STATUTORY INSTRUMENTS

2026 No. 684

SOCIAL SECURITY

The Social Security (Contributions) (Amendment No. 4) Regulations 2026

Made - - - -	*24th June 2026*
Laid before Parliament	*25th June 2026*
Coming into force - -	*20th July 2026*

The Treasury make these Regulations in exercise of the powers conferred by sections 3(2) and (3) of the Social Security Contributions and Benefits Act 1992(**1**) and sections 3(2) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**2**) and now exercisable by them.

The Secretary of State and the Department for Communities concur in the making of these Regulations.

Citation and commencement

1. These Regulations may be cited as the Social Security (Contributions) (Amendment No. 4) Regulations 2026 and come into force on 20th July 2026.

Amendment of the Social Security (Contributions) Regulations 2001

2. Paragraph 10A of Part 6 of Schedule 3 to the Social Security (Contributions) Regulations 2001 (pensions and pensions contributions; payments to be disregarded in the calculation of earnings for the purposes of earnings-related contributions)(**3**) is amended as follows—

(a) the existing text becomes sub-paragraph (1);

(**1**) 1992 c. 4. Section 3(2) was amended by paragraph 3 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), so that the power to make regulations became exercisable by the Treasury with the concurrence of the Secretary of State.

(**2**) 1992 c. 7 ("the 1992 N.I. Act"). Section 3(2) was amended by paragraph 4 of Schedule 3 to S.I. 1999/671 so that the power to make regulations became exercisable by the Treasury with the concurrence of the Department which is defined in section 170 of the 1992 N.I. Act as the Department of Health and Social Services for Northern Ireland. Section 3(2) was also amended by Part 6 of Schedule 12 to S.I. 2015/2006. The functions of the Department of Health and Social Services for Northern Ireland under the 1992 N.I. Act were transferred to the Department for Social Development by article 8(b) of, and Part 2 of Schedule 6 to, S.R. 1999 No. 481. The Department for Social Development was renamed the Department for Communities by section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)).

(**3**) S.I. 2001/1004. Paragraph 10A was inserted by The Social Security (Contributions) (Amendment and Application of Schedule 38 to the Finance Act 2012) Regulations 2013 (S.I. 2013/622), regulations 1 and 40(b), and amended by S.I. 2015/478.

(b) after "payment" insert "—";

(c) from "under" to the end becomes paragraph (a);

(d) in that paragraph, for "2014 (S.I. 2014/2328)." substitute "2014 (S.I. 2014/2328); or";

(e) after paragraph (a) insert—

"(b) of EDP 2015 equivalent benefits under the AFPS 1975.";

(f) after paragraph (b) insert—

"(2) For the purposes of paragraph (1)(b)—

"AFPS 1975" means the occupational pension scheme arrangements for members of the regular armed forces known as the Armed Forces Pension Scheme 1975 established by Schedules 1 and 3 to each Armed Forces Pension Scheme 1975 instrument which means any of the following—

(a) the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010 made on 10th February 2010(**4**);

(b) the Army Pension (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Warrant 2010 made on the 10th February 2010(**5**); and

(c) the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010 made on the 10th February 2010(**6**);

(**4**) Queen's Order made under section 2(1) of the Air Force (Constitution) Act 1917 (c. 51) (7 and 8 Geo 5). This Order ("the Air Force Pensions Order") sets out the Armed Forces Pensions Scheme 1975 in relation to former members of the regular Royal Air Force. Schedule 1 to the Air Force Pensions Order was revoked and replaced with a revised Schedule 1 by the Air Force Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010. Schedule 1 has been amended by the Air Force Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012, the Air Force Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015, the Air Force Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2017 and the Air Force Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. Schedule 2 to the Air Force Pensions Order has been amended by the Air Force Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012 and the Air Force Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. Schedule 3 to the Air Force Pensions Order was inserted by S.I. 2015/568 and has been amended by the Air Force Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2017, the Air Force Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018 and by S.I. 2022/323 and 2023/998. Schedule 4 to the Air Force Pensions Order was inserted by S.I. 2023/998. There are other amending instruments but none are relevant. Hard copies can be obtained from Ministry of Defence, AF Remuneration - Pensions, Main Building, Whitehall, London SW1A 2HB.

(**5**) Royal Warrant made under section 2 of the Pensions and Yeomanry Pay Act 1884 (c. 55) (47 and 48 Vict) and prerogative powers. The Royal Warrant ("the Army Pensions Warrant") sets out the Armed Forces Pension Scheme 1975 in relation to former members of the regular Army. Schedule 1 to the Army Pensions Order was revoked and replaced with a revised Schedule 1 by the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010. Schedule 1 has been amended by the Army Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012, the Army Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015, the Army Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2017 and the Army Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. Schedule 2 to the Army Pensions Order has been amended by the Army Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012 and the Army Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. Schedule 3 to the Army Pensions Order was inserted by S.I. 2015/568 and has been amended by the Army Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2017, the Army Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018 and by S.I. 2022/323 and 2023/998. Schedule 4 to the Army Pensions Order was inserted by S.I. 2023/998. There are other amending instruments but none are relevant. Hard copies can be obtained from Ministry of Defence, AF Remuneration - Pensions, Main Building, Whitehall London SW1A 2HB.

(**6**) Order in Council made pursuant to section 3 of the Naval and Marine Pay and Pensions Act 1865 (c. 73) (28 and 29 Vict). This Order ("the Naval Pensions Order") sets out the Armed Forces Pension Scheme 1975 in relation to former members of the regular Navy and Royal Marines. Schedule 1 to the Naval Pensions Order was revoked and replaced with a revised Schedule 1 by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010. Schedule 1 has been amended by the Naval and Marine Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012, the Naval and Marine Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015, the Naval and Marine Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2017 and the Naval and Marine Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. Schedule 2 to the Naval

The instruments are collectively referred to as "each instrument" and the instrument applicable to the individual's remediable service under the AFPS 1975 is referred to as the "relevant instrument".

"EDP 2015 benefits" means benefits under the EDP 2015 scheme established by the Armed Forces Early Departure Payments Scheme Regulations 2014(**7**);

"EDP 2015 equivalent benefits" means new scheme benefits which—

(a) are payable in relation to the individual's remediable service under AFPS 1975 as a result of a section 6 election or a section 10 election; and

(b) are equivalent to EDP 2015 benefits;

"new scheme benefits" has the meaning given in section 34 of the Public Service Pensions and Judicial Offices Act 2022(**8**);

"remediable service" has the meaning given in section 1 of the Public Service Pensions and Judicial Offices Act 2022;

"Section 6 election" has the meaning given in paragraph 8(1)(a) of Schedule 4 to the relevant instrument;

"Section 10 election" has the meaning given in paragraph 12(1)(a) of Schedule 4 to the relevant instrument.".

Taiwo Owatemi
Christian Wakeford
Two of the Lords Commissioners of His Majesty's Treasury

24th June 2026

The Secretary of State concurs as indicated in the preamble
Signed by authority of the Secretary of State for Work and Pensions

Stephen Timms
Minister of State
Department for Work and Pensions

23rd June 2026

Pensions Order has been amended by the Naval and Marine Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012 and the Naval and Marine Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. Schedule 3 to the Naval Pensions Order was inserted by S.I. 2015/568 and has been amended by the Naval and Marine Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2017, the Naval and Marine Pensions (Armed Forces Pensions Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018 and by S.I. 2022/323 and 2023/998. Schedule 4 to the Naval Pensions Order was inserted by S.I. 2023/998. There are other amending instruments but none are relevant. Hard copies can be obtained from Ministry of Defence, AF Remuneration - Pensions, Main Building, Whitehall London SW1A 2HB.

(**7**) S.I. 2014/2328, amended by S.I. 2015/466.

(**8**) 2022 c. 7.

The Department for Communities concurs as indicated in the preamble

Sealed with the Official Seal of the Department for Communities on 23rd June 2026

L.S.

David Tarr

Senior Officer of the Department for Communities

23rd June 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Contributions) Regulations 2001 to provide that where an individual makes a Section 6 or a Section 10 election in relation to their remediable service under the Armed Forces Pension Scheme 1975 ("AFPS 1975") and as a result of that election, new scheme benefits, which are equivalent to the scheme established by the Armed Forces Early Departure Payments Scheme Regulations 2014 benefits, are payable in relation to the individual's remediable service under the AFPS 1975, those benefits will be disregarded in the calculation of earnings for the purpose of establishing liability to Class 1 National Insurance contributions.

Section 6 and Section 10 elections are statutory elections that allow an individual with remediable service to choose how that service is treated for pension purposes. A Section 6 election allows an individual to elect that their remediable service under AFPS 1975 is to be treated as if it had accrued under the new scheme instead of the legacy scheme. A Section 10 election allows a person to defer the choice about how their remediable service is treated until a later point, typically when the benefits become payable.

A Tax Information and Impact Note was published on 27th October 2021 and is available on the website at https://www.gov.uk/government/publications/taxation-of-public-service-pension-reform-remedy/taxation-of-public-service-pension-reform-remedy.

The Tax Information and Impact Note remains an accurate summary of the impacts that apply to this instrument.