 of the Social Security (Open Long-Term Benefits) (Insurability and Special Classes) Regulations 1997 applies in respect of that person.

(3) Contributions made under these regulations shall be paid either by way of a single payment within one year of making the election under sub-regulation (2), above, or by instalments under sub-regulations (4) and (5), below.

(4) Payments of contributions by instalments shall be—

(a) made in a manner approved by the Director; and

(b) made by equal annual instalments subject to sub-regulation (5).

(5) The first annual instalment shall be payable on the first anniversary of the election under sub-regulation (2), and the final instalment shall be payable on whichever is the later of either—

(a) the last anniversary of the said election prior to the insured person's sixtieth birthday; or

(b) five years after the said election,

providing that the insured person may at any time make an early payment of the whole of any annual instalment or instalments (including the first).

(6) Any contributions paid by annual instalments shall be attributed to the most recent as possible part of the contribution record.

(7) Where there are annual instalments yet to be paid, the right to pay contributions under these regulations shall be extinguished on the death of the insured person or a failure to comply with the requirements of sub-regulations (3), (4) and (5).

(8) For the avoidance of doubt, all payments shall be non-refundable.

(9) In respect of the first instalment payment, nothing in these Regulations entitles a person to claim any payment of benefit in respect of a period prior to 1 July 2007.

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(10) In respect of any subsequent instalment payments, nothing in these Regulations entitles a person to claim any payment of benefit in respect of a period prior to the payment of that instalment.