STATUTORY RULES OF NORTHERN IRELAND

2000 No. 49

SOCIAL SECURITY

The Social Fund (Maternity and Funeral Expenses) (General) (Amendment) Regulations (Northern Ireland) 2000

Made - - - -	*2nd March 2000*
Coming into operation	*27th March 2000*

The Department for Social Development, in exercise of the powers conferred upon it by sections 134(1)(*a*) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and now vested in it(**2**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Fund (Maternity and Funeral Expenses) (General) (Amendment) Regulations (Northern Ireland) 2000 and shall come into operation on 27th March 2000.

(2) In these Regulations, "the principal Regulations" means the Social Fund (Maternity and Funeral Expenses) (General) Regulations (Northern Ireland) 1987(**3**).

(3) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of regulation 2 of the principal Regulations

2. In regulation 2 of the principal Regulations (interpretation), after the definition of "funeral payment" there shall be inserted–

""health professional" means–

(a) a registered medical practitioner;

(**1**) 1992 c. 7; section 134(1) was substituted by the Social Security (Northern Ireland) Order 1998 (S.I.1998/1506 (N.I. 10))
(**2**) *See* Article 8(*b*) of, and Part II of Schedule 6 to, the Departments (Transfers and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481)
(**3**) S.R. 1987 No. 150; relevant amending Regulations are S.R. 1988 No. 22, S.R. 1989 No. 71, S.R. 1990 No. 132, S.R. 1992 Nos. 6 and 394, S.R. 1996 No. 423, S.R. 1997 No. 155 and S.R. 1999 Nos. 385 and 499
(**4**) 1954 c. 33 (N.I.)

(b) a midwife, nurse or health visitor registered as a midwife, nurse or health visitor with the United Kingdom Central Council for Nursing, Midwifery and Health Visiting under the Nurses, Midwives and Health Visitors Act 1997(**5**);".

Amendment of regulation 4 of the principal Regulations

3.—(1) Regulation 4 of the principal Regulations (entitlement to a maternity payment) shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1), after sub-paragraph (*b*) there shall be inserted the following sub-paragraph–

"(bb) subject to paragraph (3)–

(i) the claimant or partner has received advice on health and welfare matters relating to the child from a health professional, and

(ii) where the claim is made before the child is born, the claimant or partner has received advice on health and welfare matters relating to maternal health from a health professional, and".

(3) In paragraph (2)(**6**), in each place where the amount "£100" appears there shall be substituted the amount "£200".

(4) After paragraph (2) there shall be added the following paragraph–

"(3) Paragraph (1)(*bb*)(i) shall not apply where a claim is made after the birth of a still-born child.".

Supplemental amendments

4. In regulations 2(**7**), 3(**8**), 4(**9**), 5(**10**) and 8(**11**) of the principal Regulations, in each place where "maternity payment" occurs, there shall be substituted "Sure Start Maternity Grant".

Transitional provisions

5.—(1) Subject to paragraph (2), these Regulations shall not apply in a case where a claim is made and–

(a) the expected date of confinement;

(b) the date of birth of the child (including any still-born);

(c) the date of the adoption order, or

(d) in the case of a child in respect of whom an order has been granted pursuant to section 30 of the Human Fertilisation and Embryology Act 1990(**12**) (parental orders), the date of the order,

are both before 11th June 2000.

(2) Subject to paragraph (3), where a payment has been made on the basis that the expected date of confinement is before 11th June 2000 and the date of birth of that child (including any still-born) occurs after 10th June 2000, a further payment may be made in accordance with these Regulations.

(**5**) 1997 c. 24
(**6**) Paragraph (2) was substituted by S.R. 1992 No. 394 and sub-paragraph (*d*) was added by S.R. 1997 No. 155
(**7**) Relevant amending Regulations are S.R. 1997 No. 155
(**8**) Relevant amending Regulations are S.R. 1997 No. 155
(**9**) Relevant amending Regulations are S.R. 1992 Nos. 6 and 394, S.R. 1996 No. 423, S.R. 1997 No. 155 and S.R. 1999 No. 385
(**10**) Relevant amending Regulations are S.R. 1988 No. 22, S.R. 1992 No. 6, S.R. 1996 No. 423 and S.R. 1999 No. 385
(**11**) Relevant amending Regulations are S.R. 1989 No. 71 and S.R. 1990 No. 132
(**12**) 1990 c. 37