

2000 No. 690

SOCIAL SECURITY, NORTHERN IRELAND

**The Social Security (Maternity Allowance) (Work Abroad)
(Amendment) (Northern Ireland) Regulations 2000**

<i>Made</i>	- - - -	<i>9th March 2000</i>
<i>Laid before Parliament</i>		<i>10th March 2000</i>
<i>Coming into force</i>		<i>2nd April 2000</i>

The Treasury, with the concurrence of the Department for Social Development(**a**), in exercise of the powers conferred on them by sections 119, 121(1) and 171(3), (4) and (10) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**b**), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Maternity Allowance) (Work Abroad) (Amendment) (Northern Ireland) Regulations 2000 and shall come into force on 2nd April 2000.

Interpretation

2. In these Regulations “the principal Regulations” means the Social Security (Maternity Allowance) (Work Abroad) Regulations (Northern Ireland) 1987(**c**).

Amendment of the principal Regulations

3. In regulation 1(2) of the principal Regulations the definition of “reduced rate” shall be omitted.

4.—(1) Regulation 2 of the principal Regulations (special provision for certain persons who have been employed abroad) shall be amended as follows.

(2) In paragraph (2)—

- (a) for the words from “Where a woman has paid” to “at the reduced rate either” there shall be substituted the words “Where a woman has paid, or is treated as having actually paid, Class 1 contributions under the Act either”;
- (b) for the words from “and as having actually paid Class 1 contributions” to the end there shall be substituted the words “and for any such week, and for any weeks following the period of that liability and before the date of her return to Northern Ireland so far as those weeks are relevant to her claim for a maternity allowance, as having received an amount of specified payments for the purposes of section 35A(4)(**d**) of the Social Security

(a) The functions of the Department of Health and Social Services for Northern Ireland under the Social Security Contributions and Benefits (Northern Ireland) Act 1992 were transferred to the Department for Social Development by Article 8(b) of, and Part II of Schedule 6 to, the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481).

(b) 1992 c. 7. Section 119 was amended by paragraph 51 of Schedule 6 to the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)), paragraph 25 of Schedule 3, and paragraph 6 of Schedule 6, to the Social Security Contributions (Transfer of Functions, etc.) Order 1999 (S.I. 1999/671) (“the Transfer Order”). Section 121(1) is cited because of the meaning ascribed to the word “prescribe”. Section 171(10) was substituted by paragraph 28(3) of Schedule 3 to the Transfer Order.

(c) S.R. 1987 No. 151; the relevant amending regulations are S.R. 1994 No. 191.

(d) Section 35A was inserted by Article 50(3) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)).

Contributions and Benefits (Northern Ireland) Act 1992 equal to the lower earnings limit in force on the last day of that week”.

(3) In paragraph (3)—

- (a) in sub-paragraph (a) the words “, otherwise than at the reduced rate,” shall be omitted;
- (b) for the words “and as having actually paid Class 1 contributions for each week of her absence” there shall be substituted the words “and for each week of her absence as having received an amount of specified payments for the purposes of section 35A(4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 equal to the lower earnings limit in force on the last day of that week”.

(4) In paragraph (4)(a)—

- (a) in sub-paragraph (a) the words “, otherwise than at the reduced rate,” shall be omitted;
- (b) for the words “and in which she actually paid Class 1 contributions” there shall be substituted the words “and in each week of which she received an amount of specified payments for the purposes of section 35A(4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 equal to the lower earnings limit in force on the last day of that week”.

(5) In paragraph (6) for the words “and as having actually paid Class 1 contributions” there shall be substituted the words “and as having received an amount of specified payments for the purposes of section 35A(4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 equal to the lower earnings limit in force on the last day of each of those weeks”.

Bob Ainsworth

Greg Pope

8th March 2000

Two of the Lords Commissioners of Her Majesty’s Treasury

The Department for Social Development hereby concurs.

Sealed with the Official Seal of the Department for Social Development on 9th March 2000.

John O’Neill

Senior Officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Maternity Allowance) (Work Abroad) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 151) (“the principal Regulations”). The amendments are in consequence of changes made by Article 50 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11)) to the conditions for a maternity allowance under section 35 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7). The purpose of the amendments to the principal Regulations is to ensure that they continue to enable women who are ordinarily resident in Northern Ireland but who have worked abroad to satisfy, in specified circumstances, certain of the conditions for a maternity allowance.

Regulation 1 provides for citation and commencement, and regulation 2 for interpretation.

Regulation 3 amends regulation 1(2) of the principal Regulations.

Regulation 4 amends regulation 2 of the principal Regulations.

These Regulations do not impose any charge on business.

(a) Amended by S.R. 1994 No. 191, regulation 4.

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