
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 378

**Statutory Paternity Pay and Statutory Adoption
Pay (General) Regulations (Northern Ireland) 2002**

**PART I
INTRODUCTION**

Citation and commencement

1. These Regulations may be cited as the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations (Northern Ireland) 2002 and shall come into operation on 8th December 2002.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992(1);

“adopter”, in relation to a child, means a person who has been matched with the child for adoption;

“adoption agency” has the meaning given by Article 3(3) of the Adoption (Northern Ireland) Order 1987(2) and, in relation to England and Wales, by section 1(4) of the Adoption Act 1976(3) and, in relation to Scotland, by section 1(4) of the Adoption (Scotland) Act 1978(4);

“the Board” means the Commissioners of Inland Revenue;

“the Contributions Regulations” means the Social Security (Contributions) Regulations 2001(5);

“expected week”, in relation to the birth of a child, means the week, beginning with midnight between Saturday and Sunday, in which it is expected that the child will be born;

“statutory paternity pay (adoption)” means statutory paternity pay payable in accordance with the provisions of Part XIIZA of the Act where the conditions specified in section 167ZB(2) of the Act are satisfied;

“statutory paternity pay (birth)” means statutory paternity pay payable in accordance with the provisions of Part XIIZA of the Act where the conditions specified in section 167ZA(2) of the Act are satisfied;

(2) For the purposes of these Regulations—

(1) 1992 c. 7

(2) S.I. 1987/2203 (N.I. 22); Article 3(3) was amended by Schedule 1 to the Health and Personal Social Services (Northern Ireland) Order 1994 (S.I. 1994/429 (N.I. 2))

(3) 1976 c. 36; section 1(4) was amended by paragraph 5 of Schedule 4 to the Care Standards Act 2000 (c. 14)

(4) 1978 c. 28

(5) S.I. 2001/1004

- (a) a person is matched with a child for adoption when an adoption agency decides that that person would be a suitable adoptive parent for the child, either individually or jointly with another person, and
- (b) a person is notified of having been matched with a child for adoption on the date on which he receives notification of the adoption agency's decision, under regulation 11(2) of the Adoption Agencies Regulations (Northern Ireland) 1989⁽⁶⁾ or regulation 11(2) of the Adoption Agencies Regulations 1983⁽⁷⁾ or regulation 12(3) of the Adoption Agencies (Scotland) Regulations 1996⁽⁸⁾.

Application

3.—(1) Subject to the provisions of Part XIIZA of the Act (statutory paternity pay) and of these Regulations, there is entitlement to—

- (a) statutory paternity pay (birth) in respect of children—
 - (i) born on or after 6th April 2003; or
 - (ii) whose expected week of birth begins on or after that date;
- (b) statutory paternity pay (adoption) in respect of children—
 - (i) matched with a person who is notified of having been matched on or after 6th April 2003; or
 - (ii) placed for adoption on or after that date.

(2) Subject to the provisions of Part XIIZB of the Act (statutory adoption pay) and of these Regulations, there is entitlement to statutory adoption pay in respect of children—

- (a) matched with a person who is notified of having been matched on or after 6th April 2003; or
- (b) placed for adoption on or after that date.

⁽⁶⁾ S.R. 1989 No. 253
⁽⁷⁾ S.I. 1983/1964
⁽⁸⁾ S.I. 1996/3266