

2002 No. 380

EMPLOYMENT

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

Made - - - - - *6th December 2002*

Coming into operation *8th December 2002*

The Department for Employment and Learning, in exercise of the powers conferred on it by sections 167ZE(1) and 167ZN(1) of the Social Security Contributions and Benefits Act (Northern Ireland) 1992(a) and section 5(1)(m) of the Social Security Administration (Northern Ireland) Act 1992(b) and of every other power enabling it in that behalf, hereby, by this Statutory Rule, which contains only regulations made by virtue of the Employment (Northern Ireland) Order 2002(c) and is made before the end of the period of 6 months beginning with the coming into operation of that statutory provision(d), makes the following Regulations –

Citation and commencement

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

Weekly rate of payment of statutory paternity pay

2.—(1) Where the paternity pay period begins before 6th April 2003, the weekly rate payable shall be £75·00.

(2) Where the paternity pay period begins on or after 6th April 2003, the weekly rate payable shall be the smaller of the following two amounts –

- (a) £100·00;
- (b) 90 per cent. of the normal weekly earnings of the person claiming statutory paternity pay, determined in accordance with regulations 39 and 40 of the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations (Northern Ireland) 2002(e).

Weekly rate of payment of statutory adoption pay

3. The weekly rate of payment of statutory adoption pay shall be the smaller of the following two amounts –

- (a) £100·00;

(a) 1992 c. 7; Section 167ZE(1) was inserted by Article 5 of the Employment (Northern Ireland) Order 2002 (N.I. 2) and section 167ZN (1) was inserted by Article 6 of the Employment (Northern Ireland) Order 2002 (N.I. 2)

(b) 1992 N.I. c. 8

(c) S.I. 2002/2836 (N.I. 2)

(d) See section 150(5)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)

(e) S.R. 2002 No. 378

(b) 90 per cent. of the normal weekly earnings of the person claiming statutory adoption pay, determined in accordance with regulations 39 and 40 of the Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations (Northern Ireland) 2002.

Rounding of fractional amounts

4. Where any payment of statutory paternity pay is at the weekly rate specified in regulation 2(2)(b), or any payment of statutory adoption pay is at the weekly rate specified in regulation 3(b), and that amount includes a fraction of a penny, the payment shall be rounded to the next whole number of pence.

Sealed with the Official Seal of the Department for Employment and Learning on 6th December 2002.

(L.S.)

R. B. Gamble

A senior officer of the Department for Employment and Learning

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations set out the weekly rates payable in relation to statutory paternity pay and statutory adoption pay payable under Parts XIIZA (statutory paternity pay) and XIIZB (statutory adoption pay) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, as inserted by Articles 5 and 6 respectively of the Employment (Northern Ireland) Order 2002.

Regulation 2 sets the weekly rate of payment of statutory paternity pay at £75.00 where the paternity pay period begins before 6th April 2003, and at the smaller of £100 and 90% of the employee's normal weekly earnings where the paternity pay period begins on or after 6th April 2003.

Regulation 3 sets the weekly rate of payment of statutory adoption pay at the smaller of £100 and 90% of the employee's normal weekly earnings.

Regulation 4 provides for the rounding up of fractional amounts.

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