STATUTORY RULES OF NORTHERN IRELAND

2004 No. 132

EMPLOYMENT

Statutory Paternity Pay and Statutory Adoption Pay (Amendment) Regulations (Northern Ireland) 2004

Made - - - -	*24th March 2004*
Coming into operation	*6th April 2004*

The Department for Employment and Learning(**1**) in exercise of the powers conferred on it by sections 167ZB(2)(a), 167ZJ(1) and (7), 167ZK, 167ZS(1) and (7), 167ZT and 171(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**2**), and of every other power enabling it in that behalf, and with the concurrence of the Commissioners of Inland Revenue in so far as such concurrence is required for this Statutory Rule, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Statutory Paternity Pay and Statutory Adoption Pay (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 6th April 2004.

(2) In these Regulations –

"the General Regulations" means the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations (Northern Ireland) 2002(**3**);

"the Modification Regulations" means the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (Application of Parts XIIZA and XIIZB to Adoptions from Overseas) Regulations (Northern Ireland) 2003(**4**);

"the Overseas Adoptions Regulations" means the Statutory Paternity Pay (Adoption) and Statutory Adoption Pay (Adoption from Overseas) Regulations (Northern Ireland) 2003(**5**).

Amendment of the General Regulations

2.—(1) The General Regulations shall be amended as follows.

(**1**) Formerly the Department of Higher and Further Education, Training and Employment; *see*2001 c. 15 (N.I.)
(**2**) 1992 c. 7; sections 167ZB, 167ZJ and 167ZK were inserted by Article 5 of the Employment (Northern Ireland) Order 2002 (S.I.2002/2836 (N.I. 2)), and sections 167ZS and 167ZT were inserted by Article 6 of that Order
(**3**) S.R. 2002 No. 378
(**4**) S.R. 2003 No. 221
(**5**) S.R. 2003 No. 223

(2) In regulation 11 (conditions of entitlement to statutory paternity pay (adoption): relationship with child and with person with whom the child is placed for adoption) –

(a) at the end of paragraph (2) (definition of "partner"), for "(3)" substitute "(2A)";

(b) after paragraph (2), insert the following paragraph –

"(2A) The relatives of the adopter referred to in paragraph (2) are the adopter's parent, grandparent, sister, brother, aunt or uncle.";

(c) in paragraph (3), for "(2)" substitute "(2A)".

Amendment of the Modification Regulations

3.—(1) The Modification Regulations shall be amended as follows.

(2) In Schedule 1 (Application of Part XIIZA of the Social Security Contributions and Benefits (Northern Ireland) Act to Adoptions from Overseas) –

(a) omit the first modification to section 167ZB(2) of the Act (referring to subsection (3A));

(b) after the third modification to section 167ZB(2) (relating to paragraph (a)(ii)), insert the following modification –

"In paragraph (b), omit "ending with the relevant week"";

(c) for the modification to section 167ZB(3) (defining the relevant week), substitute the following modification –

"For subsection (3) substitute –

"(3) The references in subsection (2)(c) and (d) to the relevant week are to –

(a) the week in which official notification is sent to the adopter, or

(b) the week at the end of which the person satisfies the condition in subsection (2)(b),

whichever is the later.";"

(d) omit the modification inserting section 167ZB(3A).

(3) In Schedule 2 (Application of Part XIIZB of the Social Security Contributions and Benefits (Northern Ireland) Act to Adoptions from Overseas) –

(a) omit the first modification to section 167ZL(2) of the Act (referring to subsection (3A));

(b) after the second modification to subsection 167ZL(2) (relating to paragraph (a)), insert the following modification –

"In paragraph (b), omit "ending with the relevant week"";

(c) for the modification to subsection 167ZL(3) (defining the relevant week), substitute the following modification –

"For subsection (3) substitute –

"(3) The reference in subsection (2)(d) to the relevant week is to –

(a) the week in which official notification is sent to the adopter, or

(b) the week at the end of which the person satisfies the condition in subsection (2)(b),

whichever is the later.";"

(d) omit the modification inserting section 167ZL(3A).