

Status: Point in time view as at 17/02/2016. This version of this provision has been superseded.
Changes to legislation: Welfare Reform Act (Northern Ireland) 2007, Section 20 is up to date with all changes known to be in force on or before 25 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



2007 CHAPTER 2

PART 1

EMPLOYMENT AND SUPPORT ALLOWANCE

Miscellaneous

Relationship with statutory payments

20.—(1) A person is not entitled to an employment and support allowance in respect of a day if, for the purposes of statutory sick pay, that day—

- (a) is a day of incapacity for work in relation to a contract of service, and
- (b) falls within a period of entitlement (whether or not it is a qualifying day).

(2) Except as regulations may provide, a woman who is entitled to statutory maternity pay is not entitled to a contributory allowance in respect of a day that falls within the maternity pay period.

(3) Regulations may provide that—

- (a) an amount equal to a woman's statutory maternity pay for a period shall be deducted from a contributory allowance in respect of the same period,
- (b) a woman shall only be entitled to a contributory allowance if there is a balance after the deduction, and
- (c) if there is such a balance, a woman shall be entitled to a contributory allowance at a weekly rate equal to it.

(4) Except as regulations may provide, a person who is entitled to statutory adoption pay is not entitled to a contributory allowance in respect of a day that falls within the adoption pay period.

(5) Regulations may provide that—

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- (a) an amount equal to a person's statutory adoption pay for a period shall be deducted from a contributory allowance in respect of the same period,
- (b) a person shall only be entitled to a contributory allowance if there is a balance after the deduction, and
- (c) if there is such a balance, a person shall be entitled to a contributory allowance at a weekly rate equal to it.

(6) Except as regulations may provide, a person who is entitled to [^{F1}statutory shared parental pay] is not entitled to a contributory allowance in respect of [^{F2}a day that falls within a period in respect of which statutory shared parental pay is payable] .

(7) Regulations may provide that—

- (a) an amount equal to a person's [^{F3}statutory shared parental pay for a period] shall be deducted from a contributory allowance in respect of the same period,
- (b) a person shall only be entitled to a contributory allowance if there is a balance after the deduction, and
- (c) if there is such a balance, a person shall be entitled to a contributory allowance at a weekly rate equal to it.

(8) In this section—

^{F4}
...

“adoption pay period” has the meaning given in section 167ZN(2) of that Act;

“maternity pay period” has the meaning given in section 161(1) of that Act.

Textual Amendments

- F1** Words in s. 20(6) substituted (15.3.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\), s. 23\(1\), Sch. 1 para. 7\(a\)\(i\)](#); S.R. 2015/86, art. 3(2)(g) (with art. 6(1))
- F2** Words in s. 20(6) substituted (15.3.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\), s. 23\(1\), Sch. 1 para. 7\(a\)\(ii\)](#); S.R. 2015/86, art. 3(2)(g) (with art. 6(1))
- F3** Words in s. 20(7)(a) substituted (15.3.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\), s. 23\(1\), Sch. 1 para. 7\(b\)](#); S.R. 2015/86, art. 3(2)(g) (with art. 6(1))
- F4** Words in s. 20(8) repealed (5.4.2015) by [Work and Families Act \(Northern Ireland\) 2015 \(c. 1\), s. 23\(1\), Sch. 1 para. 7\(c\), Sch. 2](#); S.R. 2015/86, art. 4(2)(f)(3) (with art. 7(2))

Modifications etc. (not altering text)

- C1** S. 20(2) excluded (27.10.2008) by [Employment and Support Allowance Regulations \(Northern Ireland\) 2008 \(S.R. 2008/280\), regs. 1\(1\), 80\(2\)](#)
- C2** S. 20(4) excluded (27.10.2008) by [Employment and Support Allowance Regulations \(Northern Ireland\) 2008 \(S.R. 2008/280\), regs. 1\(1\), 81\(2\)](#)
- C3** S. 20(6) excluded (day on which regulations made under or by virtue of ss. 167ZEA to 167ZEE of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 come

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into operation for certain purposes, otherwise 27.10.2008) by [Employment and Support Allowance Regulations \(Northern Ireland\) 2008 \(S.R. 2008/280\)](#), regs. 1(1)(3), **82(2)**

Commencement Information

- II** S. 20 wholly in operation at 27.10.2008; s. 20 not in operation at Royal Assent see s. 60(1); s. 20(2)-(7) in operation for certain purposes at 1.7.2008 and wholly in operation at 27.10.2008 by [S.R. 2008/276](#), **art. 2(2)(c)**, Sch. Pt. 1; s. 20 in operation at 27.10.2008 in so far as not already in operation by [S.R. 2008/276](#), **art. 2(2)(d)**, Sch. Pt. 2

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