

*These notes refer to the Work and Families Act (Northern Ireland)
2015 (c.1) which received Royal Assent on 8th January 2015*

Work and Families Act (Northern Ireland) 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 1: Minor and consequential amendments

Many of the paragraphs in *Schedule 1* make amendments to legislation to rename “ordinary statutory paternity pay” and “ordinary paternity leave” as “statutory paternity pay” and “paternity leave”. Amendments also remove references to “additional paternity leave” and “additional paternity pay”. With the abolition of additional paternity leave and additional statutory paternity pay there will only be one type of paternity leave and pay and the references to “ordinary” and “additional” are no longer relevant.

Amendments further insert references to “statutory shared parental pay” and “shared parental leave” where appropriate.

Paragraph 1 amends Schedule 5 to the Social Security (Northern Ireland) Order 1989. *Sub-paragraphs (2)* and *(3)* amend the existing paragraphs of Schedule 5 about employment-related schemes that contain unfair paternity leave provisions and unfair adoption leave provisions so that they also apply in cases relating to placement of a child under FFA and surrogacy arrangements. *Sub-paragraph (4)* adds a new paragraph to Schedule 5 about employment-related schemes that contain unfair shared parental leave provisions.

Paragraph 4(11)(d) and (f) amend powers in the ERO to allow the Department to set out in subordinate legislation the nature of the right to return to work following a period of paternity leave which was combined with a period of shared parental leave.