

2005 No. 62

STATUTORY MATERNITY PAY

**The Statutory Maternity Pay (General) (Amendment)
Regulations (Northern Ireland) 2005**

Made - - - - - *4th March 2005*

Coming into operation *6th April 2005*

The Department for Social Development, in exercise of the powers conferred by sections 160(9)(c) and 171(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a), and now vested in it(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Statutory Maternity Pay (General) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 6th April 2005.

(2) These Regulations shall have effect only in relation to a reinstatement or re-engagement of employment occurring on or after 6th April 2005.

Amendment of the Statutory Maternity Pay (General) Regulations

2. In regulation 12(1) of the Statutory Maternity Pay (General) Regulations (Northern Ireland) 1987(c) (continuous employment and unfair dismissal) –

(a) at the end of sub-paragraph (b) the word “or” shall be omitted; and

(b) after sub-paragraph (c) there shall be added –

“or

(d) of a decision arising out of the use of a statutory dispute resolution procedure contained in Schedule 1 to the Employment (Northern Ireland) Order 2003(d) in a case where, in accordance with the Employment (Northern Ireland) Order 2003 (Dispute Resolution) Regulations (Northern Ireland) 2004(e), such a procedure applies.”.

Sealed with the Official Seal of the Department for Social Development on 4th March 2005.

(L.S.)

John O’Neill

A senior officer of the Department for Social Development

(a) 1992 c. 7; section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)

(b) See Article 8(b) of S.R. 1999 No. 481

(c) S.R. 1987 No. 30, to which there are amendments not relevant to these regulations

(d) S.I. 2003/2902 (N.I. 15)

(e) S.R. 2004 No. 521

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Statutory Maternity Pay (General) Regulations (Northern Ireland) 1987 to provide for continuity of employment in respect of a dismissal where a woman commences a statutory dispute resolution procedure and as a consequence of that procedure is reinstated or re-engaged by her employer. The amendment has effect in relation to a reinstatement or re-engagement of employment occurring on or after 6th April 2005.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Trade and Industry 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 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

These Regulations impose minimal costs on business.

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