

SCHEDULES

SCHEDULE 1

Article 13.

LEAVE AND PAY RELATED TO BIRTH OR ADOPTION: FURTHER AMENDMENTS

The Social Security (Northern Ireland) Order 1989 (NI 13)

F11.

Textual Amendments

F1 Sch. 1 paras. 1-4 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

The Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7)

F12.

Textual Amendments

F1 Sch. 1 paras. 1-4 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F13.

Textual Amendments

F1 Sch. 1 paras. 1-4 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F14.

Textual Amendments

F1 Sch. 1 paras. 1-4 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

5. In section 35 (state maternity allowance), in subsection (3)(a) (power by regulations to prescribe cases in which a woman is disqualified from receiving a maternity allowance), for subparagraph (i) substitute—

“(i) during the maternity allowance period, except in prescribed cases, she does any work in employment as an employed or self-employed earner;

(ia) during the maternity allowance period she fails without good cause to observe any prescribed rules of behaviour; or”.

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- 6.—(1) Section 161 (the maternity pay period) is amended as follows.
- (2) For subsections (2) and (3) substitute—
 - “(2) Subject to subsections (3) and (7), the maternity pay period shall begin with the 11th week before the expected week of confinement.
 - (3) Cases may be prescribed in which the first day of the period is to be a prescribed day after the beginning of the 11th week before the expected week of confinement, but not later than the day immediately following the day on which she is confined.”.
- (3) In subsection (4), at the beginning insert “ Except in such cases as may be prescribed, ”.
- (4) After subsection (7) add—
 - “(8) In subsections (1), (4) and (6) “week” means a period of 7 days beginning with the day of the week on which the maternity pay period begins.”.

Commencement Information

I1 Sch. 1 para. 6 wholly in operation at 1.10.2006; Sch. 1 para. 6 not in operation at date of making see art. 1(3); Sch. 1 para. 6 in operation for certain purposes at 1.9.2006 and wholly in operation at 1.10.2006 by S.R. 2006/344, arts. 2(d), 3(b)

- 7.—(1) Section 162 (rate of statutory maternity pay) is amended as follows.
- (2) After subsection (1) insert—
 - “(1A) In subsection (1) “week” means any period of 7 days.”.
- (3) After subsection (3) add—
 - “(4) Where for any purpose of this Part of this Act or of regulations it is necessary to calculate the daily rate of statutory maternity pay, the amount payable by way of statutory maternity pay for any day shall be taken as one seventh of the weekly rate.”.
- 8.—(1) Section 167 (interpretation of Part XII) is amended as follows.
- (2) In subsection (1), omit the definition of “week”.
- (3) After that subsection insert—
 - “(1A) In this Part, except section 161(1), (4) and (6), section 162(1) and paragraph 3(2) of Schedule 13, “week” means a period of 7 days beginning with Sunday or such other period as may be prescribed in relation to any particular case or class of case.”.

Commencement Information

I2 Sch. 1 para. 8 wholly in operation at 1.10.2006; Sch. 1 para. 8 not in operation at date of making see art. 1(3); Sch. 1 para. 8 in operation for certain purposes at 1.9.2006 and wholly in operation at 1.10.2006 by S.R. 2006/344, arts. 2(d), 3(b)

F²9.

Textual Amendments

F2 Sch. 1 paras. 9-14 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F²10.

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Textual Amendments

F2 Sch. 1 paras. 9-14 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F211.

Textual Amendments

F2 Sch. 1 paras. 9-14 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F212.

Textual Amendments

F2 Sch. 1 paras. 9-14 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F213.

Textual Amendments

F2 Sch. 1 paras. 9-14 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F214.

Textual Amendments

F2 Sch. 1 paras. 9-14 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

15.—(1) Section 167ZE (rate and period of statutory paternity pay) is amended as follows.

F3(2)

(3) After subsection (10) insert—

“(10A) Where for any purpose of this Part of this Act or of regulations it is necessary to calculate the daily rate of ordinary statutory paternity pay, the amount payable by way of ordinary statutory paternity pay for any day shall be taken as one seventh of the weekly rate.”.

Textual Amendments

F3 Sch. 1 para. 15(2) repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

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Commencement Information

I3 Sch. 1 para. 15 wholly in operation at 1.10.2010; Sch. 1 para. 15 not in operation at date of making see art. 1(3); Sch. 1 para. 15(1)(3) in operation at 1.10.2006 by S.R. 2006/344, art. 3(c); Sch. 1 para. 15(2) in operation at 1.10.2010 by S.R. 2010/295, art. 3(d)

F⁴16.

Textual Amendments

F4 Sch. 1 paras. 16-19 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F⁴17.

Textual Amendments

F4 Sch. 1 paras. 16-19 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F⁴18.

Textual Amendments

F4 Sch. 1 paras. 16-19 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F⁴19.

Textual Amendments

F4 Sch. 1 paras. 16-19 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

20.—(1) Section 167ZN (rate and period of statutory adoption pay) is amended as follows.
(2) At the beginning of subsection (3) insert “ Except in such cases as may be prescribed, ”.
(3) After subsection (6) insert—
“(6A) Where for any purpose of this Part of this Act or of regulations it is necessary to calculate the daily rate of statutory adoption pay, the amount payable by way of statutory adoption pay for any day shall be taken as one seventh of the weekly rate.”.

Commencement Information

I4 Sch. 1 para. 20 wholly in operation at 1.10.2006; Sch. 1 para. 20 not in operation at date of making see art. 1(3); Sch. 1 para. 20 in operation for certain purposes at 1.9.2006 and wholly in operation at 1.10.2006 by S.R. 2006/344, arts. 2(d), 3(b)

F⁵21.

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Textual Amendments

F5 Sch. 1 para. 21 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

22. In Schedule 13 (relationship of statutory maternity pay with benefits and other payments etc.), in paragraph 3 (contractual remuneration), after sub-paragraph (2) insert—

“(2A) In sub-paragraph (2) “week” means a period of 7 days beginning with the day of the week on which the maternity pay period begins.”.

The Social Security Administration (Northern Ireland) Act 1992 (c. 8)

F623.

Textual Amendments

F6 Sch. 1 paras. 23-29 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F624.

Textual Amendments

F6 Sch. 1 paras. 23-29 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F625.

Textual Amendments

F6 Sch. 1 paras. 23-29 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F626.

Textual Amendments

F6 Sch. 1 paras. 23-29 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

The Employment Rights (Northern Ireland) Order 1996 (NI 16)

F627.

Textual Amendments

F6 Sch. 1 paras. 23-29 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F628.

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Textual Amendments
F6 Sch. 1 paras. 23-29 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F629.

Textual Amendments
F6 Sch. 1 paras. 23-29 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

- 30. In Article 103 (ordinary maternity leave), for paragraph (3) substitute—
 - “(3) Regulations under paragraph (2)—
 - (a) shall secure that, where an employee has a right to leave under this Article, she is entitled to an ordinary maternity leave period of at least 26 weeks;
 - (b) may allow an employee to choose, subject to prescribed restrictions, the date on which an ordinary maternity leave period starts;
 - (c) may specify circumstances in which an employee may work for her employer during an ordinary maternity leave period without bringing the period to an end.”.

- 31. In Article 105 (additional maternity leave), for paragraph (3) substitute—
 - “(3) Regulations under paragraph (2)—
 - (a) may allow an employee to choose, subject to prescribed restrictions, the date on which an additional maternity leave period ends;
 - (b) may specify circumstances in which an employee may work for her employer during an additional maternity leave period without bringing the period to an end.”.

- 32. In Article 107A (ordinary adoption leave), after paragraph (2) insert—
 - “(2A) Regulations under paragraph (2) may specify circumstances in which an employee may work for his employer during an ordinary adoption leave period without bringing the period to an end.”.

- 33. In Article 107B (additional adoption leave), for paragraph (3) substitute—
 - “(3) Regulations under paragraph (2)—
 - (a) may allow an employee to choose, subject to prescribed restrictions, the date on which an additional adoption leave period ends;
 - (b) may specify circumstances in which an employee may work for his employer during an additional adoption leave period without bringing the period to an end.”.

F734.

Textual Amendments
F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F735.

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Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F736.

Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F737.

Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F738.

Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F739.

Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F740.

Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F741.

Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), s. 23(1), Sch. 2; S.R. 2015/86, art. 4(3) (with art. 7(2))

F742.

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Textual Amendments
F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

The Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (SI 1999/671)

F7 43.

Textual Amendments
F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F7 44.

Textual Amendments
F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F7 45.

Textual Amendments
F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

The Employment (Northern Ireland) Order 2002 (NI 2)

F7 46.

Textual Amendments
F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F7 47.

Textual Amendments
F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F7 48.

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Textual Amendments

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F749.

Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

F750.

Textual Amendments

F7 Sch. 1 paras. 34-50 repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\)](#), s. 23(1), [Sch. 2](#); S.R. 2015/86, art. 4(3) (with art. 7(2))

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-6](#)