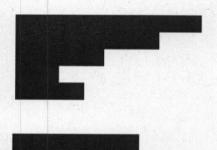


Reference: Army Sec/15/02 FOI2018/01713 Army Secretariat
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15 February 2018

Thank you for your letter of 29 January in which you requested the following information:

I would be most grateful if you could kindly send me copies of letter D/AG Gurkha Pol/142/12 dated 19 March 2008 on the subject of Gurkha National Insurance Contribution (NIC) Records-Backdating to 1997 and Annex B to D/AG/Gurkha (P)/142/12 dated 17 March 2008 - Questions and Answersunder the Freedom of Information Act 2000.

I am treating your correspondence as a request for information under the Freedom of Information Act (FOIA) 2000. A search for the information has now been completed within the Ministry of Defence, and I can confirm that the information in scope of your request is held and is attached. In order to be helpful in accordance with Section 16 (Advice and Assistance) of the Act, for completeness I have provided the full document dated 17 March 2008, not just the Annex B you requested.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. This personal information has been redacted. Section 40 is an absolute exemption and there is no requirement to consider the public interest in making a decision to withhold the information.

If you have any queries regarding the content of this letter, please contact this office in the first instance. Following this, if you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information

Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at https://ico.org.uk/.

Yours sincerely,

Army Secretariat

From:

Land Forces Secretariat Gurkha



Ministry of Defence Headquarters Adjutant General's Command

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See distribution

19 March 2008

GURKHA NATIONAL INSURANCE CONTRIBUTION (NIC) RECORDS - BACKDATING TO 1997

I am writing to let you know that it is Her Majesty's Revenue and Customs (HMRC) intention to credit National Insurance Contributions (NICs) to Gurkha personnel backdated to 1 July 1997.

As you may be aware, all Gurkhas who were serving on or after 2 October 2000 received a NIC record that counts for contribution based benefit entitlement purposes. This action was taken because the Inland Revenue (now HMRC) concluded that the previous exclusion of Gurkhas from the NIC scheme was no longer justified with effect from 2 October 2000, when the Human Rights Act came into force.

As a result of this change from 2 October 2000 to 5 April 2005 HMRC treated NICs as having been made and from 6 April 2005 to 30 April 2006 the NIC liability was met through an arrangement between HMRC and MOD. Since 1 May 2006, full PAYE arrangements have been in place and each Gurkha soldier has had tax and NICs deducted from pay in the same manner as any other soldier.

Service prior to 2 October 2000 was originally excluded from this arrangement, but now, to ensure parity with MOD/Home Office policy and following further legal advice received by HMRC about NICs credits for the pre October 2000 period, HMT ministers have agreed that NICs credits should be provided to Gurkhas who were also serving during the period between 1 July 1997 and 1 October 2000.

HMRC will put action in hand to adjust appropriate NIC records for those still serving in the Brigade, and for those who have retired since 2 October 2000.

LF Sec (Gurkha) will write and inform those who retired between 1 July 1997 and 1 October 2000 of the actions that will be required for them to be credited with the new NIC credits.

I hope that this is helpful.

Distribution:

Mr Padam Bahadur Gurung President Gurkha Army Ex-Servicemen's Organisation 12A Martindale Road Hounslow TW4 7EP

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Reference:

D/AG(G)Pol/142/12

See Distribution

Date:

17 March 2008

GURKHA NATIONAL INSURANCE CONTRIBUTION (NIC) RECORDS - BACKDATING TO 1 JULY 1997

Reference:

A. D/AG(G)/140/7/10 dated 5 Jan 06.

1. This letter is to inform addressees that it is Her Majesty's Revenue and Customs (HMRC) intention to credit National Insurance Contributions (NICs) to Gurkha personnel backdated to 1 July 1997.

BACKGROUND

- 2. As background, all Gurkhas who were serving on or after 2 October 2000 received a NIC record that counts for contribution based benefit entitlement purposes. This action was taken because the Inland Revenue (now HMRC) concluded that the previous exclusion of Gurkhas from the NIC scheme was no longer justified with effect from 2 October 2000, when the Human Rights Act came into force.
- 3. As a result of this change from 2 October 2000 to 5 April 2005 HMRC treated NICs as having been made and from 6 April 2005 to 30 April 2006 the NIC liability was met through an arrangement between HMRC and MOD. Since 1 May 2006, full PAYE arrangements have been in place and each Gurkha soldier has had tax and NICs deducted from pay in the same manner as any other soldier.
- 4. Service prior to 2 October 2000 was originally excluded from this arrangement, but now, to ensure parity with MOD/Home Office policy and following further legal advice received by HMRC about NICs credits for the pre October 2000 period, HMT ministers have agreed that NICs credits should be provided to Gurkhas who were also serving during the period between 1 July 1997 and 1 October 2000.

IMPLEMENTATION

5. HMRC will put action in hand to adjust appropriate NIC records for those still serving in the Brigade, and for those who have retired since 2 October 2000. LF Sec (Gurkha) will

write and inform those who retired between 1 July 1997 and 1 October 2000 of the actions that will be required for them to be credited with the new NIC credits.

PRESENTATION ISSUES

- 6. An update to the original Q&A announcing the previous change to NICs, Reference A, is attached at Annex B. A media brief is being prepared for dissemination under separate cover.
- 7. HQBG is requested to pass this information to all Gurkha personnel and place the two sets of Q&A on it's website.

(signed or	n original)
for AD LF	Sec (Gurkha)

Annexes:

Distribution:

A. Questions and Answers on National Insurance Contributions (NICs) for Gurkhas from 1 July 1997.

B. Questions and Answers - The National Insurance Scheme.

Action:
HQBG
Information:
Internal:
MOD - DGLS
- DGMC
HQ BGN
DSPS(A)

HMT - DDI HMRC

External:

ANNEX A TO D/AG/GURKHA(P)/142/12 DATED 17 MAR 08

QUESTIONS AND ANSWERS ON NATIONAL INSURANCE CONTRIBUTIONS (NICs) FOR GURKHAS FROM 1 JULY 1997

Q1. What has changed for Gurkhas?

A1. Those Gurkhas who served in the Army between 1 July 1997 and 1 October 2000 will now get additional contribution years added to their National Insurance record (NICs credits) for the period they served between these dates. Previously NICs had only been credited for those in service on or after 2 October 2000. Those ex-Gurkhas who do not have a National Insurance Number (NINO) will need to be allocated one before a National Insurance record can be created for them.

Q2. Who are affected by this change?

A2. All Gurkhas who served in the Army between 1 July 1997 and 1 October 2000.

Q3. Why the change?

A3. To ensure parity with MOD/Home Office policy, and following further legal advice received by HMRC about NICs credits for the pre October 2000 period, NICs credits will be provided to Gurkhas who were serving in the period between 1 July 1997 and 1 October 2000.

Q4. What does this change mean?

- A4. This change means that those Gurkhas who were serving during this period will now get NICs credits. The main impact will be that individuals will get up to 3 more years of contributions towards the Basic State Pension.
- Q5. I am a serving Gurkha who joined the Army in January 1996. I have a NINO and my NIC record has been credited back to 2 October 2000. What do I need to do to get the additional period credited to my account?
- A5. Nothing, HMRC will add these NICs credits to those already on your National Insurance record.
- Q6. I am a Gurkha pensioner who was discharged in 2005 after 15 years service. I have a NINO and my NIC record has been credited back to 2 October 2000. What do I need to do to get the additional period credited to my account?
- A6. Nothing, HMRC will add these NICs credits to those already on your National Insurance record.

- Q7. I am a Gurkha pensioner who was discharged in 1999 after 15 years service. I have a NINO as I am in employment in the UK. What do I need to do to get the additional period credited to my account?
- A7. Nothing at present. We will write to you in due course explaining what you need to do to get the credits applied to your account.
- Q8. I am a Gurkha pensioner who was discharged in 1999 after 15 years service. I do not have a NINO as I am resident and working in Nepal. What do I need to do to get the additional period credited to my account?
- A8. Nothing at present. As you do not have a NINO you will need to apply for one. We will write to you in due course explaining what you need to do to be given a NINO and get the credits applied to your account.
- Q9. I was discharged in 2003 and was told by DWP that I did not have sufficient contributions to qualify for incapacity benefit. Does this change affect my claim?
- A9. Yes it does. You should approach DWP to inform them of the additional contribution years once they are credited to your NIC account and ask them to re-assess your claim from the date you first applied.

Q10. Where can I get more information on NICs?

A10. A comprehensive Q&A was circulated in January 2006 when the original changes to NICs were briefed to Gurkhas, this Q&A is attached to provide additional details. Further information about National Insurance is available on the HMRC website, and about benefits on the DWP website.

Q11. I understand there are changes to the rules for qualifying for the Basic State Pension. How do these affect me?

A11. Yes, the rules affecting entitlement to the Basic State Pension will be changing from April 2010 as a result of the Pensions Act 2007. What is happening is that the maximum contributions to earn a full pension, currently 44 for men and 39 for women, are being reduced to 30 for those who reach retirement age on or after 6 April 2010. In addition, the threshold of 25% of years to earn the minimum Basic State Pension is being abolished and individuals will get whatever proportion of the 30 year rate that they have earned in contribution years, so someone with 17 years contributions would get 17/30ths of the maximum rate. The state pension age is being progressively raised and how this will affect individuals will depend on their age now. Details of the new age thresholds are on the DWP/HMRC websites.

Further information about Pension reform is available on the DWP website at: -

http://www.dwp.gov.uk/pensionsreform/

Further information about NICs is available on the HMRC website at: -

http://www.hmrc.gov.uk/employers/tmanational-insurance.shtml

ANNEX B TO D/AG/GURKHA(P)/142/12 DATED 17 MAR 08

QUESTIONS AND ANSWERS - THE NATIONAL INSURANCE SCHEME FIRST ISSUED ON 5 JANUARY 2006 AND UPDATED 12 MARCH 2008

The National Insurance Scheme

National Insurance contributions are payments that enable an individual to qualify for certain types of social security benefits. All employees and self-employed workers over 16 and under retirement age with earnings above a set lower limit must make National Insurance contributions. The level of National Insurance contributions an individual makes is related to the level of income they earn.

What is Changing?

Q1. Why are Gurkhas now liable for National Insurance contributions (NIC)?

A1. In the past Gurkhas have been excluded from the National Insurance Scheme by legislation because they would have derived no benefit from being members. This was based on the relatively short period of service in the UK during a Gurkha's career and the fact that then Gurkhas retired to Nepal. The situation has changed considerably since those days. During work between Inland Revenue (now Her Majesty's Revenue and Customs (HMRC)) and the MOD, the Inland Revenue concluded that the previous exclusion from making National Insurance contributions was no longer justified from 2 October 2000 when the Human Rights Act came into force. Gurkhas will now be paying NICs, which will give them access to state benefits and a pension.

Q2. What is being done to ensure that I do not lose out on the benefits I was due from 2 October 2000?

A2. HMRC and the DWP have been working with MOD to establish NICs records for all Gurkhas who were serving on or after 2 October 2000. HMRC will treat as paid contributions for Gurkhas from 2 October 2000, or from the date they joined the Army if it was after 2 October 2000, up to 5 April 2005. The MOD will meet the NIC liability on behalf of Gurkhas from 6 April 2005 to 5 April 2006 and details of Gurkhas income will be passed to HMRC so that individual contribution records are credited. From 6 April 2006 NICs will be deducted from Gurkha pay under PAYE. These arrangements will ensure all serving Gurkhas will have NICs records established back to 2 October 2000, or date of enlistment if later, so entitlement to benefits in the future will be secured.

Q3. What about the period July 1997 to October 2000?

A3. The position for the period July 1997 to October 2000 is subject to review by HMRC.

Update: Review now complete, see new Q&A.

Q4. Will I be liable to pay NICs and income tax when I am on Nepal Long Leave (NLL) and only receiving Indian Army (IA) pay and Dearness Allowance (DA)?

A4. Yes liability will be on a continuous basis when on NLL. However, even a Major(Queen's Gurkha Officer) on the top incremental level is under the monthly Earnings Threshold (ET) for NICs (31 day month on IA pay and DA) and so no payment would be made. Currently, NICs are due on weekly earnings above £94 per week. If the person has earnings between the Lower Earnings Limit (LEL) currently £82 per week and the ET of £94 per week they will not pay NICs but the earnings will count for benefit purposes and need to be reported. The same goes for tax, the monthly personal allowance being the same as the ET (approx £400). So, whilst you are liable you will not pay either NICs or tax. That said, because tax will be on a continuous basis the unused personal allowance for those periods on NLL will be used over the rest of the year so moving some of that income down the tax bands to your benefit. A few individuals may rise above the ET and tax allowance thresholds if they receive any additional/specialist pay which is retained during NLL.

What Benefits Will I Get?

Q5. What are the additional state benefits I am entitled to during my service now that I am paying NICs.

- A5. You will be entitled to those benefits that are contribution based, providing that the eligibility rules for each particular benefit are met. These benefits will not be relevant to Gurkhas whilst serving in the Army because they are in employment. The contribution-based benefits are:
 - Contribution-based Jobseeker's Allowance.
 - Incapacity Benefit.
 - Retirement Pension (i.e. Basic State Pension and State Second Pension).
 - Bereavement Benefit, for the surviving spouse.

Q6. What are the minimum contributions required for these benefits?

- A6. Each benefit has its own qualification rules. The minimum contributions for these benefits are:
 - Contribution-based Jobseeker's Allowance:
 - Earnings factor from paid contributions on earnings of at least 25 times the lower earnings limit (LEL) in at least one of two tax years immediately before the start of the benefit year.
 - Earnings factor from contributions paid or credited of at least 50 times the LEL in each of the two tax years immediately before the start of the benefit year.
 - Incapacity Benefit:

- Earnings factor from paid contributions on earnings of at least 25 times the LEL in at least one of three tax years immediately before the start of the benefit year.
- Earnings factor from contributions paid or credited of at least 50 times the LEL in each of the two tax years immediately before the start of the benefit year.

State Pension:

- Second State Pension (S2P) contributions paid on earnings of at least 52 times LEL in any tax year from April 2002.
- Basic pension:
 - Earnings factor from paid contributions of at least 52 times LEL in any one tax year.
 - Earnings factor from contributions paid or credited of at least 52 times the LEL in at least 44 tax years, with reduced benefit paid where the is met in at least 11 years.

Update: For those that reach retirement age after April 2010 the maximum basic pension is earned after only 30 years of contributions, with no minimum requirement. See new Q&A.

Bereavement Benefits:

- Bereavement Payment Earnings factor from paid contributions on earning of at least 25 LEL in any one tax year.
- Bereavement Allowance and Widowed Parents Allowance as for basic retirement pension but number of years of contributions is reduced depending upon age of person when they died.

Notes:

- Tax years for the payment of NICs run from 6 April to 5 April.
- Benefit years run from 1 January to 31 December.
- 3. For example, to qualify for a benefit in the benefit year starting on 1 January 2005 the qualifying tax years are 6 April 2003 to 5 April 2004 and those prior.

Q7. What benefits will I get from paying NICs if I remain in Nepal after I am discharged?

A7. The only benefits that are exportable to Nepal are the Basic State Pension, State Second Pension, Bereavement Allowance and Widowed Parents Allowance.

Q8. Where can I get additional information on Contributory Benefits?

A8. The Department of Work and Pensions (DWP) website is a good place to start and this can be found at <www.dwp.gov.uk/lifeevent/benefits>. Also, your local Jobcentre Plus can give you further information.

Q9. Who can advise me on the level of benefits I qualify for when I leave the Army?

A9. You should ask the question at your local Jobcentre Plus.

Basic State Pension

Q10. How long do I have to make contributions for?

A10. The minimum period to earn a minimum Basic State Pension is 11 years with the full Basic State Pension earned after 44 years.

Update: There is now no minimum period and the maximum is now 30 years for those reaching retirement age after April 2010. See A7 and the new Q&A.

Q11. What is the value of the minimum Basic State Pension?

A11. The minimum Basic State Pension is ¼ of the full amount of £82.05 per week, so the minimum pension would be £20.51 per week at current values.

Update: The rate for a full Basic State Pension is £90.70 per week for 2008/09

Q12. Is the Basic State Pension index linked?

A12. Yes, but only for those residing in the UK or residing in a country with which there is an agreement. Nepal is not one of those countries in which Basic State Pensions are indexed. However, if a pensioner settles back in the UK after a period in Nepal his Basic State Pension would qualify for all the missing indexation. Those pensions that qualify are indexed every April using the Retail Price Index (RPI).

Q13. When will I receive the Basic State Pension?

A13. At age 65.

Update: The Pension Act 2007 has brought in changes to the retirement age. See DWP/HMRC websites for how this will affect you.

Q14. If I am resident in Nepal when I reach age 65 how do I get my Basic State Pension paid to me?

A14. You can have it arranged to be paid by DWP directly into your bank account in Sterling.

Q15. What happens to my Basic State Pension when I die?

A15. If you leave a widow behind she may, depending on her circumstances such as her age, be able to inherit some or all of your pension.

Q16. When I reach the age of 65 how do I claim my pension.

A16. Under current instructions you should apply to DWP no more than 4 months prior to your 65th birthday. Claim form BR1 can be found on the internet at <www.thepensionservice.gov.uk>. Obviously, the oldest serving Gurkhas will have nearly 20 years before they reach the age of 65 and you will need to check on the application instructions that are in place nearer the time as things do change. Claims can only be backdated for up to 12 months so it is important not to delay your application.

Q17. If I am resident outside the UK when I claim my pension, will it cost me anything to have it paid to a bank account overseas?

A17. The DWP make payments in Sterling overseas at no charge to the pensioner, however, the receiving bank will probably make a charge when converting Sterling to the local currency.

State Second Pension

Q18. What is the State Second Pension?

A18. The State Second Pension (S2P) is mainly for employees who are not members of a qualifying occupational pension scheme or do not have a private pension plan. The Gurkha Pension Scheme does not qualify to be Contracted Out of the S2P therefore Gurkhas have to be Contracted In to the S2P.

Update: Following the pension offer to transfer, the majority of Gurkhas entitled to the new backdating of NICs have moved to the AFPS which is contracted out of the S2P. As a result they will not have an S2P benefit from their period of service in the Army.

Q19. Am I making the same contributions as a British soldier?

A19. No. Since British soldiers are members of the AFPS they are Contracted Out of S2P and pay NICs at a lower rate than Gurkhas. Gurkhas will pay NICs at 11% and British soldiers at 9.4%. The difference is the contribution to the S2P. But British soldiers will not acquire rights to receive S2P.

Update: Serving Gurkhas who transferred to the AFPS are now paying NICs at 9.4%, the same as British personnel. Refunds will be made of the 1.6% difference in rates from 1 May 2006 when Gurkhas became individually liable to pay NICs.

Q20. Does the Army as the employer have to pay more NICs for a Gurkha compared to a British soldier?

A20. Yes, employer NICs are higher for Gurkhas at 12.8% compared to 9.3% for British soldiers.

Update: This now is true only for the 10 serving Gurkhas who stayed on the GPS. For those on the AFPS employer NICs are the same as for British soldiers.

Q21. How long do I have to pay NICs to get an S2P?

A21. There is no set minimum period. Whatever contributions are recorded will be the basis of the pension awarded. See A5 as well.

Q22. When do I get my S2P?

A22. At age 65. A single application, using form BR1 mentioned in A15, will start payment of both the Basic State Pension and S2P according to an individual's entitlement.

Returning to the UK after Discharge

Q23. If I return to work in the UK after I leave the Army how do I add to my contributions record?

A23. If you work for an employer he will automatically deduct NICs, which will be credited to your National Insurance contribution record, as you are required to provide him with your National Insurance number when you start work. If you are self-employed, you must pay the flat rate Class 2 contributions and Class 4 National Insurance on your taxable business profits. The Class 2 currently costs £2.10 per week and counts towards benefits. You pay Class 4 via your Self-assessment tax return and Class 2 should be paid by direct debit or quarterly bill to the National Insurance Contributions Office (NICO).

Update: Class 2 contributions will cost £2.30 per week for 2008/09.

Q24. Can I make additional contributions to qualify for or top-up my Basic State Pension entitlement if I do not return to the UK to work?

A24. Yes, almost all Gurkhas will be able to pay Class 3 contributions. The cost is currently £7.35 per week and there are time limits for paying. You should write to the National Insurance Contributions Office or ask at a Jobcentre Plus. The application form is CF 83, which can be downloaded from the HMRC website - <www.hmrc.gov.uk>. If you have served for less than 3 years in the Brigade since October 2000 contact HMRC at the Centre for Non-Residence to ask for advice. You should note that if you are liable for Class 1 NI contributions do not apply to pay voluntary Class 3 NI contributions until your UK liability has ended (e.g. Re-employed Gurkha Officers).

Update: Class 3 contributions will cost £8.10 per week for 2008/09.

Q25. What do I have to do when I return to the UK to continue to make contributions?

A25. If you go straight into employment give your NINO to your employer and they will use this number in their payroll system to pay your tax and NICs. If you do not go straight into employment you should register with the DWP for employment and you will get a credit to your NICs record until you find work.

How Will it Affect My Wife and Family?

Q26. Does my wife benefit from my National Insurance Contributions?

A26. Yes, she can qualify for certain contributory benefits, depending on where she is residing, based on a % of your contributions:

Basic State Pension
Bereavement Payment
Bereavement Allowance
Widowed Parent's Allowance

Q27. If my wife is in employment in the UK, how will that affect my tax and NIC liability?

A27. In principle individuals are liable for their own tax and NICs. A wife who works has her own tax and NIC liability and normally there is nothing that can be transferred between spouses. The only real impact of dual income families is in qualifying for Tax Credits, as above certain joint income thresholds the Tax Credit received tapers down to nil.

Q28. What entitlement is there for my wife to my S2P when I die?

A28. 50% of the late husband's S2P may be inherited:

- If the widow is over the state pension age, currently age 60 but increasing to age 65 between 2010 and 2020.
- When the widow reaches the state pension age, providing she has not married, if she was under the state pension age when her husband died and:
 - She had dependant children at that time, or
 - She was age 45 or over.

What Changes are Being Made to the Way I am Being Taxed?

Q29. As a Gurkha am I liable for tax?

A29. Yes, but until changes to the Gurkha payroll system are in place from Apr 06, tax liability for a Gurkha's Army pay is settled centrally by the MOD.

Update: The effective date for this change was moved to 1 May 2006.

Q30. Will I have an individual relationship with HMRC from Apr 06?

A30. Yes, you will have a National Insurance number and full individual liability for tax.

Update: The effective date for this change was moved to 1 May 2006.

Q31. How will this change to individual liability to tax affect my savings in the UK?

A31. If you are a higher rate taxpayer, for example if you are a WO1 on incremental level 3 or above, or you earn sufficient specialist pay or taxable allowances such as LSSA, your savings will be liable to tax at the marginal difference between the compound rate used to tax all savings accounts at source and the higher rate of 40%. You will need to inform HMRC of your position and fill in a tax return so that the necessary payments can be made.

Q32. Will I be able to make any tax free savings by using ISAs?

A32. Yes. Technically you could before but many ISA providers insisted on a National Insurance Number to open an account. Now you have one you should not have a problem.

Q33. Once Gurkha pay is subject to tax and NICs under PAYE will I get a P60 end of year statement in April every year, and a P45 when I finally leave employment in the Army?

A33. Yes, and from 1 April 2006 Gurkha Support will no longer issue letters of earnings in lieu of P45s on behalf of personnel who are discharged after that date.

Update: The effective date for this change was moved to 1 May 2006

Changes to Gurkha Pay and Allowances

Q34. How will my pay change from April 2006?

A34. From April 2006 all Indian Army pay, specialist pay, Universal Addition and taxable allowances will be paid to Gurkhas at gross rates.

Update: The effective date for this change was moved to 1 May 2006

Q35. What changes will I see to my pay statement?

A35. Obviously the gross rates will be larger than the net rates currently used. The payment of tax and NIC will appear in the deductions column of your pay statement showing the total tax and NIC for that month. Also, you will see deductions for Service Families Accommodation (SFA), Single Living Accommodation (SLA), Contribution in lieu of Council Tax (CILOCT) and food charges, as appropriate to your personal circumstances.

Q36. Will my net pay remain the same after April 2006?

A36. It is unlikely that you will receive exactly the same net pay, partly because of the application of the Pay Review of 2006 and changes to tax thresholds from the Budget, but also because you are being treated for tax and pay purposes as an individual. From April 2006 your net pay will depend on your personal circumstances, especially your liability to food charges if you are not married accompanied and the grade of accommodation you are occupying if you are married accompanied or single. Another aspect is that because you will be paying NICs at the contracted-in rate you will receive slightly less net pay.

Update: From 1 April 2006 individuals became liable for accommodation and food charges according to personal circumstances. From 1 May 2006 individuals also became individually liable for tax and NIC.

Access to individual NI records -Security

Q37. Will information about my National Insurance record be available over the phone from HMRC?

A37. Yes. However, as Gurkhas are members of HM Forces, there will be restricted access to their NI records. Therefore when HMRC receive telephone calls about Gurkhas NI records, it will not be possible to give an immediate reply due to this restriction. In consequence, there may be a delay of a few days before a detailed response can be communicated.

END