
STATUTORY INSTRUMENTS

2002 No. 2836

The Employment (Northern Ireland) Order 2002

Statutory paternity pay and statutory adoption pay

Decisions and appeals

10.—(1) Part III of the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) (decisions and appeals) shall be amended as follows.

(2) In Article 7(1) (which lists social security matters in relation to which decisions shall be for an officer of the Board)—

(a) after sub-paragraph (f) (issues relating to entitlement to statutory sick pay or statutory maternity pay) there shall be inserted—

“(fa) subject to and in accordance with regulations made for the purposes of this paragraph by the Department for Employment and Learning with the concurrence of the Board, to decide any issue arising as to, or in connection with, entitlement to statutory paternity pay or statutory adoption pay;”;

(b) in sub-paragraph (g) (other issues relating to those matters) for the words from “under Part” to the end there shall be substituted “under Parts XI to XIIIB of the Contributions and Benefits Act (statutory sick pay, statutory maternity pay, statutory paternity pay and statutory adoption pay)”, and

(c) after that sub-paragraph there shall be inserted—

“(ga) to make any decision that falls to be made under regulations under Article 8 of the Employment (Northern Ireland) Order 2002 (funding of employers' liabilities to make payments of statutory paternity or adoption pay)”,

(3) In Article 7(3)(b) (which excludes certain decisions from Article 7(1)(g)) for “or statutory maternity pay” there shall be substituted “, statutory maternity pay, statutory paternity pay or statutory adoption pay”.

(4) In Article 10 (appeals against decisions of the Board), in paragraph (2)(a) (right of employer and employee in the case of statutory sick pay and statutory maternity pay to appeal to tax appeal Commissioners), for “or statutory maternity pay” there shall be substituted “, statutory maternity pay, statutory paternity pay or statutory adoption pay”.

(5) In Article 13 (matters arising as respects decisions)—

(a) in paragraph (1)(a)(i) (power to make regulations as respects such matters relating to statutory sick pay or statutory maternity pay), for “or statutory maternity pay” there shall be substituted “, statutory maternity pay, statutory paternity pay or statutory adoption pay”, and

(b) after paragraph (3) there shall be inserted—

“(4) Regulations under this Article must be made with the concurrence of the Department for Employment and Learning in so far as they relate to statutory paternity pay or statutory adoption pay”.