STATUTORY RULES OF NORTHERN IRELAND

2001 No. 308

SOCIAL SECURITY; STATUTORY MATERNITY PAY

The Social Security (Medical Evidence) and Statutory Maternity Pay (Medical Evidence) (Amendment) Regulations (Northern Ireland) 2001

Made . . . . . 21st August 2001

Coming into operation . . 28th September 2001

The Department for Social Development, in exercise of the powers conferred by sections 5(1)(*j*), 13(1)(*a*) and 165(1), (4) and (5) of the Social Security Administration (Northern Ireland) Act 1992(**a**), and now vested in it(**b**), and of all other powers enabling it in that behalf, and with the concurrence of the Inland Revenue in so far as their concurrence is required(**c**), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Medical Evidence) and Statutory Maternity Pay (Medical Evidence) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 28th September 2001.

(2) The Interpretation Act (Northern Ireland) 1954(**d**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Social Security (Medical Evidence) Regulations

2.—(1) The Social Security (Medical Evidence) Regulations (Northern Ireland) 1976(**e**) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(3)(**f**) (evidence of incapacity for work and confinement) after "given by a doctor or by a registered midwife" there shall be inserted ", not earlier than the beginning of the 20th week before the expected week of confinement,".

(3) In Part II of Schedule 2(**g**) (form of maternity certificate) for "14 weeks" there shall be substituted "20 weeks".

(**a**) 1992 c. 8; section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671)
(**b**) *See* Article 8(*b*) of S.R. 1999 No. 481
(**c**) *See* section 13(1A) of the Social Security Administration (Northern Ireland) Act 1992; subsection (1A) was inserted by paragraph 42 of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999
(**d**) 1954 c. 33 (N.I.)
(**e**) S.R. 1976 No. 175; relevant amending regulations are S.R. 1987 No. 117 and S.R. 1991 No. 488
(**f**) Regulation 2(3) was amended by regulation 2(3) of S.R. 1987 No. 117
(**g**) Part II of Schedule 2 was substituted by Schedule 1 to S.R. 1991 No. 488

Amendment of the Statutory Maternity Pay (Medical Evidence) Regulations

3.—(1) The Statutory Maternity Pay (Medical Evidence) Regulations (Northern Ireland) 1987(**a**) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (evidence of pregnancy and confinement) for "14th week) there shall be substituted "20th week".

(3) In Part II of the Schedule (form of maternity certificate) for "14 weeks" there shall be substituted "20 weeks".

Sealed with the Official Seal of the Department for Social Development on 21st August 2001.

(L.S.) *John O'Neill*
Senior Officer of the Department for Social Development

The Commissioners of Inland Revenue hereby concur.

Ann Chant
Dave Hartnett
23rd August 2001 Two of the Commissioners of Inland Revenue

(**a**) S.R. 1987 No. 99; relevant amending regulations are S.R. 1991 No. 488

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Social Security (Medical Evidence) Regulations (Northern Ireland) 1976 and the Statutory Maternity Pay (Medical Evidence) Regulations (Northern Ireland) 1987 to provide for the maternity certificate to be given not more than 20 weeks before the week the baby is expected.

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, are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

These Regulations do not impose a charge on business.

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