
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations allow eligible women to curtail their maternity allowance period in accordance with section 35(3A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (“the 1992 Act”) in order to enable their partner (which includes their spouse or child’s father) to take statutory shared parental pay in accordance with section 167ZU of the 1992 Act. The Regulations also allow eligible women to curtail their maternity allowance period in accordance with section 35(3A) of the 1992 Act in order to allow their partner to take shared parental leave in accordance with Article 107E of the Employment Rights (Northern Ireland) Order 1996.

Regulation 3 applies to a woman curtailing her maternity allowance period so that her partner can take statutory shared parental pay.

Regulation 4 applies to a woman who is not eligible for statutory maternity leave to curtail her maternity allowance period so that her partner can take shared parental leave. In these circumstances, an eligible partner will be entitled to 52 weeks of shared parental leave less the amount of maternity allowance the child’s mother has taken at the point of curtailing the maternity allowance period.

Regulation 5 prescribes the requirements with which a maternity allowance period curtailment notification must comply.

Regulation 6 allows a woman to revoke a maternity allowance period curtailment notification in specified circumstances and subject to certain conditions being satisfied.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.