STATUTORY RULES OF NORTHERN IRELAND

2021 No. 112

EMPLOYMENT

The Employment Rights (Northern Ireland) Order 1996 (Coronavirus, Calculation of a Week's Pay) (Amendment) (No. 2) Regulations (Northern Ireland) 2021

Made - - - -	*27th April 2021*
Coming into operation	*30th April 2021*

The Department for the Economy(**1**) makes the following Regulations in exercise of the powers conferred by Article 24(4) of the Employment Rights (Northern Ireland) Order 1996(**2**) and now vested in it(**3**).

Citation and commencement

1. These Regulations may be cited as the Employment Rights (Northern Ireland) Order 1996 (Coronavirus, Calculation of a Week's Pay) (Amendment) (No. 2) Regulations (Northern Ireland) 2021 and come into operation on 30th April 2021.

Amendment of the Employment Rights (Northern Ireland) Order 1996 (Coronavirus, Calculation of a Week's Pay) Regulations (Northern Ireland) 2020

2. The Employment Rights (Northern Ireland) Order 1996 (Coronavirus, Calculation of a Week's Pay) Regulations (Northern Ireland) 2020(**4**) are amended as follows.

Amendment of regulation 2 (interpretation)

3. In regulation 2(1), in the definition of "Coronavirus Job Retention Scheme", for "30th April" substitute "30th September".

(**1**) Formerly the Department of Economic Development; see Article 3(5) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)) and section 1(3) of the Departments Act (Northern Ireland) 2016 c. 5 (N.I.).

(**2**) S.I. 1996/1919 (N.I. 16).

(**3**) The functions of the Department of Economic Development under the Employment Rights (Northern Ireland) Order 1996 were transferred to the Department of Higher and Further Education, Training and Employment by S.R. 1999 No. 481, Article 4(b) and Schedule 2, Part II. The Department of Higher and Further Education, Training and Employment was renamed the Department for Employment and Learning by 2001 c. 15 (N.I.), section 1(1), and following the dissolution of that department by the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)), section 1(10), its functions under the Employment Rights (Northern Ireland) Order 1996 were transferred to the Department for the Economy by S.R. 2016 No. 76, Article 6(1)(c).

(**4**) S.R. 2020 No. 178, as amended by S.R. 2020 No. 281 and S.R. 2021 No. 53.

Amendment of regulation 3 (calculation of a week's pay in relation to furloughed employees)

4. In regulation 3(2)(a), for "30th April" substitute "30th September".

Amendment of regulation 8 (calculation of a week's pay in relation to employee with no normal working hours)

5. For regulation 8(4)(b), substitute—

"(b) "Scheme cap" means the amount of—

(i) £2,500 per month (or the appropriate pro-rata), or

(ii) £576.92 per week,

as applicable, specified in relation to qualifying costs in the Coronavirus Job Retention Scheme(**5**).".

Sealed with the Official Seal of the Department for the Economy on 27th April 2021.

L.S.

Colin Jack
A senior officer of the
Department for the Economy

(**5**) See, in particular, paragraphs 9.5 to 9.7 and 9.12 of the Schedule to the Coronavirus Act 2020 Functions of Her Majesty's Revenue and Customs (Coronavirus Job Retention Scheme) Direction given on 15th April 2021.