
EXPLANATORY NOTE

(This note is not part of the Regulations.)

This statutory rule contains only regulations made by virtue of Articles 5 and 6 of the Employment (Northern Ireland) Order 2002, which come into operation on 8th December 2002. The statutory rule is made before the end of the period of 6 months beginning with the coming into force of those provisions. The regulations in it are therefore exempted by section 150(5)(b) of the Social Security Administration (Northern Ireland) Act 1992 from the requirement under section 149 of that Act to refer the proposals to make the regulations to the Social Security Advisory Committee and they are made without reference to the Committee.

These Regulations, made under provisions inserted into the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (“the 1992 Act”) by Articles 5 and 6 of the Employment (Northern Ireland) Order 2002, make provision for certain cases where an employee of the Health and Personal Social Services has two or more contracts of employment for that employee to elect, for the purposes of Part XIIZA of the 1992 Act (statutory paternity pay) and Part XIIZB of that Act (statutory adoption pay), to treat those contracts as one contract.

Regulation 2 provides for employees whose contract of employment has been divided into two or more contracts with different bodies, as a consequence of the Health and Personal Social Services (Northern Ireland) Order 1991, to elect to have those contracts treated as one contract for the purposes of entitlement to statutory paternity pay or statutory adoption pay.

Regulation 3 provides for the manner in which, and the time within which, such an election is to be made.

Regulation 4 makes provision for the information that is to be provided by a person to his employers.

Regulation 5 provides for one of a person’s employers under the two or more contracts to be regarded for the purposes of statutory paternity pay and statutory adoption pay as his employer under the one contract.

Regulation 6 provides for the time within which an election is to have effect.