STATUTORY RULES OF NORTHERN IRELAND

2015 No. 96

EMPLOYMENT

WORK AND FAMILIES

The Statutory Adoption Pay (Curtailment) Regulations (Northern Ireland) 2015

Made - - - -	*2nd March 2015*
Coming into operation	*15th March 2015*

The Department for Employment and Learning, in exercise of the powers conferred by sections 167ZN(2A), (2B), (2C) and (2D) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**), makes the following Regulations.

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Statutory Adoption Pay (Curtailment) Regulations (Northern Ireland) 2015 and come into operation on 15th March 2015.

Interpretation

2. 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(**2**);

"A" means a person who is entitled to statutory adoption pay;

"adoption pay curtailment date" means, subject to regulation 7(4), the date specified in an adoption pay period curtailment notice;

(**1**) 1992 c. 7. Section 167ZN was inserted by the Employment (Northern Ireland) Order 2002 (S.I 2002/2836 (N.I. 2)), Article 6; and subsections (2A) to (2D) were inserted by the Work and Families Act (Northern Ireland) 2015 (c. 1), section 6(1) and (6). *See* section 167ZS of the 1992 Act for the definition of "prescribed".

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

"adoption pay period curtailment notice" means a notice given in accordance with regulation 7;

"AP" means the person who is married to, or the civil partner or the partner of, A;

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

(a) shared parental leave arises under Article 107G (entitlement to shared parental leave: adoption) of the 1996 Order(**3**);

(b) statutory shared parental pay arises under sections 167ZW and 167ZX (entitlement: adoption) of the 1992 Act(**4**);

"calendar week" means a period of seven days beginning with a Sunday;

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

"SPL Regulations" means the Shared Parental Leave Regulations (Northern Ireland) 2015(**5**);

"ShPP Regulations" means the Statutory Shared Parental Pay (General) Regulations (Northern Ireland 2015(**6**);

"statutory adoption pay" has the meaning given in section 167ZL(**7**) (entitlement) of the 1992 Act.

Notices

3.—(1) Where a notice is to be given under these Regulations, it may be given—

(a) where paragraph (2) applies, by electronic communication;

(b) by post; or

(c) by personal delivery.

(2) This paragraph applies where the person who is to receive the notice has agreed that the notice may be given to the person by being transmitted to an electronic address and in an electronic form specified by the person for the purpose.

(3) Where a notice is to be given under these Regulations it is to be taken to have been given—

(a) if sent by electronic communication, on the day of transmission;

(b) if sent by post in an envelope which is properly addressed and sent by prepaid post, on the day on which it is posted;

(c) if delivered personally, on the day of delivery.

PART 2

CURTAILMENT OF ADOPTION PAY PERIOD

Curtailment of adoption pay period (statutory shared parental pay: A)

4. A's adoption pay period shall end on the adoption pay curtailment date if—

(a) A gives an adoption pay period curtailment notice (unless the notice is revoked under regulation 8);

(**3**) Sections 107G was inserted by 2015 c. 1, section 2.
(**4**) Sections 167ZW and 167ZX were inserted by the 2015 c. 1, section 5.
(**5**) S.R. 2015. No. 93.
(**6**) S.R. 2015 .No. 94.
(**7**) Section 167ZL was inserted by the Employment (NI) Order 2002 S.I. 2002/2836 (N.I.), Art. 6.