

THE NATIONAL SOCIAL SECURITY FUND ACT.

Statutory Instrument 222—4.

The National Social Security Fund (Voluntary Registration and Contributions) Regulations.

Arrangement of Regulations.

Regulation

1. Citation.
2. Voluntary registration of employer.
3. Employer not liable to pay contribution in respect of an unregistered employee.
4. Employer to pay standard contribution for registered employees.
5. Month in which standard contributions are to be paid.
6. Period within which an employer may register.
7. Employer of a minister of religion.
8. Employer's registration number and other requirements.
9. Employer of minister of religion not liable to pay contribution for other persons.
10. Employer of minister of religion may pay a supplementary payment for twelve months.
11. Voluntary registration of eligible employees and ministers of religion.
12. Membership number.
13. Voluntary contributions by members who have ceased to be eligible employees.
14. Rate of voluntary contributions.

THE NATIONAL SOCIAL SECURITY FUND ACT.

Statutory Instrument 222—4.

The National Social Security Fund (Voluntary Registration and Contributions) Regulations.¹

(Under sections 10 and 52 of the Act.)

1. Citation.

These Regulations may be cited as the National Social Security Fund (Voluntary Registration and Contributions) Regulations.

2. Voluntary registration of employer.

Every employer who applies for voluntary registration under section 10(1) of the Act as a contributing employer shall complete and forward to the managing director of the fund a form approved by the Minister and shall signify in writing on that form that his or her application for registration is voluntary.

3. Employer not liable to pay contribution in respect of an unregistered employee.

An employer shall not, by reason only of his or her registering under these Regulations, be liable to pay a standard contribution in respect of an eligible employee who has not registered or paid special contributions.

4. Employer to pay standard contribution for registered employees.

An employer registered under these Regulations shall pay a standard contribution in respect of each of his or her eligible employees whom he or she knows to be registered (whether voluntarily or otherwise) as a member.

5. Month in which standard contributions are to be paid.

An employer who registers under these Regulations shall be liable to pay

¹See the footnote to S.I. 222—3.

standard contributions from a month determined by the managing director, but that month shall not be earlier than the month following that in which he or she registers and not later than the fourth month following that in which he or she registers.

6. Period within which employer may register.

The period within which an employer may register voluntarily shall commence on the 1st day of November, 1969, and shall end on the first day of the month immediately preceding that in which employers of the category, class or description to which he or she belongs are required by order to register as contributing employers.

7. Employer of a minister of religion.

If an employer of a minister of religion applies for voluntary registration under section 10 of the Act, he or she shall furnish to the managing director such information as the managing director may require indicating among other things—

- (a) that he or she is the employer from whom the minister of religion receives his or her stipend;
- (b) where the employer is a corporation that the members of the governing body of that corporation agree to the registration;
- (c) where the employer is a partnership or an association that the members of that partnership or association agree to the registration; and
- (d) that the minister of religion has agreed that a deduction of his or her share of the standard contribution shall be made from his or her stipend or that he or she has made an agreement with his or her employer concerning such deduction subject to the approval of the managing director.

8. Employer's registration number and other requirements.

(1) The managing director shall allot a registration number and issue a certificate of registration to each employer registered under regulation 2 or 7 of these Regulations as a contributing employer.

(2) In addition to the requirements provided for in subregulation (1) of this regulation, the provisions of the National Social Security Fund Act and all orders and regulations made under that Act insofar as they are not

inconsistent with these Regulations shall apply to an employer or employee who registers under these Regulations as they do to an employer or employee who has been required by the Minister to register and contribute under the Act.

9. Employer of minister of religion not liable to pay contribution for other persons.

Notwithstanding any provision of these Regulations an employer of a minister of religion shall not by reason only of his or her registering under regulation 7 of these Regulations as the contributing employer of that minister of religion be liable to pay contributions in respect of any other person.

10. Employer of minister of religion may pay a supplementary payment for twelve months.

(1) An employer of a minister of religion who has registered under regulation 7 of these Regulations may, during the first month of any period of twelve months or of such lesser period as the managing director may specify in any particular case, pay a supplementary payment agreed upon by the managing director instead of standard contributions for that period in respect of that minister of religion.

(2) An employer who pays a supplementary payment under this regulation shall not recover that amount from the stipend paid by him or her to the minister of religion.

11. Voluntary registration of eligible employees and ministers of religion.

(1) An eligible employee or a minister of religion who is not required to register may apply for voluntary registration as a member of the fund only during the period he or she is employed by an employer who has registered under section 10 of the Act as a contributing employer.

(2) The applicant under this regulation shall—

- (a) furnish on a form approved by the Minister all the information required by the managing director;
- (b) impress on that form his or her right thumbprint or if he or she has no right thumbprint his or her left thumbprint;

(c) state that he or she is applying to register voluntarily; and
(d) sign that form if he or she can write,
but the managing director may at his or her discretion admit him or her to membership notwithstanding that the form is incomplete or defective.

12. Membership number.

The managing director shall allot a membership number to every person who registers voluntarily as a member.

13. Voluntary contributions by members who have ceased to be eligible employees.

(1) Any member of the fund in respect of whom a standard contribution has ceased to be payable under the Act may apply to the managing director to make voluntary contributions within twelve months following the last month for which a standard contribution was paid in respect of him or her.

(2) The applicant shall send a written application signed by him or her to the managing director stating all particulars of his or her membership and of his or her last employment for which a standard contribution was paid.

14. Rate of voluntary contributions.

(1) For the purpose of section 10(3)(a) of the Act, the average rate of a standard contribution formerly payable by an employer shall be calculated over the following period—

- (a) the last three months throughout which the member was employed; or
- (b) such other period as the managing director may consider appropriate for that member.

(2) A voluntary contribution shall not be paid for any month for which standard contribution was payable but shall be treated as properly paid for not more than two consecutive months if for each of those months the relevant voluntary contribution was paid before the relevant standard contribution.

- (3) A voluntary contribution shall be a multiple of one shilling.

(4) A member may, with the consent of the managing director, pay in one sum voluntary contributions for more than one month, but a voluntary contribution shall not be payable except for a month of the financial year in which it is in fact paid.

(5) Not more than one voluntary contribution shall be paid for any one month.

History: S.I. 191/1969.
