STATUTORY RULES OF NORTHERN IRELAND

2015 No. 149

SOCIAL SECURITY

The Maternity Allowance (Curtailment) Regulations (Northern Ireland) 2015

Made - - - -	*11th March 2015*
Coming into operation	*15th March 2015*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 35(3A), (3B), (3C) and (3D) and 171(1), (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), and now vested in it(**2**).

Citation and commencement

1. These Regulations may be cited as the Maternity Allowance (Curtailment) Regulations (Northern Ireland) 2015 and shall come into operation on 15th March 2015.

Interpretation

2.—(1) In these Regulations—

"the 1992 Act" means the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

"the 1996 Order" means the Employment Rights (Northern Ireland) Order 1996(**3**);

"C" means the child in respect of whom an entitlement to—

(a) shared parental leave arises under Article 107E (entitlement to shared parental leave: birth) of the 1996 Order(**4**); or

(b) statutory shared parental pay arises under section 167ZU (entitlement: birth) of the 1992 Act(**5**);

"M" means the mother (or expectant mother) of C;

"maternity allowance period curtailment date" means, subject to regulation 5(5), the date specified in a maternity allowance period curtailment notification;

(**1**) 1992 c. 7; section 35(3A) to (3D) was inserted by section 6(1) and (2) of the Work and Families Act (Northern Ireland) 2015 (c. 6) ("the 2015 Act") and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**2**) *See* Article 8(b) of S.R. 1999 No. 481
(**3**) 1996 No. 1919 (N.I. 16)
(**4**) Article 107E was inserted by section 2(2) of the 2015 Act
(**5**) Section 167ZU was inserted by section 5(2) of the 2015 Act

"maternity allowance period curtailment notification" means a notification given in accordance with regulation 4 and regulation 6(4);

"P" means the father of C, or the person who is married to, or the civil partner or the partner of, M;

"partner" in relation to M, means a person (whether of a different sex or the same sex) who lives with M and C in an enduring family relationship but is not M's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew;

"SPL Regulations" means the Shared Parental Leave Regulations (Northern Ireland) 2015(**6**); and

"ShPP Regulations" means the Statutory Shared Parental Pay (General) Regulations (Northern Ireland) 2015(**7**).

(2) The Interpretation Act (Northern Ireland) 1954(**8**) shall apply to these Regulations as it applies to an Act of the Assembly.

Curtailment of maternity allowance period (statutory shared parental pay: P)

3. M's maternity allowance period shall end on the maternity allowance period curtailment date if—

(a) M gives a maternity allowance period curtailment notification (unless the notification is revoked under regulation 6);

(b) P satisfies the condition in sub-paragraph (a) of regulation 5(2) (entitlement of father or partner to statutory shared parental pay (birth)) of the ShPP Regulations; and

(c) M satisfies the conditions of sub-paragraphs (b) and (c) of regulation 5(3) of the ShPP Regulations.

Curtailment of maternity allowance period (shared parental leave: P)

4. M's maternity allowance period shall end on the maternity allowance period curtailment date if—

(a) M gives a maternity allowance period curtailment notification (unless the notification is revoked under regulation 6);

(b) P satisfies the condition in sub-paragraph (a) of regulation 5(2) (father's or partner's entitlement to shared parental leave) of the SPL Regulations; and

(c) M satisfies the conditions in sub-paragraphs (a) and (c) of regulation 5(3) of the SPL Regulations.

Maternity allowance period curtailment notification

5.—(1) A maternity allowance period curtailment notification must—

(a) be given to the Department; and

(b) specify the date on which M wants her maternity allowance period to end.

(2) The date specified in accordance with paragraph (1)(b) must be—

(a) the last day of a week;

(**6**) S.R. 2015 No. 93
(**7**) S.R. 2015 No. 94
(**8**) 1954 c.33 (N.I.)